

PSC NO: 220 ELECTRICITY
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: APRIL 27, 2009

LEAF: 399
REVISION: 0
SUPERSEDING REVISION:

**SERVICE CLASSIFICATION NO. 4
UNTRANSFORMED SERVICE TO CERTAIN CUSTOMERS TAKING POWER FROM
PROJECTS OF THE NEW YORK POWER AUTHORITY**

APPLICABLE TO USE OF SERVICE FOR:

The supply by the Company of:

- (1) transmission, distribution and delivery service by the Company for Electricity Supply Service ("ESS") provided by the New York Power Authority ("NYPA") from the Entergy Nuclear Plant (formerly NYPA's Fitzpatrick Plant) exempt from the Company's Competition Transition Cost ("CTC") under the provisions of the Settlement Agreement between the Company, NYPA and the New York State Department of Public Service dated May 27, 1997 and approved by the Commission in Orders dated May 23, 1997, June 10, 1997 and August 20, 1997 in Cases 97-E-0528 and 97-E-0569 ("the May 22, 1997 Settlement") (hereinafter referred to as "CTC Exempt HLFF Delivery Service"); and,
- (2) the supplemental electric service requirements of an individual customer who has contracted: (A) to purchase ESS from NYPA's Niagara or St. Lawrence Projects; or (B) to receive CTC Exempt HLFF Delivery Service under this rate schedule SC-4 (hereinafter referred to as "SC-4 Supplemental Service").

Customers receiving only ESS from the Entergy Nuclear Plant (formerly NYPA's FitzPatrick Plant) subject to the Company's CTC, whether in the form of High Load Factor FitzPatrick ("HLFF") Power subject to CTC, Economic Development Power ("EDP") in excess of 46 MW or otherwise, shall receive transmission, distribution and delivery service exclusively under rate schedules:

- (a) SC-3 or S.C. No. 3-A (subject to the terms of Special Provisions J, K, L, and M), and
- (b) Rule 39 to the extent that they would qualify for such service if they had purchased their electric requirements from a source other than NYPA.

Service hereunder is available throughout the Company's service area from existing circuits of adequate capacity and appropriate character.

The Company may require the customer to apply for service under this rate schedule upon the Company's prescribed written forms and to attach any applicable riders thereto. When accepted by the Company, such application shall constitute an agreement for the supply of service hereunder, but the customer's failure to submit such a written application shall not relieve it of the obligation to pay the rates and charges established herein for service subject to the provisions of this rate schedule. In no event shall a customer failing to execute a service agreement with the Company be eligible to participate in the Company's Retail Access Program for the portion of the load met by SC-4 Supplemental Service.

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