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COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 3  
INITIAL EFFECTIVE DATE: 12/03/01 SUPERSEDING REVISION: 2  
STAMPS:  
Effective date postponed to 04/29/02. See Supplement No. 42, 39  
RECEIVED: 09/20/01 STATUS: Effective EFFECTIVE: 04/29/02

## GENERAL INFORMATION

## 15. BILLING AND COLLECTION (continued)

15.2.1 Service to state agencies will be rendered in accordance with the provisions of Article XI-A of the State Finance Law (Chapter 153 of the Laws of 1984, effective July 1, 1984).

15.2.2 The continuing late payment charge shall not be imposed on any bill that is the subject of a pending complaint before the Company or the Public Service Commission, provided, however, that a late payment charge may be imposed on the balance due where the final resolution of the complaint directs payment of the entire disputed amounts to the Company, and provided further that no such charges may be imposed for more than two months of the duration of the complaint unless authorized by the Commission or its designee.

15.2.2.1 Late payment charges will be charged when the amount billed for non-residential service used that was previously unbilled because the service was being provided through tampered equipment and the Company can demonstrate either that the condition began since the customer initiated service or that the customer actually knew or reasonably should have known the original billing was incorrect.

15.2.2.2 In the case of residential service, the Company may not impose a continuing late payment charge on an unpaid balance that has been restructured under a deferred payment agreement, if the regularly scheduled bill (current charges plus agreed upon installment amount) is paid within twenty (20) days of when the bill is rendered. The Company may, however, impose a late payment charge on monies still owing more than twenty (20) days after the Company has rendered a bill for payment of both the agreed upon installment amount and any applicable current charges.

15.2.3 Other charges. Except as provided in Rule 15.2, a late payment charge, penalty, fee, interest or other charge of any kind shall not be imposed on any residential customer for any late payment, collection effort, service termination or deferred payment agreement occasioned by the customer's failure to make timely payment for services. The Company may impose a charge pursuant to this tariff for other lawful purposes.

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