

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

LEAF: 9.4
REVISION: 1
SUPERSEDING REVISION: 0

SERVICE CLASSIFICATION NO. 1 (Continued)

D. Termination of Service

Company shall have the right to terminate service and to remove any Company owned equipment which, in the opinion of Company, shall have become unsatisfactory for further service by reason of deterioration, civil commotion, vandalism, state of war, explosion, fire, storm, flood, lightning, or any other cause reasonably beyond Company's control. The customer may be required to pay the applicable charges remaining under the initial term of the contract.

E. Removal of Company Facilities

Upon termination of service hereunder or under a superseding rate schedule or contract, Company reserves the right, at its discretion, to remove or retire in place all facilities placed, installed, erected or used by it pursuant to the supplying of service hereunder.

F. Service Classification Revision

In the event of changes or revisions of this service classification, customer shall take and pay for service in accordance with the provisions of the revised or superseding service classification. Charges to customer shall be prorated between the superseding and the superseded rate on the basis of a 30 day billing period, with the superseding charges applying to the days of service taken on and after the effective date of such change.

G. Tree Trimming

As a condition of receiving service hereunder, customer authorizes Company, insofar as it lawfully may, to trim, cut, remove, and to keep trimmed, cut and removed any and all trees and other obstructions which, in the opinion of Company, interfere with or may tend to interfere with the operation and maintenance of service hereunder. Tree trimming required for light distribution is a responsibility of the customer, and shall be done by customer or at customer's expense.

H. Support Structures

Facilities provided under this service shall only be installed upon support facilities or structures owned and maintained by the Company.

I. Site Restoration

The Company shall be responsible for restoration of the area impacted by the construction or maintenance of the applicable service limited to basic hardscape and/or landscape applications. The incremental replacement cost of unique, decorative hardscape surface treatments or landscape applications will be the responsibility of the customer.

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