

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

LEAF: 289  
REVISION: 0  
SUPERSEDING REVISION:

**FORM I**  
**CUSTOMER SERVICE AGREEMENT**  
**FOR SERVICE CLASSIFICATION NO. 12**

This Customer Service Agreement ("the Agreement") executed on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
witnesseth that:

**WHEREAS**, Niagara Mohawk Power Corporation (hereinafter called "the Company") presently operates a vertically integrated system for the generation, transmission and distribution of electric power and is authorized to provide retail Electric Service, Electricity Supply Service and associated transmission, distribution, and delivery services ("Delivery Services") to the Premises; and

**WHEREAS**, \_\_\_\_\_ (hereinafter referred to as "the Customer") operates a facility located on the premises at \_\_\_\_\_, **New York** \_\_\_\_ ("the Premises"); and

**WHEREAS**, the Customer received Electric Service for use at the Premises from the Company under the Company's Tariff P.S.C. 220 - Electricity **Service Classification No. \_\_\_\_** prior to \_\_\_\_\_; and

**WHEREAS**, this Agreement applies to the following P.S.C. 220 - Electricity Service Classification No. \_\_\_\_\_ Company account number \_\_\_\_\_; and

**WHEREAS**, the Customer desires to purchase Electric Service for use at the Premises from the Company if the Company will provide such service at a price that is competitive with the Customer's alternative sources of electricity; and

**WHEREAS**, the Company has determined to its satisfaction that the Customer is eligible to receive service for S.C. No. 12 \_\_\_\_\_; and

**WHEREAS**, the Customer will receive Electric Service for use at the Premises from the Company at \_\_\_\_\_ voltage delivery level (hereinafter referred to as the "appropriate voltage delivery level"); and

**WHEREAS**, the Company has jointly filed a proposal with the other members of the New York Power Pool with the Federal Energy Regulatory Commission ("the FERC"), to establish an Independent System Operator (the "ISO") and a New York Power Exchange ("the Power Exchange") which filing is likely to have a bearing on the calculation of marginal costs; and

**WHEREAS**, the provisions establishing the ISO and Power Exchange concerning the development and adoption of location based marginal pricing was placed into effect on November 18, 1999;

**NOW, THEREFORE**, in consideration of the commitments made herein and intending to be legally bound thereby, the Company and the Customer agree as follows:

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