

PSC NO: 214 ELECTRICITY  
NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: NOVEMBER 16, 2009

LEAF: 35  
REVISION: 3  
SUPERSEDING REVISION: 2

SERVICE CLASSIFICATION NO. 2 (Continued)

C. Property Rights

In providing service hereunder, Company shall not be required to extend its circuits or place its facilities 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, at not cost to the Company, good and sufficient rights, easements or permits thereof.

D. Replacement of Facilities

Company is not obligated to replace facilities installed hereunder or under a superseded rate schedule, prior to 15 years from the date of initial installation.

E. Additional Facilities Authorization

Additional facilities considered standard at the time of the customer's request will be allowed at locations designated by the customer provided the Company, in its sole discretion, can reasonably supply the requested electric service and facilitate the safe operation and maintenance of the requested facilities. The customer's request is to be on appropriate customer letterhead and attached to it;

1. A revised Schedule "SL",
2. An approved form resolution, as applicable,
3. A signature by a duly authorized representative of the customer.

Upon completion of field work, the Schedule "SL" will be appended to the customer's Form "M" Contract, Application for Service and applicable billing changes commenced.

F. Excessive Damage to Facilities

Company facilities subject to extraordinary maintenance or replacement requirements or unusually high incidents of physical damage or vandalism will require the customer to reimburse the Company for actual costs incurred for the additional maintenance and/or facility replacement performed. Excessive damage to facilities is defined as the second (2nd) occurrence in a twelve (12) month period.

G. Increased or Decreased Illumination and Conversion of Existing Lamps to Different Lamps

The alteration of existing facilities for increased or decreased illumination or for a conversion to a different type of lamp will be made at Company's expense if the existing facilities have been in service 15 or more years. If the customer wishes to have one conversion prior to this time, the customer may be required to pay Company the depreciated book cost less net salvage value of the facilities removed. Net salvage value is defined as the salvage value less the removal cost of the Company facilities removed.

H. Termination of Service

Company shall have the right to terminate service and remove any Company owned facility or to discontinue service to any customer owned equipment, which in the opinion of Company, shall have attained its end of useful life, become unsafe or unsatisfactory for further service and/or requiring excessive maintenance by reason of deterioration, civil commotion, vandalism, state of war, explosion, fire, storm, flood, lightning, obsolescence or any other cause reasonably beyond Company's control.

Issued by Thomas B. King, President, Syracuse, NY