

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

LEAF: 450
REVISION: 0
SUPERSEDING REVISION:

**SERVICE CLASSIFICATION NO. 12
SPECIAL CONTRACT RATES**

PURPOSE:

Pursuant to the Settlement Agreement approved by the Commission in its Opinion and Order issued March 20, 1998 in Case Nos. 94-E-0098 and 94-E-0099, the Company is offering Electric Service under this Service Classification No. 12. The intent of this service classification is to address a broad range of competitive challenges within the Company's service territory using, to the maximum extent practicable, standardized eligibility criteria and pricing. This service classification shall be used by the Company as the exclusive vehicle for responding to the following competitive categories:

Retention: On-site Generation, Fuel Switching, Revitalization, and Relocation.
Growth: Business Attraction and Business Expansion

1. APPLICABILITY

Service under this Service Classification No. 12 is available to non-residential customers receiving or eligible to receive service under S.C. Nos. 2D, 3, 3A, and 4 provided that those customers meet the eligibility requirements established herein. Written application on the Company's prescribed forms and the execution by the duly authorized representatives and delivery by both the customer and the Company of a duplicate written Customer Service Agreement in contract form, Customer Service Agreement Form I, is also a prerequisite to service hereunder. Customers may only receive service under one of the programs provided in this service classification at any one time. Customers taking service under this Service Classification No. 12 are not eligible for Rule 34.2 Economic Development Rider. Customers may, however, receive service under this service classification while receiving a portion of their requirements under either Rule 34.4 (EDP) or Rule 34.5 (PFJR).

2. CHARACTER OF SERVICE

Service shall be continuous and available throughout the Company's service area subject to the availability of adequate metering and in appropriate cases communication equipment. Service is for all purposes for which electricity is required by the customer on the customer's premises where such requirements are delivered at one point and are metered with a single meter (with exceptions as noted in Rule 25.1.4.3 of the Tariff). The Company shall determine the appropriate voltage delivery level at the customer's premises. Such delivery may occur at secondary (<2.2 kV), primary (2.2 -15 kV), subtransmission (22-50 kV), or transmission (>60 kV). All service is at 60 Hertz nominal.

3. DEFINITIONS

The following definitions shall apply to service provided under this Service Classification SC-12:

- 3.1 Affiliated Customer: A customer that either directly or indirectly owns, is owned by, or is under common ownership with other customers receiving Electric Service from the Company.

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