

PSC NO: 219 GAS
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: 08/01/03

LEAF: 220
REVISION: 0
SUPERSEDING REVISION:

SERVICE CLASSIFICATION NO. 14
GAS TRANSPORTATION SERVICE FOR DUAL FUEL ELECTRIC GENERATORS (CONTINUED)

SPECIAL PROVISIONS:

1. Conditions Precedent:

Notwithstanding any other provision of this Service Classification, customer shall not be eligible to receive service under this Service Classification until customer pays all outstanding, undisputed overdue bills for any service rendered to customer by Niagara Mohawk that remain outstanding on the date of execution of this Service Agreement, including any and all late penalties or interest charges that apply to such bills.

2. Assignment or Transfer:

This Service Agreement may not be assigned by either the customer or Niagara Mohawk without the prior written consent of the other, which consent shall not be unreasonably withheld.

3. Metering:

Where practical, separate meters will be individually installed at the customer's expense to meter electric generation and other requirements. Where not practical, the volumes of gas will be estimated per specifications mutually agreed upon by the customer and the Company in advance. Other boiler fuel requirements will be separately priced at tariff rates applicable to the specific service.

The Company will install, at the customer's expense, the necessary electronic metering equipment, acceptable to the Company, which allows the Company to monitor the customer's daily usage of gas.

Customer is responsible for telephone service to the electronic metering equipment, as well as replacement cost of said remote metering if it is not covered under the warranty. Customer is also responsible for the cost of replacing or repairing the unit in the event that it is vandalized.

4. Customer Contribution:

Customer shall pay Niagara Mohawk for construction of service lines, main extensions, measuring and regulating equipment and system reinforcements necessary to serve the facility at a gas transportation service level of interruption equal to 720 hours per contract year. This payment shall be made prior to Niagara Mohawk starting construction on these facilities. The amount of such payment may be reflected in the Service Agreement and reflect bypass and operational aspects.

5. Negotiated Agreements:

The Company and customer may enter into a Negotiated Agreement. Negotiated Agreements are permitted to reflect bypass and operational aspects. These negotiated agreements are to be filed with the Public Service Commission. Tariff addenda for similarly situated generators will be made public. The Company may seek trade secret status for the Negotiated Agreement. Cost justifications for the change in terms and conditions will be filed with the Public Service Commission. Negotiated Agreements with affiliates are prohibited.

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