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COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 0
INITIAL EFFECTIVE DATE: 09/12/97 SUPERSEDING REVISION:
STAMPS:
RECEIVED: 07/03/97 STATUS: Effective EFFECTIVE: 09/12/97
GENERAL INFORMATION

4. LIMITATION OF SERVICE OFFER: (continued)

d. Copies of waivers granted or denied by the Company shall be made available to the Commission. Each applicant that has been denied a waiver shall be promptly informed by the Company of the right to appeal to the Commission.

e. The Commission may grant a waiver of the requirements of Rule 4.10.3.1 for just cause in unusual circumstances if the applicant for gas service has been denied a waiver pursuant to subsection a. of Rule 4.10.3.2.

4.10.3.3 Certificate of Compliance

a. A dwelling's compliance with Rule 4.10.3.1 shall be certified either by the owner, a contractor of the owner's choice who has inspected the building or a Company representative who has inspected the building at the owner's request.

b. The Company will provide the Certificate of Compliance to the applicant at the time of application for service, so that the applicant will be appraised of the requirements for service and the methods by which compliance can be certified.

4.10.3.4 Penalties for Non-Compliance

a. The Company shall impose a 25 percent surcharge on the customer's total bill for electric and/or gas service to any dwelling which has been converted to gas space heating and which does not comply with the standards set forth in Rule 4.10.3.1.

b. The effective date of the surcharge rate shall be:

1. Immediately after notice, in the event the owner has not contributed to the deficiencies. No surcharge shall be applied if the owner brings the building into compliance within ninety days.

2. Ninety days after notice, in the event the owner has not contributed to the deficiencies. No surcharge shall be applied if the owner brings the building into compliance within ninety days.

c. In the event the owner is not billed for the Company's services, no surcharges will be applied to the bills of the non-owner occupants of the dwelling. After notification to the owner that the building is not in compliance, a surcharge will be billed to the owner. The surcharge will be 25 percent of the Company's total gas bills for the

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