Received: 10/03/2006
Status: CANCELLED
Effective Date: 01/01/2008

Form of Facilities Construction and Reimbursement Agreement
For Electric Generation (continued)

5.4 Interconnection of Facilities. So that KeySpan can schedule the final interconnection, Customer shall provide _____ (__) days prior written notice of the date that the Facilities will be completed and ready for final interconnection to KeySpan's gas distribution system. Provided that KeySpan receives proper notice, KeySpan shall use commercially reasonable efforts to complete the final interconnection taps within _____ (__) days after the Facilities are completed and ready for final interconnection. However, KeySpan shall not be required to complete the final interconnection within any specified time during the period from September 1 through the following April 15.

5.5 Commencement of Gas Service. KeySpan shall have no obligation to complete the final interconnection or to commence gas transportation service unless and until (a) Customer's construction under this Agreement has been completed and tested to KeySpan's satisfaction in accordance with the Standards and KeySpan's test procedures; (b) Customer and KeySpan have executed the Gas Transportation Agreement; (c) Customer and KeySpan have executed the O&M Agreement; and (d) Customer has provided to KeySpan written certification, with the stamp of a duly licensed New York State Professional Engineer affixed thereto, stating that: with respect to the Facilities, including any and all natural gas piping and equipment within the Plant, that have been either designed or constructed by Customer pursuant to this Agreement, all such design, construction, and associated inspection and testing has been performed in accordance with the Standards, all required documentation as stated in Exhibit B has been received and approved by KeySpan; and that such Facilities are in compliance with the Standards.

Cancelled by supplement No. 44 effective 01/01/2008
Suspended to 01/01/2008 by order in Case 06-G-1185. See Supplement No. 43. Th e supplement filing date was 08/30/2007
Suspended to 09/03/2007 by order in Case 06-G-1185. See Supplement No. 42. Th e supplement filing date was 02/27/2007
Suspended to 03/03/2007 by order in Case 06-G-1185. See Supplement No. 41. Th e supplement filing date was 11/01/2006