

PSC NO: 218 GAS
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: 11/01/03

LEAF: 202
REVISION: 2
SUPERSEDING REVISION: 1

STAMPS: Issued in Compliance with Order of PSC in Case 02-M-0515 dated 04/24/03.

SERVICE CLASSIFICATION NO. 12
DISTRIBUTED GENERATION SERVICE – NON-RESIDENTIAL (CONTINUED)

SPECIAL PROVISIONS: (continued)

9. The Company reserves the right to reject any application for service under this Service Classification where, in the sole discretion of the Company, the provision of service would or might result in a reduction in the Company's rights or ability to receive service, purchase gas or utilize capacity on the transmission system of its pipeline supplier(s), impair or interfere with the Company's operations, or impose costs in excess of those subject under these rates.
10. Firm transportation service will be provided only when and to the extent that the Company in its sole judgment has sufficient capacity available.
11. Each customer under this Service Classification warrants that it will, at the time the Company receives the gas for transportation, have good and merchantable title to all such gas free and clear of all liens, encumbrances and claims whatsoever. The customer shall indemnify the Company and save it harmless from all suits, actions, debts, accounts, damages, costs, losses and expenses arising out of the adverse claims of any or all persons to said gas including claims for any royalties, taxes, license fees, or charges applicable to such gas or to the delivery of such gas to the Company for transportation.

Issued By: William F. Edwards, President, Syracuse, New York