

..DID: 5146
..TXT: PSC NO: 214 ELECTRICITY LEAF: 32
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 1
INITIAL EFFECTIVE DATE: 11/25/98 SUPERSEDING REVISION: 0
STAMPS:
Cancelled by 2 Rev. Leaf No. 32 Effective 09/01/1999
Effective date postponed to 03/25/99. See Supplement No. 2
RECEIVED: 09/11/98 STATUS: Cancelled EFFECTIVE: 03/25/99
SERVICE CLASSIFICATION NO. 2
(Continued)

SPECIAL PROVISIONS: (Continued)

- E. Company shall have the right to remove any Company owned equipment, or to discontinue service to any customer owned equipment, which in the opinion of Company shall have become unsatisfactory for further service by reason of deterioration, civil commotion, state of war, explosion, fire, storm, flood, lightning, obsolescence, or any other cause reasonably beyond Company's control. Obsolescence is defined as equipment in the state of disrepair where Company can no longer obtain the parts necessary to repair equipment. Replacement shall be limited to equipment considered appropriate by Company at the date of re-installation.
- F. In the event that Company leases customer owned conduit for occupancy by underground street lighting circuit, the applicable annual charges shall be the charges stated under RATE to be applicable for Company owned conduit.
- G. Whenever during any month lamps and/or equipment are installed, removed or replaced pursuant to Special Provisions B, C, D and E, Company shall prepare and supply to customer a revised "Schedule SL".
- H. Company will use reasonable diligence to provide a continuous, regular and interrupted supply of service, and in event of interruption, Company shall make all reasonable effort to restore service promptly. Company shall make an allowance of twenty-six cents (26¢) per lamp per night for each lamp out more than three hours, provided the customer notifies Company of the outage and that the outage does not result from causes originating on facilities or equipment owned by customer. Such allowances to customer is agreed upon as liquidated damages, and customer shall have no claim against Company for further damages arising out of or connected with such outages.
- I. In providing service hereunder, Company shall not be required to extend its circuits or place its equipment in, upon, under or across lands or improvements which are not public ways under the jurisdiction and control of customer, unless customer first procures and delivers to Company free from cost to it, good and sufficient rights, easements or permits thereof.

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