

..DID: 665
 ..TXT: PSC NO: 88 GAS LEAF: 47.1
 COMPANY: NEW YORK STATE ELECTRIC & GAS CORPORATION REVISION: 0
 INITIAL EFFECTIVE DATE: 05/02/97 SUPERSEDING REVISION:
 STAMPS:
 Cancelled by 1 Rev. Leaf No. 47.1 Effective 07/23/1997
 Effective date postponed to 07/23/97. See Supplement No. 1
 RECEIVED: 03/31/97 STATUS: Cancelled EFFECTIVE: 07/23/97

GENERAL INFORMATION

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

J. Non-Performance/Liquidation: (Cont'd)

- (2) a party:
- (a) is generally not paying its debts as they become due;
 - (b) files, or consents by answers or otherwise to the filing against it of, any petition or case seeking relief under any federal, state or foreign bankruptcy or insolvency (collectively "Bankruptcy Laws"),
 - (c) makes a general assignment for the benefit of its creditors,
 - (d) applies for or consents to the appointment of a custodian, receiver, trustee, conservator, or other officer with similar powers ("Custodian")
 - (e) takes corporate action for the purpose of any of the foregoing;
- (3) a court or governmental authority, agency, instrumentally or official of competent jurisdiction enters or issues an order or decree with respect to a party:
- (a) appointing a Custodian;
 - (b) constituting an order for relief under, or approving a petition or case for relief or reorganization of any other petition or case to take advantage of, any Bankruptcy Laws, or
 - (c) ordering its dissolution, winding-up or liquidation;
- (4) a petition or case for any purpose specified in Paragraph J (3) above is filed against a party and is not dismissed within thirty (30) days;
- (5) a party fails to perform, observe or comply with any other material term, covenant or provision contained in this Agreement and the failure continues for thirty (30) 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)