

..DID: 9969
..TXT: PSC NO: 218 GAS LEAF: 197.34
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 1
INITIAL EFFECTIVE DATE: 10/01/99 SUPERSEDING REVISION: 0
STAMPS: Issued in Compliance with Order of PSC in C. 98-M-1343 dated 09/22/99.
RECEIVED: 09/28/99 STATUS: Effective EFFECTIVE: 10/01/99

SERVICE CLASSIFICATION NO. 11
LOAD AGGREGATION (continued)

Special Provisions (continued)

2. If an electronic version of any required Supplier Select Program Form is utilized, a Marketer/Direct Customer*s electronic submittal of such Form will have the full legal force and effect as if a signed document had been delivered to the Company. As Marketer/Direct Customer waives any and all rights to challenge the legality of the electronically submitted Form on the grounds that the Company does not have an enforceable written agreement signed by a Marketer/Direct Customer.
3. Subject to the jurisdiction of the PSC, a Marketer/Direct Customer*s participation in the Supplier Select Program shall constitute the Marketer/Direct Customer*s consent to the personal jurisdiction of courts in the State of New York in any litigation or proceeding concerning any matters related to that Marketer/Direct Customer*s participation in the Supplier Select Program.

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