

PSC NO: 214 ELECTRICITY
COMPANY: NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: MARCH 1, 2010

LEAF: 9.5
REVISION: 2
SUPERSEDING REVISION: 1

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 charges remaining under the initial contract term, disconnection charges and/or Company removal costs. The Company shall restore the public streets and other areas affected by such termination to the same or as good a condition as existed immediately thereto.

15. Vegetation Management SC-1, 2, 3, 4, 6

As a condition of service hereunder, customer authorizes Company, insofar as it lawfully may, to trim, cut, remove, and to keep trimmed, cut and removed any and all trees, vegetation and other obstructions which, in the opinion of Company, interfere with or may tend to interfere with the operation and maintenance of electric service hereunder. The management of vegetation and/or other adjacent physical conditions which obstruct or otherwise impact the operational functionality and/or the intended performance of the lighting facilities is the responsibility of the customer.

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