

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

LEAF: 404
REVISION: 0
SUPERSEDING REVISION:

SERVICE CLASSIFICATION NO. 4 (Continued)

SPECIAL PROVISIONS (Continued)

- E. **Individually Negotiated Rates:** The Company will entertain, when circumstances warrant and when NYPA consents to any required changes in the applicable billing methodology for the delivery of Niagara or St. Lawrence Power, individually negotiated contracts under rate schedule S.C. No. 12 with customers who would otherwise be served under this Service Classification.
- F. **Exemption from Certain Provisions of Rate Schedule S.C. No. 3:** Customers receiving SC-4 Supplemental Service under rate schedule S.C. No. 4 who are billed in accordance with the provisions of rate schedule S.C. No. 3 shall be exempt from Special Provisions E, F, and H of that rate schedule.
- G. **Special Rule for SC-4 Supplemental Service**
- (1) The CTC established in rate schedule S.C. No. 3-A, the SBC established in Rule 41 and the Tax Factor established in Rule 32 shall apply to such service.
- H. **Special Rules for CTC Exempt HLFF Delivery Service**
- (1) The CTC established in rate schedules S.C. No. 3 and S.C. No. 3A shall not apply to such service, but the Tax Factor established in Rule 32 shall apply to such service. The application of Rule No. 41 – System Benefits Charge and Rule No. 49 – Renewable Portfolio Surcharge to such service is described in Rule No. 41 and 49, respectively.
 - (2) In the event that the customer fails to execute a Form C Agreement specifying its contract demand for CTC Exempt HLFF Delivery Service, the customer's contract demand for such service shall be deemed to be the lesser of : (a) the customer's maximum entitlement to CTC Exempt HLFF Delivery Service under the May 22, 1997 Settlement; or (b) the amount of firm point-to-point transmission capacity on the Company's system reserved by NYPA for deliveries to the customer, adjusted for losses in transmission and distribution.
 - (3) The following billing method shall be applied to determine the portion of the customer's total demand for electric service met by CTC Exempt HLFF Delivery Service in any month:
 - (a) The portion of the total power utilized that shall be apportioned to service hereunder in any billing period shall be a fraction of which the numerator shall be the contract demand and the denominator shall be the greater of (i) the maximum 30-minute integrated demand in the billing period or any of the eleven preceding months on all sources of supply; or (ii) the sum of customer's contract demand for Authority power from the FitzPatrick plant and other Authority projects, appropriately adjusted for transmission losses. The billing demand and the energy supplied hereunder for the billing period shall be the maximum 30-minute demand in the period on all sources of supply and the total energy supplied in the month, respectively, multiplied by this ratio as computed for the period.

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