

PSC NO: 220 ELECTRICITY
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: SEPTEMBER 19, 2011

LEAF: 455
REVISION: 1
SUPERSEDING REVISION: 0

SERVICE CLASSIFICATION NO. 12 (Continued)

4. PROGRAM ELIGIBILITY (Continued)

4.3.2 Demonstration of Financial Distress

4.3.2.1 Applicable to Customers Facing Business Reductions

In order to qualify for a revitalization discount, a customer facing business reductions must provide the Company with persuasive documentary evidence that it is experiencing financial distress for the facility or product line that is affecting its competitive position. The information required to make this showing shall include:

- 4.3.2.1.1 Statements of sources and uses of funds for the customer's most recent fiscal year for the facility or product line in question; and
- 4.3.2.1.2 Such other information as the customer may wish to provide to the Company to support its claims of financial distress.

4.3.2.2 Applicable to Customers Facing Business Closure

In order to qualify for a revitalization discount, a customer facing business closure must provide the Company with persuasive documentary evidence that it is experiencing financial distress that is affecting its competitive position. The information required to make this showing shall include:

- 4.3.2.2.1 Audited financial statements (balance sheet, income statement and notes to the financial statements) for the specific facility, and for the company (if different), for the latest complete fiscal year subject to the provisions in this Section No. 4.3.2.2. If customer does not have audited financial statements for the specific facility because such audited financials are not prepared in the customer's normal course of business, then unaudited financial statements will be prepared for the specific facility. Where the financial distress experienced by customer impacts more than one facility in the Company's service territory, customer may submit financial information concerning such facilities on either an individual or consolidated basis, depending on how such information is compiled in the normal course of business. All financial statements delivered to the Company shall be accompanied by a certification of the Chief Financial Officer of the parent company or the appropriate company division, as applicable, to the effect that the financial statements comply with generally accepted accounting principles, consistently applied; and
- 4.3.2.2.2 Statements of sources and uses of funds for the customer's most recent fiscal year for the facility in question; and
- 4.3.2.2.3 Such other information as the customer may wish to provide to the Company to support its claims of financial distress.

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