

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

LEAF: 206  
REVISION: 0  
SUPERSEDING REVISION:

## GENERAL INFORMATION

### 38. RENEWABLE ENERGY MARKETING PROGRAM (Continued)

#### 38.8 PREPARATION AND MAILING OF ENVIRONMENTAL DISCLOSURE STATEMENTS

38.8.1 For environmental disclosure purposes, the Company will allocate the converted renewable energy to the participating customers and calculate, or assign the Green ESCo the responsibility to calculate, the environmental disclosure labels based on the actual amount of kWh converted as set forth in Rule 38.7.

38.8.2 If the Green ESCo has not arranged sufficient Conversion Transactions Agreements to cover actual purchases by their customers, the disclosure mix for the affected customers will be calculated based on the actual conversion transactions made by the Company and provided for by the Green ESCo. Application of any deficiencies by service class will be made as agreed to in advance between the Company and the Green ESCo.

38.2.2.1 The Company will not be responsible to the customer for any shortfall between the quantity of renewable energy service billed and the actual renewable energy service provided.

38.2.2.2 The Green ESCo is responsible to, and shall respond to all customer inquiries and make any necessary refunds that result from a shortfall in purchases of renewable energy.

38.8.3 Environmental disclosure statements for customers participating in the Renewable Energy Marketing Program will be provided as separate mailing for which the Green ESCo will be responsible for all the associated costs of preparation and mailing.

38.8.3.1 The environmental disclosure statements to customers participating in this program will be based upon the actual conversion transactions arranged by the Green ESCo.

38.8.3.2 At the option of the Green ESCo, environmental disclosure statements for customer served under P.S.C. No. 220 Service Classifications No. 1, 1C, 2, SC-3, Small SC-4 (<2MW) and all customers taking service under P.S.C. No. 214 will be calculated based on either individual consumption or class average consumption data based upon blocks of energy (kWh) or capacity. Green ESCos selecting class average consumption statements must propose specific classes or groups of customers and block structure to the Company and the Public Service Commission to ensure that a statement on the proposed average will provide customers with a reasonable level of precision.

38.8.3.3 Environmental disclosure statements for SC-3A and SC-4 (>2MW) will be calculated based upon a customer's actual consumption.