

PSC NO: 220 ELECTRICITY  
NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: FEBRUARY 1, 2011

LEAF: 237  
REVISION: 2  
SUPERSEDING REVISION: 0

STAMPS: Issued in Compliance with Order of the PSC in Case No. 10-E-0050 Issued January 24, 2011

## GENERAL INFORMATION

### **52. LUMP SUM PAYMENT OF TRANSITION COSTS BY CUSTOMERS TOTALLY BYPASSING THE COMPANY'S RETAIL DISTRIBUTION SYSTEM (Continued)**

#### **52.4 EXEMPTIONS**

52.4.1 This Rule 52 shall not apply to residential customers taking service from a Municipal Utility at premises that the Municipal Utility was authorized to serve on January 1, 2010 or to Municipal Utilities providing service to such customers at such locations.

52.4.2 This Rule 52 shall not apply to any customer, Municipal Utility or alternative supplier of electric power or Electric Service with respect to customers' load subject to the provisions of S.C. No. 7.

52.4.3 This Rule 52 shall not apply to any customer that Electrically Isolates its load(s) from the transmission and distribution systems of the Company and all other electric utilities and independent power producers (other than the customer itself) as specified in Rule 1.48.

52.4.4 This Rule 52 shall not apply to a customer's premises which is disconnected from the Company's system when the customer's electricity is either supplied by the customer or by a third party who is also disconnected from the Company's system with all of its generating capacity installed after January 1, 2002, located on or immediately adjacent to the customer's premises and used exclusively to serve that single customer, even if the customer's premises is located within 100 feet of the Company's system.

This Rule 52 shall not apply when the customer disconnects from the Company's system and is connected to a third party owning generation located on or immediately adjacent to the customer's premises who is connected to the Company's system with all of its generating capacity installed after January 1, 2002 and whose generating capacity is used to serve only one retail customer at that location with any excess electricity being delivered over the Company's system, even if that customer's premises is located within 100 feet of the Company's system, as long as the third party generator pays the charges under S.C. No. 7, the Company's standby tariff for retail service. In the event that the third party generator fails to agree to pay the standby tariff, the Lump Sum Contribution towards the Company's Transition Costs will be assessed.

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