

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

LEAF: 446
REVISION: 0
SUPERSEDING REVISION:

SERVICE CLASSIFICATION NO. 11 (Continued)

CUSTOMER SERVICE AGREEMENT:

Customers receiving service under this service classification must have executed a Customer Service Agreement which specifies the terms and conditions of the contractual agreement between the Company and Customer.

The Customer Service Agreement shall be considered a confidential document pursuant to the terms of the agreement.

The Company shall include a provision in its Customer Service Agreements prohibiting the customer from reselling or otherwise furnishing any of the electricity provided pursuant to a Customer Service Agreement authorized by this rate schedule to any third party, regardless of whether such sale or furnishing would otherwise be authorized by Rule 8 of this Tariff.

SERVICE AGREEMENT TERM:

The contract term for any fixed price Customer Service Agreement shall not exceed seven years, unless a different contract term results from the application of Special Provision A.

PRICING OPTIONS:

Electricity pricing shall be determined on a case-by-case basis according to the nature of the competitive situation. The final pricing arrangements between the Company and customer shall be included in the Customer Service Agreement.

The floor price for service under this service classification shall be set according to the pricing guidelines as specified in the New York State Public Service Commission's Opinion & Order in Case 93-M-0229 and Case 94-E-0952 and as clarified in the Commission's Opinion and Order issued and effective February 16, 2001 in Case No. 00-E-1463.

INCREASE IN RATES AND CHARGES: The rates and charges under this service classification will be increased by a tax factor pursuant to Rule 32.

SERVICE ATTRIBUTES:

The Company may offer value-added services in conjunction with the Customer Service Agreement Term and pricing options. All service attributes agreed to between the Company and customer shall be included in the Customer Service Agreement.

ADJUSTMENTS AND SURCHARGES:

Unless specifically stated within the Customer Service Agreement, customers subscribing to this service classification shall be assessed all adjustments and surcharges of the otherwise applicable Standard Tariff Rate schedule, (standard service classification for which the customer would be eligible absent this contract tariff). All applicable surcharges which apply under this service classification shall be administered in accordance with the corresponding rules of this service classification.

The rates and charges under this service classification and all applicable surcharges, including System Benefits Charge, shall be increased by a tax factor in accordance with Rule 32.

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