

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

LEAF: 147
REVISION: 0
SUPERSEDING REVISION:

GENERAL INFORMATION

28. SPECIAL SERVICES PERFORMED BY COMPANY FOR CUSTOMER AT A CHARGE:

28.4 The Company shall not provide or offer to provide services to customers that are normally provided by Energy Services Companies (ESCOs) such as energy audits, energy efficiency equipment, etc. without prior Public Service Commission approval. The Company shall be allowed to provide operation, maintenance and construction services to customer's equipment at a customer's explicit request that is related to energy delivery services. Any such services provided by the Company shall be subject to the following:

28.4.1 Under no circumstances shall such customer-requested services provided by the Company to individual customers impose a cost on other utility ratepayers. Customers shall be charged fully loaded rates for these services.

28.4.2 The Company shall provide these services on a first-come, first-served basis to customers who request them on non-discriminatory terms and conditions. That is, similarly situated customers shall be charged the same rates.

28.4.3 The Company shall make customers aware if there are other entities that may be able to provide the requested services.

28.4.4 The Company shall maintain records relative to all such services, including scope of work, copies of customer requests including acknowledgment that the customer was aware of alternate suppliers, revenues received, any profits made as a result of providing the services, and identifying any direct or indirect benefits to other ratepayers that the Company estimates was derived from the provision of the service.

28.4.5 The Company shall not hire any additional employees or purchase additional equipment in order to provide these services.

28.4.6 To the extent the Company's current or planned provision of the services described above requires Public Service Commission authorization pursuant to Public Service Law Section 107, that authorization is in the public interest and in approving the Settlement Agreement in P.S.C. Case Nos. 94-E-0098 and 94-E-0099, the Commission thereby grants that authorization for the term of the Settlement Agreement.

28.4.7 Pursuant to this Rule 28.4, customers may request that the Company provide data and metering services with respect to their own consumption of electricity beyond those required to bill the services furnished under this Tariff. In the event that a customer requests such data and metering services and the Company agrees to provide them, such additional data and metering services shall be provided at the Company's fully loaded costs.

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