

PSC NO: 88 GAS
NEW YORK STATE ELECTRIC & GAS CORPORATION
Initial Effective Date: March 1, 2004

Leaf No. 41
Revision: 2
Superseding Revision: 1

GENERAL INFORMATION

18. DOMINION CITYGATE SWING CUSTOMER BALANCING SERVICE NON-DAILY METERED TRANSPORTATION REQUIREMENTS (Cont'd)

E. Warranty of Title:

The Customer's Aggregation Pool Operator warrants that it will have good title to all natural gas delivered to the Company for transportation hereunder, and that such gas will be free and clear of all liens, encumbrances and claims whatsoever, and that it will indemnify the Company and save it harmless from all suits, actions, debts, accounts, damages, costs, losses and expenses arising from or out of adverse claims of any and all persons to said gas.

F. Allowance for Losses:

In all Aggregation Pooling Areas, the Aggregation Pool Operator shall provide the Company with a quantity of gas equal to 1.088% of the amount of Customer-owned gas received by the Company as an allowance for losses and Company use incurred in the process of delivery. This allowance is based on the Factor of Adjustment set forth in General Information Section 14 of PSC No. 90 Gas, or superseding issues thereof. The allowance shall be adjusted consistent with changes to the Factor of Adjustment.

G. Billing and Payment:

All bills are rendered at the "unit prices" stated in this Schedule, and that amount is due on bills paid on or before the "past due" date indicated on the bill.

(1) Aggregation Pool Operators Billing and Payment:

(a) Aggregation Pool Operators will be billed in accordance with Section 24 of this Schedule.

(2) Customer Billing and Payment:

(a) Eligible Customers may make a billing and payment processing election in accordance with Section 32 of this Schedule.

(b) All other Customers will be billed in accordance with Section 8 of PSC No. 90 Gas, or superseding issues thereof.

H. Alternate Fuel Facilities:

Where service provided hereunder is subject to the Customer maintaining alternate fuel facilities, the Company reserves the right to conduct an on-site inspection of such facilities at any time to determine whether the facilities are properly installed, maintained, functioning and capable of serving the Customer's energy requirements at a level equivalent to the natural gas delivered hereunder.

Issued in compliance order in Case 01-G-1668 dated September 23, 2003

ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Binghamton, New York