

## DELIVERY & RELATED REQUIREMENTS

### 1. Retail Sale Requirement

- For electricity to be eligible, it must be demonstrated to the satisfaction of the Commission or its designee that the electrical output of the generation facility either originated in New York State or was contractually delivered into New York State, and was sold to consumers in New York State in a retail sale.

### 2. Delivery Requirement

- ~~For electricity to be eligible, it must be demonstrated to the satisfaction of the Commission or its designee that the electrical output of the generation facility was scheduled into a market administered by the New York Independent System Operator, Inc. (NYISO), not by bilateral energy contract (commonly called a "physical" bilateral) wherein the right to the energy is directly transferred to a particular load serving entity, and the energy is generated in accordance with such schedule, and is subject to confirmation. The type of bilateral energy contracts excluded from eligibility does not include financial "hedge" contracts where the right to the energy is not directly transferred to a particular load serving entity but instead is determined in a market administered by the NYISO. Intermittent renewable generation that is difficult to schedule may be sold into the spot market of the control area it is located in as it is generated without simultaneous transmission into the New York Control Area, so long as an equal quantity of energy is transmitted out of the affected spot market into the New York Control Area during the same calendar month (monthly matching). In addition, if the control area of origin has an attributes accounting and tracking system, or an environmental disclosure program, such system and/or program must be able to recognize monthly matched transactions without the double counting of attributes in any jurisdiction.~~
- **Out-of-state intermittent renewable generators that participate in Renewable Portfolio Standard Program Main Tier solicitations may sell and transmit energy as it is generated into the spot market of the control area of its location without simultaneous transmission into the New York Control Area, so long as an equal quantity of energy is transmitted out of the affected spot market into the New York Control Area for end-use during the same hour as the**

**renewable generation is produced (hourly matching). Contractual deliveries associated with the out-of-state resource shall be recognized in each hour as the lesser of actual hourly metered energy production by the renewable generator or actual hourly energy delivered to the electric energy purchaser in the New York Control Area for end-use. In addition, if the control area of origin has an attributes accounting and tracking system or an environmental disclosure program, it is required that such system and/or program recognize hourly matched transactions without double counting the attributes in any jurisdiction.**

3. System Contract Requirement

- Electricity scheduled by way of a system contract – guaranteeing a quantity of energy from any one of a number of generation facilities rather than from a particular generation facility – shall not be eligible unless the quantity of output of each generation facility that actually provided energy generated in accordance with such schedule can be demonstrated to the satisfaction of the Commission or its designee. In addition, if the control area of origin is not the New York Control Area and has an attributes accounting and tracking system, or an environmental disclosure program, such system and/or program must be compatible with the recognition of the quantity of output of each generation facility that actually provided energy generated without the double counting of attributes in any jurisdiction.

4. Net Metering

- Assuming the quantity of energy is sufficient to be scheduled into a market administered by the New York Independent System Operator, Inc. (NYISO), net electricity produced from Customer-Sited generation facilities (that amount produced above the amount used by the customer) is eligible so long as such net electricity is not sold to the local distribution utility under a mandatory net-metering regime.