

..DID: 907
..TXT: PSC NO: 218 GAS LEAF: 42
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)

1. A building permit is obtained for the dwelling from a building code authority or similar authority empowered by local law to issue building permits; or,
2. An affirmation is given by the contractor or builder on a Certificate of Compliance that the Construction of the dwelling will comply with the State Energy Conservation Construction Code within 30 days after occupancy; or,
3. A modification or variance from the requirements of the State Energy Conservation Construction Code is issued by the State Board of Review as constituted pursuant to the Executive Law.

b. For any dwelling constructed after April 1, 1977, but before January 1, 1979, gas service will not be provided without compliance with the Company's minimum insulation standards which were in effect in this time period.

4.10.2.2 Waivers

For any dwelling subject to the requirements of Rule 4.10.2.1, a waiver from these requirements may be granted by:

- a. The Company when the overall heat loss for the building envelope does not exceed the total heat loss which would result from conformance to the individual requirements. The heat loss calculation shall be certified by a licensed engineer or architect.
- b. The Company, if the applicant for service can establish through two estimates, one of which may be a Company audit, that the purchase price and installation charge (excluding financing charge) will be greater than seven times the anticipated annual savings to be obtained. The annual savings will be based on the present cost of the fuel currently used in the dwelling.
- c. The Public Service Commission for just cause, in unusual circumstances, if the applicant for gas service has been denied of a waiver pursuant to subsections a. or b. of Rule 4.10.2.2.

Issued By: Albert J. Budney, Jr., President, Syracuse, New York