

..DID: 666
..TXT: PSC NO: 88 GAS LEAF: 47
COMPANY: NEW YORK STATE ELECTRIC & GAS CORPORATION REVISION: 1
INITIAL EFFECTIVE DATE: 05/02/97 SUPERSEDING REVISION: 0
STAMPS:
Effective date postponed to 07/23/97. See Supplement No. 1
RECEIVED: 03/31/97 STATUS: Effective EFFECTIVE: 07/23/97

GENERAL INFORMATION

19. SERVICE CLASSIFICATION NO. 12 SERVICE AGREEMENT FOR REPACKAGED GAS SERVICES (CONT'D)

G. Regulatory and Legal Conditions: (Cont'd)

If any provision of this Agreement is determined to be invalid or unenforceable, the provision shall be deemed to be severable from the remainder of this Agreement and shall not cause the invalidity or unenforceability of the remainder of this Agreement. If any provision of this Agreement does not comply with any law, ordinance or regulation of any governmental or quasi-governmental authority, now existing or hereinafter enacted, such provision shall to the extent possible be interpreted in such a manner so as to comply with such law, ordinance or regulation, or if such interpretation is not possible, it shall be deemed amended to satisfy the requirements thereof.

H. Interpretation and Performance:

The interpretation and performance of this Agreement shall be in accordance with the laws of the State of New York.

I. Assignment:

This Agreement shall be binding upon the successors and assigns of the Company and Customer. No assignment of this Agreement shall be valid without the prior written consent of the parties hereto.

J. Non-Performance/Liquidation:

The occurrence at any time with respect to either party of any of the following events constitutes an event of default hereunder and the non-defaulting party shall be entitled to suspend its performance hereunder and/or liquidate and terminate this Agreement in the event of such default:

- (1) the failure by a party to make, when due, any payment under this Agreement if the failure is not remedied within five Business Days after receipt of a notice of such failure from the other party;

Issued By: Michael I. German, Senior Vice President, Binghamton, New York
(Name of Officer, Title, Address)