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 NIAGARA MOHAWK POWER CORPORATION
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GENERAL INFORMATION

70. Late Payment Charge and Other Waived Fees Surcharge ("LPCO")

70.1 The LPCO Surcharge will recover the late payment charges and other waived fees in accordance with the Commission Order issued in Cases 17-E-0238, et al.

70.2 The amount to be recovered shall be allocated to applicable service classifications based on the Company's Write-Off allocator in Case 17-E-0238. Customers taking service under SC-4 and, if applicable, SC-12, shall be subject to the LPCO Surcharge rates of their parent service classification. The amounts to be recovered shall be assessed carrying charges at the Company's pre-tax WACC.

Residential	94.13%
Residential TOU	0.08%
Small Gen No Dem	1.86%
Small Gen Demand	2.51%
Large Gen-Sec	0.77%
Large Gen-Pri	0.24%
Large Gen-Tran	0.02%
Large Gen TOU-S/P	0.03%
Large Gen TOU-SubT	0.01%
Large Gen TOU-Tran	0.03%
Lighting	0.32%

70.3 The amount to be recovered from each service classification, as determined in Rule 70.2 above shall be divided by the respective service classification's forecast sales usage associated with the corresponding period from which the surcharge will be collected from customers.

70.4 The LPCO Surcharge rates will be applied to a customer's actual billed consumption and are applicable to customers serviced under P₂S₂C₂ No. 220 service classifications No. 1, 1-C, 2 non-demand, 2 demand, 3, 3-A, 4 and 7 and all P₂S₂C₂ No. 214 service classifications. The LPCO Surcharge is also applicable to NYPA and RNY deliveries and are applicable to SC-12 in accordance with the terms of their individual contracts.

70.4.1. The LPCO Surcharge shall not be applied to a customer's deliveries of EZR or EJP qualifying load.

70.4.2 The LPCO Surcharge shall be recovered from customers on a per kWh basis for non-demand service classes, on a per kW basis for demand service classes, and on Standby Contract Demand basis for SC-7. The LPCO surcharge will be included in the delivery line item on customer's bills.

70.5 The LPCO Surcharge will be subject to an annual true-up, with any over/under collection at the end of the annual collection period, inclusive of carrying charges at the Company's pre-tax WACC, to be included in the balance for refund or recovery in the next annual period, or in future base delivery rates as applicable.

70.6 The LPCO Surcharge shall be shown on statements filed with the Public Service Commission apart from this rate schedule not less than three (3) days prior to its effective date.

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SERVICE CLASSIFICATION NO. 1 (Continued)

ADJUSTMENTS TO STANDARD TARIFF RATES AND CHARGES:

Customers served under this service classification may be subject to adjustments and applied in the manner described in each respective Rule.

Rule 32.2 - Municipal Undergrounding Surcharge
Rule 40.1.8 - Value of Distributed Energy Resources' Customer Benefit Contribution Charge
Rule 41 - System Benefits Charge
Rule 42 - Merchant Function Charge
Rule 43 - Transmission Revenue Adjustment
Rule 45 - Non-Wires Alternative Surcharge
Rule 46 - Supply Service Charges
Rule 49 - Earnings Adjustment Mechanism
Rule 50 - Reliability Support Services Surcharge
Rule 52 - Electric Vehicle Make-Ready Surcharge
Rule 57 - Revenue Decoupling Mechanism
Rule 58 - Service Class Deferral Credit/Surcharge
Rule 59 – Arrears Management Program (AMP)
Rule 64 - Dynamic Load Management (DLM) Surcharge
Rule 67 - Hydrogen Energy Transfer System Surcharge
Rule 68 - Net Utility Plant and Depreciation Expense Reconciliation Mechanism Surcharge
Rule 69 - Incremental New Efficiency: New York Costs Surcharge
Rule 70 – Late Payment and Other Waived Fees (LPCO) Surcharge

INCREASE IN RATE AND CHARGES:

The charges under this Service Classification, including minimum charge, will be increased by a tax factor pursuant to Rule 32.

TERMS OF PAYMENT:

Bills are due and payable when rendered. Full payment must be received on or before the date shown on the bill to avoid a late payment charge pursuant to Rule 26.4.

TERM:

One month and continuously from month to month thereafter until permanently terminated on three days' notice to Company, or one year, and thereafter until terminated as provided in the written application for service.

SPECIAL PROVISIONS:

A. Service under this Service Classification is primarily intended for residential customers residing in individual dwelling units.

1. When minor professional or commercial operations are conducted within the individual dwelling unit, service under this Service Classification will be permitted providing all of the following three qualifications are met:

- a. The minor professional or commercial operations must be exclusively by the residential customer residing at the individual dwelling unit served. Use of the professional or commercial area by another professional person or persons in addition to the resident disqualifies the customer to receive Electric Service or Electricity Supply Service under this Service Classification.
- b. The area used by the minor professional or commercial operations does not exceed 50 percent of the total cubical content of the individual dwelling unit.
- c. Not more than two (2) rooms of any size are contained within the 50 percent cubical content of the area used for professional or commercial operations.

Residential customers having professional or commercial operations within an individual dwelling unit that do not meet all of the three qualifications must take service under the General Service Classification. Such customers, however, can elect to separate the electrical use between the residential area and the area used for professional or commercial

operations and to have the Company set an additional meter. The meter used to measure the electrical use in the professional or commercial operations area will be billed under the General Service Classification.

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SERVICE CLASSIFICATION NO. 1-C (Continued)

STANDARD TARIFF CHARGES:

Distribution Delivery Charges for all Load Zones:

Basic Service Charge, for all Load Zones: \$30.62

Per kWh: \$0.03693

(the per kWh charge above is inclusive of the SERVICE CLASS DEFERRAL CREDIT contained in Rule 58)

Company Supplied Electricity Supply Service Charges, per kWh:

Company supplied Electricity Supply Service (“ESS”) charges shall be set according to the market price of electricity determined in accordance with Rule 46.1, Electricity Supply Service. Effective September 1, 2006, ESS charges shall be calculated as the daily class load shaped thirty-day weighted average market price for each Rate Period defined above, except that the Summer Off-Peak, Winter Off-Peak and/or Off-Season Rate Periods shall be considered one Rate Period for this purpose.

MONTHLY MINIMUM CHARGE: \$30.62

In accordance with Special Provision M of this service classification, customers participating in the Company’s Energy Affordability Program will be eligible for a credit as stated in the Statement of Energy Affordability Credit (“EAC”).

ADJUSTMENTS TO STANDARD CHARGES:

Customers served under this service classification may be subject to adjustments and applied in the manners described in each respective Rule.

Rule 32.2 - Municipal Undergrounding Surcharge

Rule 40.1.8 - Value of Distributed Energy Resources’ Customer Benefit Contribution Charge

Rule 41 - System Benefits Charge

Rule 42 - Merchant Function Charge

Rule 43 - Transmission Revenue Adjustment

Rule 45 - Non-Wire Alternative Surcharge

Rule 46 - Supply Service Charges

Rule 49 - Earnings Adjustment Mechanism

Rule 50 - Reliability Support Services Surcharge

Rule 52 - Electric Vehicle Make-Ready Surcharge

Rule 57 - Revenue Decoupling Mechanism

Rule 58 - Service Class Deferral Credit/Surcharge

Rule 59 - Arrears Management Program (AMP)

Rule 64 - Dynamic Load Management (DLM) Surcharge

Rule 67 - Hydrogen Energy Transfer System Surcharge

Rule 68 - Net Utility Plant and Depreciation Expense Reconciliation Mechanism Surcharge

Rule 69 - Incremental New Efficiency: New York Costs Surcharge

Rule 70 – Late Payment and Other Waived Fees (LPCO) Surcharge

INCREASE IN CHARGES:

The charges under this Service Classification, including the minimum charge, will be increased by a tax factor pursuant to Rule 32.

TERM:

One year from commencement of service under Service Classification No. 1-C and continuously from month to month thereafter until canceled upon written notice to the Company.

TERMS OF PAYMENT:

Bills are due and payable when rendered. Full payment must be received on or before the date shown on the bill to avoid a late payment charge pursuant to Rule 26.4.

SERVICE CLASSIFICATION NO. 2 (Continued)

STANDARD TARIFF CHARGES FOR METERED DEMAND SERVICE:

Distribution Delivery Rates and Charges for all Load Zones:

Basic Service Charge	\$53.57
Basic Service Charge Special Provision P	\$78.28
Distribution Delivery Charges, per kW:	\$13.46

(the per kW charge above is inclusive of the SERVICE CLASS DEFERRAL CREDIT contained in Rule 58)

Company supplied Electricity Supply Service Charges, per kWh:

Company supplied Electricity Supply Service charges shall be set according to the market price of electricity determined in accordance with Rule 46.1, Electricity Supply Cost. Electricity Supply Cost Customers subject to Special Provision P will be billed for Electricity Supply Service in accordance with Rule 46.1.3.

MONTHLY MINIMUM CHARGE: \$67.03

MONTHLY MINIMUM CHARGE:
Special Provision P \$91.74

ADJUSTMENTS TO STANDARD TARIFF CHARGES:

Customers served under this service classification may be subject to adjustments and applied in the manner described in each respective Rule.

Rule 32.2 - Municipal Undergrounding Surcharge
Rule 40.1.8 - Value of Distributed Energy Resources' Customer Benefit Contribution Charge
Rule 41 - System Benefits Charge
Rule 42 - Merchant Function Charge
Rule 43 - Transmission Revenue Adjustment
Rule 45 - Non-Wires Alternative Surcharge
Rule 46 - Supply Service Charges
Rule 49 - Earnings Adjustment Mechanism
Rule 50 - Reliability Support Services Surcharge
Rule 52 - Electric Vehicle Make-Ready Surcharge
Rule 57 - Revenue Decoupling Mechanism
Rule 58 - Service Class Deferral Credit/Surcharge
[Rule 59 - Arrears Management Program \(AMP\)](#)
Rule 64 - Dynamic Load Management (DLM) Surcharge
Rule 67 - Hydrogen Energy Transfer System Surcharge
Rule 68 - Net Utility Plant and Depreciation Expense Reconciliation Mechanism Surcharge
Rule 69 - Incremental New Efficiency: New York Costs Surcharge
[Rule 70 - Late Payment and Other Waived Fees \(LPCO\) Surcharge](#)

INCREASE IN RATES AND CHARGES:

The rates and charges under this Service Classification, including minimum charge, will be increased by a tax factor pursuant to Rule 32.

~~DETERMINATION OF DEMAND:~~

~~A. A demand meter shall be installed whenever the monthly energy consumption for any four consecutive months of a customer exceeds 2000 kWh per month or whenever the connected load of customer indicates that the energy consumption will exceed 2000 kWh per month. A demand meter, once installed, shall not be removed until after the energy consumption has been less than 2000 kWh per month for twelve consecutive months, which requirement may not be avoided by temporarily terminating service.~~

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SERVICE CLASSIFICATION NO. 2 (Continued)

DETERMINATION OF DEMAND:

A. A demand meter shall be installed whenever the monthly energy consumption for any four consecutive months of a customer exceeds 2000 kWh per month or whenever the connected load of customer indicates that the energy consumption will exceed 2000 kWh per month. A demand meter, once installed, shall not be removed until after the energy consumption has been less than 2000 kWh per month for twelve consecutive months, which requirement may not be avoided by temporarily terminating service.

B. The Distribution Delivery demand shall be the highest average kW measured in a fifteen-minute interval during the billing period, but not less than one kW nor less than the demand contracted for.

TERMS OF PAYMENT:

Bills are due and payable when rendered. Full payment must be received on or before the date shown on the bill to avoid a late payment charge of one and one-half percent (1 1/2%) pursuant to Rule 26.4.

TERM:

One month and continuously from month to month thereafter until permanently terminated on three days' notice to Company, or one year and thereafter until terminated as provided in the written application for service.

SPECIAL PROVISIONS:

- A. Whenever metered service presents safety or environmental risks and/or is inappropriate for the specific application, the Company, in its sole discretion, shall offer unmetered service provided the total load and operating schedule is pre-determined where, the kWh use can be computed and not measured.
- B. At the sole discretion of the Company, ancillary devices having individually assigned small electric load energy consumption characteristics, authorized as licensed attachments per the terms and conditions of a separate, mutually executed Attachment Agreement, and using single-phase, secondary service voltage sourced directly from the Company's electric distribution system or indirectly using an alternate electric distribution source may be billed unmetered under this rate. Ancillary device unmetered energy consumption, determined as kWh, shall be determined based upon the device manufacturer's specified individual maximum wattage, operating on a constant 24 hour-7 day per week schedule. The billable unmetered energy consumption of devices interconnected to form a complete operating attachment device assembly at a single location shall be determined as the cumulative maximum wattage of all individual devices. Billing of ancillary device service will be assigned to and made the responsibility of the primary customer of record that is obtaining service from the electric distribution system referred to as direct service. The service to an ancillary device or device assembly will require the installation of a Company approved disconnect device and the appropriate electrical circuit grounding. The Company's electric service responsibilities associated with ancillary device service will be consistent with the service quality and reliability provided to outdoor lighting service consistent with the Company's scheduled service response. Unauthorized devices will be considered the responsibility of the primary customer of record from which the service used by the device is provided and shall be managed and/or terminated in compliance with the applicable provisions of the tariff or Attachment Agreement. Unmetered service under this provision may be terminated by any responsible party per the applicable provisions of this

tariff or the terms and conditions of the Attachment Agreement provided written notice is issued to all parties no less than 30 days prior to termination.

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NIAGARA MOHAWK POWER CORPORATION

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SERVICE CLASSIFICATION NO. 3 (Continued)

MONTHLY MINIMUM CHARGE:

The monthly minimum charge is the charge computed under MONTHLY RATE, the demand being determined in accordance with the provisions included under Determination of Demand.

ADJUSTMENTS TO STANDARD RATES AND CHARGES:

Customers served under this service classification may be subject to adjustments and applied in the manner described in each respective Rule.

Rule 32.2 - Municipal Undergrounding Surcharge

Rule 41 - System Benefits Charges

Rule 43 - Transmission Revenue Adjustment

Rule 42 - Merchant Function Charge

Rule 45 - Non-Wires Alternative Surcharge

Rule 46 - Supply Service Charges

Rule 49 - Earnings Adjustment Mechanism

Rule 50 - Reliability Support Services Surcharge

Rule 52 - Electric Vehicle Make-Ready Surcharge

Rule 57 - Revenue Decoupling Mechanism

Rule 58 - Service Class Deferral Credit/Surcharge

Rule 59 - Arrears Management Program (AMP)

Rule 64 - Dynamic Load Management (DLM) Surcharge

Rule 67 - Hydrogen Energy Transfer System Surcharge

Rule 68 - Net Utility Plant and Depreciation Expense Reconciliation Mechanism Surcharge

Rule 69 - Incremental New Efficiency: New York Costs Surcharge

Rule 70 - Late Payment and Other Waived Fees (LPCO) Surcharge

INCREASE IN RATES AND CHARGES:

The rates and charges under this service classification, including System Benefits Charge and minimum charge, will be increased by a tax factor pursuant to Rule 32.

DETERMINATION OF DEMAND:

A. The Distribution Delivery demand for delivery voltage up to 2.2 kV and 2.2-15 kV shall be based on the highest kW measured over any fifteen minute interval during the month, but not less than one-half of the highest such demand occurring during any of the preceding eleven months, nor less than the demand contracted for.

B. The Distribution Delivery demand for delivery voltage 22-50 kV and Over 60 kV, shall be the highest kW measured over any fifteen minute interval during the month, but not less than the demand specified for.

C. The Reactive Demand shall be based on the highest RkVA of lagging reactive demand measured over a fifteen minute interval during the month less one-third of the highest kW demand measured during the month. The Reactive Demand shall be determined:

1. when a customer's demand has exceeded 500 kW for three consecutive months for service rendered before May 1, 2010; or
2. when a customer's demand has exceeded 500 kW in any two of the previous twelve months for service rendered on and after May 1, 2010; or
3. when the connected load of the customer indicates that the kW demand may normally exceed 500 kW.

Reactive Demand determination shall continue until the demand has been less than 500 kW for twelve consecutive months.

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SERVICE CLASSIFICATION NO. 3A (Continued)

Company Supplied Electricity Supply Service Charges: Company supplied Electricity Supply Service Charges shall be set on an hourly basis according to the market price of electricity determined in accordance with Rule 46.1, Electricity Supply Cost.

ADJUSTMENTS TO STANDARD RATES AND CHARGES:

Customers served under this service classification may be subject to adjustments and applied in the manner described in each respective Rule.

Rule 32.2 - Municipal Undergrounding Surcharge

Rule 41 - System Benefits Charges

Rule 42 - Merchant Function Charge

Rule 43 - Transmission Revenue Adjustment

Rule 45 - Non-Wires Alternative Surcharge

Rule 46 - Supply Service Charges

Rule 49 - Earnings Adjustment Mechanism

Rule 50 - Reliability Support Services Surcharge

Rule 52 - Electric Vehicle Make-Ready Surcharge

Rule 58 - Service Class Deferral Credit/Surcharge

Rule 57 - Revenue Decoupling Mechanism

Rule 59 - Arrears Management Program (AMP)

Rule 64 - Dynamic Load Management (DLM) Surcharge

Rule 67 - Hydrogen Energy Transfer System Surcharge

Rule 68 - Net Utility Plant and Depreciation Expense Reconciliation Mechanism Surcharge

Rule 69 - Incremental New Efficiency: New York Costs Surcharge

Rule 70 - Late Payment and Other Waived Fees (LPCO) Surcharge

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SERVICE CLASSIFICATION NO. 7 (Continued)

ALL SERVICE CLASSIFICATION NUMBERS:

Electricity Supply Service:

Company Supplied Electricity Supply Service Charges, per kWh:

All SC-7 parent class SC-3A and SC-7 parent class SC-3 (otherwise subject to SC-3, Special Provision L) demand metered customers who are required to install an interval-meter will be billed for commodity service based on their actual hourly usage and the hourly day-ahead market prices as described in Rule 46.1.3 herein. All SC-7 parent class SC-2D and SC-3 (otherwise not subject to SC-3, Special Provision L) customers may elect to be billed for commodity service based on their actual hourly usage and the hourly day-ahead market prices as described in Rule 46.1.3 herein. Such election shall be made by the customer in the Form G Application for Electric Standby Service. All other SC-7 customers will be billed for commodity services based on Rule 46.1.1 or Rule 46.1.2.

Company supplied Electricity Supply Service charges shall be set according to the market price of electricity determined in accordance with Rule 46.1, Electricity Supply Cost.

Customers served under this Service Classification No. 7 are also eligible to participate in Rule 39 - Retail Access Program.

Wholesale Generators receiving Station Power service from the NYISO in accordance with Special Provision J shall receive Electricity Supply Service from the NYISO and shall be exempt from Electricity Supply Service charges under Rule 46.1.

SURCHARGES AND ADJUSTMENTS

Customers served under this Service Classification No. 7 may be subject to the following surcharges and adjustments:

Rule 32.2 - Municipal Undergrounding Surcharge
Rule 40 - Value of Distributed Energy Resources' Customer Benefit Contribution Charge
Rule 41 - System Benefits Charges
Rule 42 - Merchant Function Charge
Rule 43 - Transmission Revenue Adjustment
Rule 45 - Non-Wires Alternative Surcharge
Rule 46 - Supply Service Charges
Rule 49 - Earnings Adjustment Mechanism
Rule 50 - Reliability Support Services Surcharge
Rule 52 - Electric Vehicle Make-Ready Surcharge
Rule 57 - Revenue Decoupling Mechanism
Rule 59 - Arrears Management Program (AMP)
Rule 58 - Service Class Deferral Credit/Surcharge

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Rule 64 - Dynamic Load Management (DLM) Surcharge

Rule 67 - Hydrogen Energy Transfer System Surcharge

Rule 68 - Net Utility Plant and Depreciation Expense Reconciliation Mechanism Surcharge

Rule 69 - Incremental New Efficiency: New York Costs Surcharge

Rule 70 – Late Payment and Other Waived Fees (LPCO) Surcharge

MINIMUM CHARGE:

Customers served under this Service Classification No. 7 shall be subject to a minimum Charge which shall be the Customer Charge, the Incremental Customer Charge (where applicable), and the Standby Contract Demand Charge.

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NIAGARA MOHAWK POWER CORPORATION

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GENERAL INFORMATION

IV. TERMS AND CONDITIONS APPLICABLE TO ALL SERVICE CLASSIFICATIONS

B. Adjustment to Volumetric Charges

SC-1, 2, 3, 4, 6

The Volumetric Charges, measured in kWh, shall be subject to specific adjustments applied in compliance with the Rules identified below, as more fully described in the Electric Tariff and as amended from time to time.

Rule 32.2 - Municipal Undergrounding Surcharge

Rule 41 - System Benefits Charge

Rule 42 - Merchant Function Charge

Rule 43 - Transmission Revenue Adjustment

Rule 45 - Non-Wires Alternative ("NWA") Surcharge

Rule 46 - Supply Service Charges

Rule 56 - Incremental State Assessment Surcharge

Rule 57 - Revenue Decoupling Mechanism (RDM)

Rule 59 - Arrears Management Program (AMP)

Rule 64 - Dynamic Load Management (DLM) Surcharge

Rule 70 – Late Payment and Other Waived Fees (LPCO) Surcharge

C. Increase in Rates and Charges

SC-4

E. Increase in Rates and Charges

SC-3

F. Increase in Rates and Charges

SC-6

G. Increase in Rates and Charges

SC-1, 2

The rates and charges including any adjustment to charges and the minimum charge will be increased by a tax factor pursuant to Rule 32 of the Electric Tariff.

DETERMINATION OF BILLING:

SC-1, 2, 3, 4, 6

The billing of rendered services shall comply with, but not be limited to, the terms and conditions as provided hereunder and as may be further defined within the service classification.

A. Minimum Charge

SC-1, 2, 3, 4, 6

Customer is obligated to pay the charges for service provided hereunder as is further defined within the service classification.

B. Determination of Billing Quantities

SC-1, 2, 3, 4, 6

The charge for lighting service hereunder during each billing cycle shall be based upon facilities/equipment in service and any related energy and adjustments as of the first day of that billing cycle.

C. Terms of Payment

SC-1, 2, 3, 4, 6

Bills are due and payable. Full payment must be received on or before the date shown on the bill to avoid a late payment charge of one and one-half percent (1-1/2%) per month pursuant to Rule 26.4 of the Electric Tariff.