

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

LEAF: 468  
REVISION: 0  
SUPERSEDING REVISION:

## SERVICE CLASSIFICATION NO. 12 (Continued)

### 5. INDIVIDUALLY NEGOTIATED RATES (Continued)

#### 5.2 Standards for Individually Negotiated Rate Agreements (Continued)

- 5.2.5 **Payment of Undisputed Bills:** The Company shall include a provision in its Customer Service Agreements requiring the customer to be current in its payment of all undisputed bills, and which may require the customer to furnish a security deposit in the amount that the Company would otherwise be authorized to require under Commission rules as a precondition to receiving any discounted service by the Company. Customers who have executed a deferred payment agreement with the Company consistent with Rule 26.9 - Deferred Payment Agreement (DPA) for Non-Residential customers of this Tariff, and are in full compliance with the requirements of this DPA shall be eligible to receive service under this Section 5 of S.C. No. 12.
- 5.2.6 **Resales Prohibited:** The Company shall include a provision in its Customer Service Agreements prohibiting the customer from reselling or otherwise furnishing any of the electricity provided pursuant to a Customer Service Agreement authorized by this service classification to any third party, regardless of whether such sale or furnishing would otherwise be authorized by Rule 8 of this Tariff.
- 5.2.7 **Customer's Options Under Retail Access:** In the event the customer is eligible to receive Electricity Supply Service under Rule 39, Retail Access Program, the Company will make available to the customer a pricing option to unbundle the Electricity Supply Service cost parameters of the customer's Customer Service Agreement. The customer shall thereafter be permitted to purchase Electricity Supply Service from the Company under the modified Customer Service Agreement or from an ESCo under the Company's unbundling proposal. In the event that the customer requests that the Company unbundle the pricing provisions of its Customer Service Agreement, the customer shall only be eligible to purchase Electricity Supply Service from the Company under the default option of the customer's otherwise applicable service classifications Standard Tariff Rates.
- 5.2.8 **Increase in Rates and Charges:** The rates and charges under Section 5 of this service classification will be increased by a tax factor pursuant to Rule 32.

### 6. STANDARDIZED DISCOUNT RATES

Qualifying Customers that do not fall within any of the categories of customers required to individually negotiate their rates and Customer Service Agreements with the Company pursuant to Section 5 of this Service Classification No.12 shall receive the applicable standardized discount percentages established in Section 6.3 of this Service Classification No.12 applied to their charges for electric service as provided in Section 6.1 of this service classification.

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