

PSC NO: 214 ELECTRICITY
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: NOVEMBER 16, 2009

LEAF: 74
REVISION: 2
SUPERSEDING REVISION: 1

SERVICE CLASSIFICATION NO. 4 (Continued)

D. Location Audit

Audits of customer equipment, partial or complete, may be conducted by the Company. If audit results determine that a change in equipment has occurred without notification to the Company, the Company shall notify the customer of the audit results, adjust the customer's inventory records, and apply the adjustments to correct future billings. If audit reveals inaccurate reporting of customer's equipment, the Company shall have the right to meter the location(s) and the meter and installation costs are the responsibility of the customer. The customer may request meter service. Meter service, initiated either by the Company or customer, will be served under Service Classification No. 2 of the Electric Tariff.

E. Termination of Service

Company will discontinue service to any customer owned equipment which in the opinion of Company has become unsatisfactory for further service by reason of deterioration, civil commotion, state of war, explosion, fire, storm, flood, lightning, or any other cause reasonably beyond Company's control.

F. Removal of Company Facilities

Upon service termination hereunder, the Company shall have the right within a reasonable time thereafter to remove all facilities placed, installed or used by it pursuant to the service hereunder. Upon making such removal, the Company shall leave the public streets and places affected thereby in the same or as good condition as they were immediately thereto.

G. Service Classification Revision

In the event of changes or revisions of this service classification, customer shall take and pay for service in accordance with the provisions of the revised or superseding service classification. Charges to customers shall be prorated between the superseding and the superseded rate on the basis of the actual number of days in the billing period, with the superseding charges applying to the days of service taken on or after the effective date of such change.

H. Tree Trimming

As a condition of receiving service hereunder, the customer authorizes the Company, insofar as it lawfully may, to trim, cut, remove and to keep trimmed, cut and removed any trees and all other obstructions which, in the opinion of the Company, interfere with or may tend to interfere with the construction, operation and maintenance of the Company's service hereunder. Tree trimming required for traffic control visibility is the responsibility of the customer, and shall be done by the customer or at the customer's expense.

I. Customer Equipment Warranty Disclaimer

Company is not responsible, by inspection, if any, or non-rejection, nor in any other way gives warranty, expressed or implied, for the adequacy, safety or other characteristics of any structures, equipment or wires owned, installed or maintained by customer or leased by customer from third parties.

Issued by Thomas B. King, President, Syracuse, NY