

..DID: 9956  
..TXT:

**NIAGARA MOHAWK POWER CORPORATION**  
September 28, 1999

Honorable Debra Renner  
Acting Secretary  
State of New York  
Department of Public Service  
Three Empire State Plaza  
Albany, New York 12223

Dear Acting Secretary Renner:

Attached for filing in accordance with the requirements of the Public Service Commission of the State of New York are the following tariff leaves:

Fifth Revised Leaf No.	135
First Revised Leaf No.	138
First Revised Leaf No.	141
Third Revised Leaf No.	184
Third Revised Leaf No.	185
First Revised Leaf No.	186.1
First Revised Leaf No.	186.2
First Revised Leaf No.	186.3
First Revised Leaf No.	197.2
Second Revised Leaf No.	197.6
First Revised Leaf No.	197.7
First Revised Leaf No.	197.9
Second Revised Leaf No.	197.13
First Revised Leaf No.	197.17
First Revised Leaf No.	197.25
First Revised Leaf No.	197.26
First Revised Leaf No.	197.34
First Revised Leaf No.	197.35

To P.S.C. No. 218 Gas

Effective: October 1, 1999

The tariff leaves filed herein have been filed in compliance with Ordering Paragraph 2 of the Commission's Order issued and effective September 22, 1999 which required tariff revisions to become effective October 1, 1999 filed on not less than one days notice. These changes are being made to the Company's April 26, 1999 filing implementing Uniform Business Rules in accordance with Opinion 99-3.

Leaf 185 has been revised to delete the words pertaining to approval by the Company from the section relating to Marketer/Direct Customer Eligibility for the Supplier Select Program.

Leaf 186.1 and 186.2 have been revised to clarify that 5% of "applicable revenues" applies to both sales plus distribution as discussed in the Commission's September 22, 1999 Order. Leaf 186.1 has

also been revised to allow the Company to seek additional financial information from a Marketer for purposes of verifying other financial information, such as equity levels that are reported by Dun and Bradstreet. This change was provided for in the Commission's September 22, 1999 Order.

Paragraph a. of Leaf 186.2 has been revised to eliminate the reference to Direct Customers having a minimum rating to post security. Paragraph b has also been revised to eliminate references to Direct Customers.

Leaf 186.3 has been revised to clarify that a Marketer/Direct Customer's security requirements will be updated at least annually.

Leaf No. 197.6 has been revised to eliminate the One Bill Option availability for customers under the Supplier Select Program.

Leaf 197.7 is being revised in order to clarify that charges invoiced to Marketers will relate to all charges provided for by the Company's tariff. This clarification has been accomplished merely by inserting the word "tariff" in front of the word "charges" in Paragraph 1.

Leaf Nos. 135, 138 and 141 have been revised to clarify that the one year term provisions do not apply where delivery service customers are involuntarily switched back to sales service.

Leaf 184 has been revised in order to conform the definition of Direct Customer to that contained in the Company's Electric Tariff.

Leaf 197.2 has been revised in order to clarify that free information (24 months of Billing History and 12 months Credit History) will be provided within 5 calendar days of the request.

Leaf 197.9 has been further clarified as provided for by the Commission's September 22, 1999 Order, to allow Marketers/Direct Customers to show cause why they were not reasonably able to file a claim within 3 months of the mailing of a disputed invoice. Previously the language indicated that failure to file a claim within 3 months constituted waiver of such claim.

Leaf 197.13 has been clarified that the first voluntary switch from a Marketer/Direct Customer back to the utility will be free of charge.

Leaf Nos. 197.17 and 197.25 have been revised to add the reference to Special Meter Readings.

Leaf No. 197.26 has been revised in order to delete Paragraph 12 which indicated that any charges or fees associated with discontinuance or reconnection of service would be borne by the Marketer.

Leaf Nos. 197.34 and 197.35 have been revised in order to delete the former Special Provision 2 which related to disclosure of billing data or credit information to third parties. This deletion was required by the Commission's order. The remaining Special Provisions have been renumbered. Leaf 197.35 has been reserved for future use.

As indicated in Ordering Clause 3, the requirements of Section 66(12) of the Public Service Law and 16NYCRR720-8.1 as to newspaper publication of these amendments are waived for this filing.

Anyone with questions regarding this filing may call Marcia Collier on 315-428-5692.

Sincerely,

Received: 9/28/1999

Marcia G. Collier  
Manager, Gas Rates