

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

LEAF: 75  
REVISION: 0  
SUPERSEDING REVISION:

#### GENERAL INFORMATION

#### 8. RESALE, REMETERING OR SUBMETERING: (Continued)

##### 8.3.3 Submetering of individual tenants in new or renovated buildings will be allowed for:

8.3.3.1 Residential rental units owned or operated by private or government entities and the Company has received authorization from the Public Service Commission in writing based on the prospective submeterer's filing of an application with the Public Service Commission as prescribed in 16NYCRR, Sections 96.2 (b) (1)-(7).

8.3.3.2 Residential cooperatives and condominiums where all tenants are or will be shareholders and the Company has received authorization from the Public Service Commission, in writing, based on the prospective submeterer's filing of an application with the Public Service Commission as prescribed in 16NYCRR, Section 96.2 (f) (1)-(2).

Upon transfer of control to the appropriate Cooperative or Condominium Board, such board shall certify to the Company that it has:

8.3.3.2.1 Provided the method and basis for calculating rates to tenants, which shall include a maximum rate provision (rate cap) preventing charges to individual tenants from exceeding the Company's tariffed residential rate for direct metered service to such tenants; and

8.3.3.2.2 Established complaint procedures and tenant protections consistent with the Home Energy Fair Practices Act (Public Service Law, Sections 31-50; 16NYCRR Parts 11 and 12); and

8.3.3.2.3 Provided that any excess revenues resulting from charges to tenants which exceed the Company's billings to the submeterer will be used for purposes of energy conservation.

8.3.3.3 Residential occupants in campgrounds, recreational trailer parks and marinas and non-residential occupants as of May 21, 1980.

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