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

> FORM I CUSTOMER SERVICE AGREEMENT

FOR SERVICE CLASSIFICATION NO. 12 (Continued)

13. **RESALES PROHIBITED**

Electricity Supply Service or Delivery Services furnished under this Agreement is furnished for the sole use of the Customer at the Premises and not for resale or for furnishing to others. This requirement applies to all resales and furnishing of Electric Service to others, regardless of whether such resales or furnishing would be authorized under Rule 8 or any other provision of the Tariff in the absence of this requirement.

14. **MISCELLANEOUS**

This Agreement shall be governed by and construed in accordance with the laws of the State of New York, without consideration of the conflict of laws principles thereof. The parties hereto expressly consent to the jurisdiction of the courts of the State of New York as to any issues related to this Agreement, including the validity, enforceability or interpretation hereof. The headings in this Agreement are for the convenience of reference only and shall not alter or otherwise effect the meaning hereof.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above

written. "The Customer" Authorized By: (Signature) (Print Name) Title: As a representative of: (CUSTOMER NAME) Date: NIAGARA MOHAWK POWER CORPORATION "The Company" Authorized By: (Print Name) (Signature) Title: As a representative of: Niagara Mohawk Power Corporation Date: