

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: 173
REVISION: 1
SUPERSEDING REVISION: 0

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

MARKETER/DIRECT CUSTOMER ELIGIBILITY:

To participate in the Supplier Select Program, a Marketer/Direct Customer must meet all the following requirements, as applicable, at all times:

1. Regulatory Oversight Requirement - Marketers must file with the Public Service Commission. The Marketer must notify the DPS at any time of any material change in information previously submitted to the DPS and a copy of its standard contract and warrant that they have complied with the requirements set forth in the Public Service Commission Order dated March 28, 1996 in Case No. 95-G-1048.
2. The Marketer/Direct Customer has applied to the Company for authorization to participate in the Supplier Select Program by submitting Supplier Select Form 1.
3. The Marketer/Direct Customer meets the creditworthiness requirements of the Company, as described in this Service Classification; and
4. The Marketer has complied with all reporting requirements determined by the PSC or the DPS; and
5. The Marketer has adhered to the policies and procedures contained in its disclosure statements filed with the PSC; and
6. To participate in Monthly Balancing Service as set forth in this Service Classification, the Marketer must participate in DTI's DPO/CSC Program.

The Marketer/Direct Customer has complied, at all times, with any and all other laws, regulations, codes, tariffs, standards, orders and requirements applicable to activities undertaken by the Marketer/Direct Customer in the Supplier Select Program, including but not limited to, the PSC, the DPS, the requirements of this Tariff, and any written agreements between the Marketer/Direct Customer and the Company in connection with the Supplier Select Program, and any filings made by the Marketer/Direct Customer with the PSC or the DPS.

7. The Marketer Demonstrates to Niagara Mohawk that it is designated in writing as the entity to provide aggregation service on their behalf by customers on the Niagara Mohawk system who have historic or projected aggregate annual natural gas usage of 50,000 therms or more. The 50,000 therm load requirement applies separately to each type of service (Daily Balancing, and Monthly Balancing) offered by the marketer.
8. The Company will provide to a customer a list of the current eligible Marketers as of the date of the customer's request.

VERIFICATION OF PROVISIONS IN MARKETER AGREEMENTS:

1. The Company will not be required to verify provisions of agreements between Marketers and their customers and may rely on Marketer statements relating to provisions in agreements between Marketers and their customers.

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