

..DID: 12630
..TXT: PSC NO: 218 GAS LEAF: 154
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 6
INITIAL EFFECTIVE DATE: 08/01/00 SUPERSEDING REVISION: 4
STAMPS: Issued in Compliance with Order of PSC in C. 99-G-0336 dated 07/27/00.
RECEIVED: 07/31/00 STATUS: Effective EFFECTIVE: 08/01/00

SERVICE CLASSIFICATION NO. 5
FIRM GAS TRANSPORTATION SERVICE (continued)

A) APPLICABLE TO S.C. NO. 5 FIRM TRANSPORTATION SERVICES: (continued)

- 7) Service rendered hereunder shall be for a single Customer at a single location. Individual agreements are required for each location.
- 8) As between the Company and the Customer, the Company shall be deemed to be in control and possession of the gas to be transported hereunder upon receipt of such gas at the receipt point and until it has been delivered to the Customer. The Customer shall be deemed to be in possession and control of the gas prior to such receipt by the Company and after such delivery.
- 9) Each Customer under this Service Classification warrants that it will, at the time it delivers gas to the Company for transportation, have good and merchantable title to all such gas free and clear of all liens, encumbrances and claims whatsoever. The Customer shall indemnify the Company and save it harmless from all suits, actions, debts, accounts, damages, costs, losses and expenses arising out of the adverse claims of any or all persons to said gas including claims for any royalties, taxes, license fees or charges applicable to such gas or to the delivery of such gas to the Company for transportation.
- 10) The Company reserves the right to reject any application for service or nominations under this Service Classification where, in the sole discretion of the Company, the provision of service would or might result in a reduction in the Company's rights or ability to receive service, purchase gas or utilize capacity on the transmission system of its pipeline supplier(s), impair or interfere with the Company's operations, or impose costs in excess of those subject to recovery under these rates.
- 11) During the Term of Service Agreement, customer's equipment supplied with gas hereunder will not be supplied with gas purchased under another Service Classification.
- 12) Niagara Mohawk's obligations to deliver customer-owned gas are defined in Rule 3.2 of General Information.

Issued By: Darlene D. Kerr, Executive Vice President, Syracuse, New York