

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

LEAF: 306  
REVISION: 0  
SUPERSEDING REVISION:

**FORM I**  
**CUSTOMER SERVICE AGREEMENT**  
**FOR SERVICE CLASSIFICATION NO. 12 (Continued)**

**6. THE NON-CONTESTABLE LOAD COMPETITIVE TRANSITION CHARGE PER OFF-PEAK KWH**

For each Billing Period during the term of the Agreement, the Non-Contestable Load Competitive Transition Charge per Off-peak kWh furnished by the Company to the Customer shall be determined by multiplying the Off-peak Competitive Transition Charge rate for Non-Contestable kilowatt-hours established in this Agreement by the Off-peak Non-Contestable kilowatt-hours furnished by the Company to the Customer during the Billing Period.

The Off-peak Non-Contestable kilowatt-hours shall be as determined in Sections 6A and 6B below.

**A.** If the Actual kW exceeds the Contract Load kW specified in Attachment C2, and the total kilowatt-hours furnished by the Company to the Customer during the Billing Period exceeds the total Contract loads kWh specified in Attachment C2, then the Off-peak Contract Load kWh specified in Attachment C2, shall be the Off-Peak Non-Contestable kilowatt-hours.

**B.** If the Actual kW is less than the Contract Load kW specified in Attachment C2 and/or the Actual Total kWh furnished by the Company to the Customer during the Billing Period is less than the Total Contract Load kWh specified in Attachment C2, then the Off-peak Non-Contestable kilowatt-hours shall be the Off-peak kilowatt-hours furnished by the Company during the Billing Period (hereinafter "Actual Off-Peak kWh").

The Off-peak Competitive Transition Charge rate for Non-Contestable kilowatt-hours shall be set according to the Competitive Transition Charges per Off-peak kWh rate specified in Service Classification No. 3A of the Tariff at the appropriate voltage delivery level and Load Zone for the Customer.

The current Competitive Transition Charge per Off-peak kWh rate for Non-Contestable kilowatt-hours at the appropriate voltage delivery level and Load Zone is

\$\_\_\_\_\_ for the First 250 Hours of Use;

\$\_\_\_\_\_ for the next 150 Hours Use; and

\$\_\_\_\_\_ for over 400 Hours of Use.

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