

**PRELIMINARY DRAFT OF ADDITION TO SERVICES TARIFF
TO ADDRESS SALES TAX**

8.4 Eligibility to Obtain Services Under This Tariff

In addition to any other requirements set forth in this Tariff, any Customer seeking to purchase any services under this Tariff shall satisfy the requirements of either (A) or (B) below with respect to any applicable New York state and local sales and compensating use taxes associated with such purchase.

- (A) The Customer shall supply the NYISO with a Reseller's Certificate of the kind and in the form prescribed in N.Y. State Tax Law §1132(c)(1)(form ST-120) or
- (B) The Customer shall:
 - (i) Supply the NYISO with a valid exemption certificate (*e.g.* as a charitable organization) from any applicable taxing authority that exempts the Customer or the transaction from the associated sales or compensating use tax of the kind and in the form prescribed in N.Y. State Tax Law §1132(c)(1); or
 - (ii) Be a governmental entity or instrumentality that is not subject to the sales or compensating use tax; or
 - (iii) Supply the NYISO with a valid direct pay permit such as that authorized pursuant to N.Y. State Tax Law § 1132(c)(2).