

Form of Facilities Construction and Reimbursement Agreement
For Electric Generation (continued)

(e) Within ninety (90) days after completion of its construction obligations under this Agreement, KeySpan shall deliver to Customer a statement detailing the Actual Cost incurred by KeySpan hereunder. Within 30 days after delivery of such statement, either (1) Customer shall pay to KeySpan the amount by which the Actual Cost exceeds the amounts previously paid by Customer to KeySpan hereunder, or (2) KeySpan shall reimburse to Customer the amount by which the amounts previously paid by Customer to KeySpan exceeds the Actual Cost.

Cancelled by supplement No. 44 effective 01/01/2008
Suspended to 01/01/2008 by order in Case 06-G-1185. See Supplement No. 43. The supplement filing date was 08/30/2007
Suspended to 09/03/2007 by order in Case 06-G-1185. See Supplement No. 42. The supplement filing date was 02/27/2007
Suspended to 03/03/2007 by order in Case 06-G-1185. See Supplement No. 41. The supplement filing date was 11/01/2006