

..DID: 21222

..TXT: PSC NO: 214 ELECTRICITY

LEAF: 32

COMPANY: NIAGARA MOHAWK POWER CORPORATION

REVISION: 4

INITIAL EFFECTIVE DATE: 03/24/03

SUPERSEDING REVISION: 3

STAMPS:

Effective date postponed to 09/27/03. See Supplement No. 12

RECEIVED: 12/20/02 STATUS: Pending EFFECTIVE: 09/27/03

SERVICE CLASSIFICATION NO. 2

(Continued)

- 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.
- J. As a condition of receiving service hereunder, customer authorizes Company, insofar as it lawfully may, to trim, cut, remove, and to keep trimmed, cut and removed any and all trees and other obstructions which, in the opinion of Company, interfere with or may tend to interfere with the construction, operation and maintenance of Company's service hereunder. Tree trimming required for light distribution on the highway, street and/or sidewalk surfaces is a responsibility of the customer, and shall be done by customer or at customer's expense.
- K. Upon termination of service hereunder or under a superseding service classification or contract, Company shall have the right within a reasonable time thereafter to remove all facilities placed, installed, erected or used by it pursuant to the supplying of street lighting service hereunder to the customer. Upon making such removal, Company shall leave the public streets and places affected thereby in the same or as good condition as they were immediately thereto.
- L. In the event of changes or revisions of this service classification, customer shall take and pay for service in accordance with the provisions of the revised or superseding service classification. Charges to customer shall be prorated between the superseding and the superseded rate on the basis of a 30 day billing period, with the superseding charges applying to the dates of service taken on and after the effective date of such change.
- M. Service hereunder shall be deemed subject to the provisions of Sections 103-A of the General Municipal Law of the State of New York as from time to time amended.
- N. Service hereunder will be supplied by Company subject to the provisions of orders, amendments and interpretations thereof of any governmental body having authority or jurisdiction over such service notwithstanding anything to the contrary in the rules and regulations, and the terms and conditions of service as set forth herein.

Issued By: William F. Edwards, President, Syracuse, NY