

PSC NO: 220 ELECTRICITY
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE:LEAF: 99
REVISION: 5
SUPERSEDING REVISION: 4

GENERAL INFORMATION

16. UNDERGROUND DISTRIBUTION: (Continued)

Within a Subdivision

16.4.2 (Continued)

possible after receipt of a proper application and shall be made at a time appropriate to render service. Company reserves the right to schedule installation in all or any portion of a subdivision in a manner appropriate to render service. Construction will not be delayed by Company so that applicant will be held up in the sale or other disposal of the buildings, or lots, except where such delay is caused by strikes, fire, flood, inclement weather, unavailability of materials, civil disorders, or other conditions beyond the control of the Company. No overhead circuits, including street lighting circuits, shall thereafter be installed by Company within a subdivision having underground electric distribution lines.

16.4.3 Where the average footage per dwelling unit served exceeds 100 feet, the applicant shall contribute to the cost of the excess footage. For the purpose of this rule, average footage per dwelling unit served will be determined by dividing the total footage of underground distribution line or service line required in the applicant's subdivision by the number of dwelling units to be served at the time the underground electric distribution system is installed. The average cost per foot of underground residential distribution line based upon experienced costs for all underground distribution line extensions in residential subdivisions is set forth in the Statement of Underground Residential Distribution Contribution ("URD Statement"). ~~On the effective date of this leaf, the average cost per foot of underground distribution line based upon experienced costs for all underground distribution line extensions in residential subdivisions is \$29.32 per trench foot.~~ Company must file the new average cost per foot with the Commission no later than May 1st of each year. Where Company has on file an application executed and accepted by Company prior to the effective date of this leaf for such extension and construction is commenced not later than thirty days after the effective date of this leaf, the Company will honor the prior application or the applicant has the option of reapplying for the average cost per foot set forth herein.

16.4.3.1 Where the per foot cost of the installation will be greater than two times the cost of installing such facilities as calculated using the applicable charges per foot currently in effect, the applicant or Company may petition the Public Service Commission for the installation of overhead facilities.

16.4.3.2 In the event the Company determines at its sole discretion that three-phase service is required, or an applicant requests three-phase service, within the residential subdivision, the Company shall provide such service in accordance with any applicable order of the Public Service Commission or, if none, the applicant shall contribute to the Company an additional ~~charge for three phase line at a rate of \$6.77 per trench foot~~ per trench foot charge for each additional phase installed as set forth in the Statement of Underground Residential Distribution Contribution ("URD Statement"). In addition, the applicant shall contribute to the Company an additional charge ~~and~~ for appurtenant facilities required to supply the applicant's or Company's requirements in an amount equal to the Company's incremental costs.

16.4.4 If a charge to the applicant has been required under Rule 16.4.3 and if, after the underground distribution system is installed, additional dwelling units are constructed and take service from distribution line, Company will recalculate charges under Rule 16.4.3 as if the additional dwelling units had been constructed at the time of original construction within the subdivision, and will make an appropriate refund of such charges without interest. Any portion of the charges remaining unrefunded five years from the date Company is first ready to render service from the underground electric distribution lines installed with respect to the subdivision for which application hereunder was first made, shall be retained by Company and credited to the appropriate plant accounts

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16. UNDERGROUND DISTRIBUTION: (Continued)

16.4.4.1 The non-residing applicant/developer may elect to excavate and backfill the trench necessary for the underground distribution lines within the residential subdivision in accordance with the Company's standards and practices and pursuant to a construction schedule agreed to by the Company. The Company shall not be responsible for any delays caused by the non-residing applicant or developer's failure to construct in accordance with the Company's standards and practices and the agreed work schedule. The cost per trench foot for which the Company will reimburse credit the non-residing applicant/developer \$15.75 per trench foot for the trenching ultimately performed by the non-residing applicant/developer is set forth in the Statement of Underground Residential Distribution Contribution ("URD Statement").

16.4.5 Company reserves the right to designate the service connection point to a building or to a multiple-occupancy building and the point at which any service lateral will connect to Company's electric distribution lines or equipment. The portion of the service lateral not within the bounds of the street or highway shall be installed by the applicant in accordance with Company's specifications and pursuant to Rule 21.5 of General Information.

16.4.6 Service lateral credit, where applicable, will be granted to the applicant for electric service for the dwelling after it has been energized as set forth in the Statement of Underground Residential Distribution Contribution ("URD Statement"). Service lateral credits will not be given for more footage than the actual length of the service lateral. On the effective date of this leaf, the credit is \$30.05 per trench foot.

16.5 Connection to Supply System:

16.5.1 The supply line installed to the non-residing applicant/developer's subdivision shall be made in accordance with the following requirements:

a. On the effective date of this leaf, the average cost per foot of underground connecting supply line based upon experienced costs for all underground connecting supply lines required to serve residential subdivisions is \$29.32 per trench foot set forth in the Statement of Underground Residential Distribution Contribution ("URD Statement"). The Company must file the new average cost per foot with the Commission no later than May 1st of each year. In the event the Company determines at its sole discretion that three-phase service is required, or an applicant requests three-phase service, within the residential subdivision, the Company shall provide such service in accordance with any applicable order of the Public Service Commission or, if none, the applicant shall contribute to the Company an additional charge for three-phase line at a rate of \$6.77 per trench foot per trench foot charge for each additional phase installed as set forth in the Statement of Underground Residential Distribution Contribution ("URD Statement"). In addition, the applicant shall contribute to the Company an additional charge and for appurtenant facilities required to supply the applicant's or Company's requirements equal to the Company's incremental costs. Where the Company has on file an application executed and accepted by the Company prior to the effective date of this leaf for such extension and construction is commenced not later than thirty days after the effective date of this leaf, Company will honor the prior application or the applicant has the option of reapplying for the average cost per foot set forth herein.

b. Where a governmental authority having jurisdiction over land use requires supply line to be placed underground, the specified footage allowance shall apply in the sequential order of supply, distribution and service lines, respectively.