

..DID: 8321
..TXT: PSC NO: 218 GAS LEAF: 197.30
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 0
INITIAL EFFECTIVE DATE: 06/01/99 SUPERSEDING REVISION:
STAMPS:
RECEIVED: 04/26/99 STATUS: Effective EFFECTIVE: 06/01/99

SERVICE CLASSIFICATION NO. 11
LOAD AGGREGATION (continued)

Dispute Resolution Process (continued)

4. If a resolution is not obtained with 45 calendar days after the initial complaint letter, or the mutually agreed-upon time frame, either party may file the complaint with the DPS for resolution.
5. If the Marketer/Direct Customer or the Company believes that special circumstances (such as but not limited to an emergency involving safety or system reliability, or significant financial risk) exist that would require more expeditious resolution of a dispute or complaint than might be expected under the process described in this Service Classification, it may submit its complaint to the DPS with a copy provided to the other party (ies) involved in the dispute.
 - a. The DPS will respond to such a filing by expeditiously resolving the dispute or advising that the dispute resolution process described in the Service Classification be followed.
6. If the dispute involves the accuracy of invoiced charges, the invoiced charges must be paid, subject to refund with the applied interest of 1.5% per month. This interest is only payable when associated with a finding of deficiency on the part of the party holding the funds determined to be due the other party.
7. If any reasonable resolution between a Marketer (including the Company*s affiliate) or Direct Customer and the Company results in generic competitive benefits, those benefits will be made available to all other Marketers (including the Company*s affiliate) and Direct Customers, where applicable.

Issued By: Darlene D. Kerr, Executive Vice President, Syracuse, New York