

PSC NO: 220 ELECTRICITY
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: APRIL 27, 2009

LEAF: 453
REVISION: 0
SUPERSEDING REVISION:

SERVICE CLASSIFICATION NO. 12 (Continued)

4. PROGRAM ELIGIBILITY

In order to receive discounted service for part or all of its loads pursuant to Sections 5 or 6 of this Service Classification No. 12, a customer must first satisfy the eligibility requirements for one of the programs described below. Once the customer has been found to be eligible to receive service under Service Classification No. 12 pursuant to this Section 4, its rates will be determined as provided by Sections 5 or 6 of this service classification, provided however that no customer receiving EDP or HLFF Power from NYPA on or before May 22, 1997 shall be eligible to receive discounted service from the Company under this Service Classification No.12 for that portion of its demand for electric service served or eligible to be served under the terms of an allocation agreement between the customer and NYPA in effect on that date, prior to November 1, 1998. Qualifying Customers shall execute service agreements under this rate schedule with the Company as provided for in Section 5.1.

4.1 **Retention: On-Site Generation:** Customers meeting the following requirements shall be eligible for discounted rates for part or all of their loads designed to respond to the competitive challenge of on-site generation:

4.1.1 The customer must receive electric service from the Company under rate schedule SC-2D, SC-3, SC-3A, SC-4 or SC-7; and

4.1.2 The customer must demonstrate to the Company's satisfaction that the customer's on-site generation alternatives make it a Contestable Customer.

4.2 **Retention: Fuel Switching.** Customers meeting the following requirements shall be eligible for discounted rates for part or all of their loads designed to respond to the competitive challenge of fuel switching:

4.2.1 The customer must receive electric service from the Company under rate schedule SC-2D, SC-3, SC-3A or SC-4; and

4.2.2 The customer must demonstrate to the Company's satisfaction that the customer's fuel switching alternatives make it a Contestable Customer.

4.3 **Retention: Revitalization.**

4.3.1. Eligibility Criteria:

Existing customers meeting the following requirements shall be eligible for discounted rates for part or all of their loads designed to respond to the competitive challenge of business closure due to financial distress:

4.3.1.1 The customer must be a Manufacturing Customer as defined in Section 3.3; and

4.3.1.2 The customer must receive electric service from the Company under rate schedule SC-3, SC-3A or SC-4; and

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