

PSC NO: 214 ELECTRICITY  
COMPANY: NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: MAY 21, 2012

LEAF: 9.5  
REVISION: 4  
SUPERSEDING REVISION: 3

## GENERAL INFORMATION

### IV. TERMS AND CONDITIONS APPLICABLE TO ALL SERVICE CLASSIFICATIONS

#### A. General Provisions (Continued)

#### 12. Service Limitations SC-1, 2, 3, 4, 6

While providing service hereunder, should unrelated events cause the required facilities of the electric distribution system to cease to be available, service may be terminated by Company in accordance with provisions of Termination of Service.

In areas where the Company only has an underground electric distribution system, overhead service as designated within the service classification will not be available.

#### 13. Site Restoration SC-1, 2, 3, 4, 6

The Company shall only be responsible for restoration of the area impacted by the construction or maintenance of the applicable service limited to basic hardscape and/or landscape applications. The incremental replacement cost of unique, decorative hardscape surface treatments or landscape applications will be the responsibility of the customer.

#### 14. Termination of Service SC-1, 2, 3, 4, 6

The Company or customer has the right to terminate service as specified by the respective service classification hereunder or under a superseding service classification or contract and as may be further defined in the applicable application for service form and any corresponding schedule, provided a minimum ninety (90) days prior written notice is provided to the other party.

The Company shall have the right, at its discretion, to remove or retire in place any Company owned facilities used pursuant to supplying such service or to discontinue service to any customer owned equipment, which in the opinion of Company, shall have attained its end of useful life, become unsafe or unsatisfactory for further service and/or requiring excessive maintenance by reason of deterioration, civil commotion, vandalism, state of war, explosion, fire, storm, flood, lightning, obsolescence or any other cause reasonably beyond Company's control. The customer may be required to pay the applicable Minimum Charge as defined within the service classification. The Company shall restore the areas affected by such termination to the same or as good a condition as existed immediately thereto.

Where the Company is authorized to terminate service for non-payment, the Company may initially implement a temporary disconnection of service. The customer shall be responsible for all service charges to facilitate such electrical disconnection and all applicable Facility Charges during any such temporary disconnection, except that commencing on the first day of each billing cycle after the implementation of such temporary disconnection, the following charges as defined under RATE within each Service Classification applicable to the disconnected facilities shall be adjusted to zero (0):

- a. Volumetric Charges and Adjustments to Volumetric Charges, and,
- b. Lamp and/or Lamp/Luminaire Facility Charges inclusive of all Facility Classifications.

The Company may terminate service to any customer where a temporary disconnection has already been implemented and remains in effect. Prior to implementing any such termination of service, the Company shall serve on the customer an additional notice of discontinuance of service in conformance with Rule 14 of the Electric Tariff and 16 N.Y.C.R.R. § 13, which notice shall also specify the amount, if any, that the customer shall owe to the Company under this Tariff as a result of that termination of service.