

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

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GENERAL INFORMATION

34. ECONOMIC DEVELOPMENT PROGRAMS: (Continued)

34.3 Program 2 - Empire Zone Rider (EZR) (Continued)

34.3.4 Electric Pricing for Qualifying EZR Load (Continued)

34.3.4.3 Delivery Rates Applicable to Qualifying EZR Load which Commenced Before September 1, 1998 (Continued)

34.3.4.3.1 Group Classification Criteria (Continued)

B. Service Sectors:

Service Sector Customers shall include companies in the following business sectors having the following NAICS code classifications:

<u>Name</u>	<u>NAICS Code</u>
Wholesale Trade	42
Regional Warehousing / Storage, Professional, Scientific, Technical Services	493
Administrative or Support Services	541
	561

34.3.4.3.1.3 Group 3 Customers: Customers who qualify as Manufacturing and Service Sector Customers and who also meet one of the following criteria:

- 1) The Qualifying Manufacturing or Service Sector Customer imposes or in the Company's opinion is likely to impose monthly electric metered peak demands in the Company in excess of 5,000 kW; or
- 2) The Qualifying Manufacturing or Service Sector Customer has an average monthly load factor or in the Company's opinion is likely to impose an average load factor or at least 70 percent; or
- 3) The Qualifying Manufacturing or Service Sector Customer demonstrates that electric bills rendered to its facility paid to the Company represent at least 8 percent of the facility's annual gross revenues from sales; or,
- 4) The Qualifying Manufacturing or Service Sector Customer currently employs 300 or more manufacturing workers; or,
- 5) The Qualifying Manufacturing Customer is in the Paper/Paperboard Manufacturing (NAICS Code 3221), Chemicals Manufacturing (NAICS Code 325), Non-Metallic Mineral Products (NAICS Code 327), or Primary Metal Manufacturing (NAICS Code 331) industries.

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