

..DID: 8558
 ..TXT: PSC NO: 218 GAS LEAF: 201
 COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 3
 INITIAL EFFECTIVE DATE: 07/19/99 SUPERSEDING REVISION: 1

STAMPS:

CANCELLED by Supplement 25 effective 02/22/00
 Effective date postponed to 03/01/00. See Supplement No. 24, 22, 18
 RECEIVED: 05/07/99 STATUS: Cancelled EFFECTIVE: 03/01/00

SERVICE CLASSIFICATION NO. 12
 RESIDENTIAL FIRM AGGREGATION TRANSPORTATION SERVICE (continued)

SPECIAL PROVISIONS: (continued)

- G. As between the Company and the Customer, the Company shall be deemed to be in control and possession of the gas to be transported hereunder upon receipt of such gas at the receipt point and until it has been delivered to the Customer. The Customer shall be deemed to be in possession and control of the gas prior to such receipt by the Company and after such delivery.
- H. Each Customer under this Service Classification warrants that it will, at the time the Company receives the gas for transportation, have good and merchantable title to all such gas free and clear of all liens, encumbrances and claims whatsoever. The Customer shall indemnify the Company and save it harmless from all suits, actions, debts, accounts, damages, costs, losses and expenses arising out of the adverse claims of any or all persons to said gas including claims for any royalties, taxes, license fees or charges applicable to such gas or to the delivery of such gas to the Company for transportation.
- I. The Company reserves the right to reject any application for service under this Service Classification where, in the sole discretion of the Company, the provision of service would or might result in a reduction in the Company's rights or ability to receive service, purchase gas or utilize capacity on the transmission system of its pipeline supplier(s), impair or interfere with the Company's operations, or impose costs in excess of those subject under these rates.
- J. Budget bills will be computed in accordance with Rule 15.7.6.
- K. Qualified low income customers will be eligible for a customer charge of \$8.55.
- L. Customers participating in Balanced or Basic Aggregation must pay a stand-by charge of \$0.06945 per therm of MPDQ.
- M. The residential rate is applicable to gas service utilized by any corporation, association or body organized and conducted in good faith for religious purposes and used primarily or principally in connection with such religious purposes, including operation of such corporation or association of a school, notwithstanding that secular subjects are taught at such school.
- (1) RELIGIOUS PURPOSE
 The residential rate is applicable for facilities used for religious purposes by religious organizations such as houses of worship, facilities for religious observances, and religious elementary and secondary schools and facilities used for educational purposes with required religious instruction.
- (2) NON-RELIGIOUS PURPOSES
 The residential rate is not applicable to facilities used for non-religious purposes by religious organizations such as facilities used to provide social services. Further, the rate is not applicable to physical fitness, health, charitable, fraternal or social service organizations whose primary purposes are other than predominantly religious.

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