

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

LEAF: 426  
REVISION: 0  
SUPERSEDING REVISION:

### SERVICE CLASSIFICATION NO. 7 (Continued)

#### INCREASE IN RATES AND CHARGES:

The rates and charges under this Service Classification, including the 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 year from commencement of service hereunder and continuously thereafter until permanently canceled by the customer upon 90 days' prior notice to the Company.

#### DETERMINATION OF DEMAND:

- (1) Standby Contract Demand

Standby Contract Demand shall initially be set at the maximum anticipated demand of the customer including any load that is not isolated pursuant to Rule 1.48 codified in a Standby Service Application and determined as the greater of the following and the Company shall inform the customer of the resultant contract demand ten (10) days prior to the next billing cycle:

- (i) the maximum demand from the Company's system over the previous 12-months, or
- (ii) the customer's maximum load supplied by all sources including the OSG and Company's supply system over the previous 12-months.

In the case of a new customer (i.e., a customer for whom historical consumption data does not exist) the Standby Contract Demand shall be the maximum anticipated demand of load consumed as a National Electrical Code calculation in effect based upon the electrical equipment to be served.

The Standby Contract Demand shall automatically be increased to the highest measured demand in any billing period during the term hereunder.

The Standby Contract Demand of a Wholesale Generator who is connected to a customer which would otherwise be served directly by the Company shall be set at the maximum potential demand of the station loads of the Wholesale Generator when the generator is out of service plus the maximum potential demand of the customer connected to the Wholesale Generator.

The Standby Contract Demand may be increased based upon a written notice by the customer to the Company at any time.

The Standby Contract Demand as determined above may be reduced based upon a written notice by the customer to the Company and may be reduced no more than one time in a 365-day period and/or 365 days from any increase or ratchet in Contract Demand. In the event the customer's Standby Contract Demand is reduced thereafter and the recorded maximum demand at any time exceeds the customer's nominated and effective Standby Contract Demand: (i) by 20% or greater then a penalty equal to the product of 24 times the contract demand rate times the demand in excess of the Standby Contract Demand shall apply, (ii) by 10% or greater, but less than 20%, then a penalty equal to the product of 18 times the contract demand rate times the demand in excess of the Standby Contract Demand shall apply, (iii) by less than 10% then a penalty equal to the product of 12 times the contract demand rate times the demand in excess of the Standby Contract Demand shall apply.

Cancelled by 1 Rev. Leaf No. 426 Effective 01/01/2024

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