

PSC NO: 219 GAS  
NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: 09/03/03  
STAMPS: Issued in Compliance with Order of PSC in Case 03-M-0117 dated 06/20/03.

LEAF: 172  
REVISION: 1  
SUPERSEDING REVISION: 0

**SERVICE CLASSIFICATION NO. 11  
LOAD AGGREGATION (CONTINUED)**

**DEFINITIONS: (continued)**

“Special Needs Customer” - A customer, as defined by the Home Energy Fair Practices Act (HEFPA), with documented medical conditions or who is elderly, blind or physically challenged. HEFPA makes available to those customers special protections regarding utility service and life threatening situations.

“Supplier Select Program” - Is defined as the distribution and delivery by the Company to the customer of natural gas furnished by the customer or by a third party on the customer’s behalf pursuant to the provisions of this Service Classification and applicable provisions of this tariff schedule.

“Suspension” – Refers to the disconnection of delivery service by the Company upon the receipt of a request from a Marketer.

“Termination” – Refers to both the termination by a Marketer of its commodity service and termination by the Company of its delivery service.

“Three Year Winter Average Gas Daily North Point/Mid Point Price” - Means the average of the Gas Daily DTI North Point/Mid Point Price for the period November 1 through March 31 for each of the previous three years. In the event a Gas Daily North Point/ Mid -Point Price is not published for any given day, the Gas Daily South Point/Mid Point Price will be used.

“Voluntary Switch” - A process or situation where a customer’s energy supplier is changed from one provider to another with the customer’s direct authorization.

**LIMITATION OF AVAILABILITY:**

1. The Company will continue to assign DTI capacity as provided for in the Company’s Gas Rate and Restructuring Settlement Agreement dated June 12, 2000.
2. There is no limitation on participation in Daily Balancing Service Program.

**ONE CUSTOMER – ONE MARKETER – ONE MARKETER SERVICE:**

At any time, each customer may employ only one marketer and may participate in only one aggregation pool.

**DIRECT CUSTOMER:**

To be a Direct Customer, a customer must be eligible to participate in the Supplier Select Program as set forth in this Service Classification. A Direct Customer shall have all the rights and the obligations of a Marketer under this Service Classification except (1) for obligations imposed by the PSC with respect to regulatory oversight requirements as set forth in this Service Classification and (2) as otherwise expressly provided in this Service Classification.

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