

PSC NO: 1 GAS

LEAF: 210.24

COMPANY: KEYSpan GAS EAST CORPORATION

REVISION: 0

INITIAL EFFECTIVE DATE: 11/03/06

SUPERSEDING REVISION:

STAMPS:

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

- 5.2 As Built Plans. Upon completion of construction by either Party under this Agreement, such Party shall provide the other Party with “as built” reproducible drawings and all other construction records which shall comply with the Standards.
- 5.3 Monitoring of Customer Construction. At least _____ (__) days prior to its commencement of construction under this Agreement, Customer shall provide written notice to KeySpan so that KeySpan, at its option, may assign a construction project engineer to monitor Customer’s construction. The construction project engineer shall have access to the construction site as necessary to perform his duties.
- 5.4 Interconnection of Facilities. So that KeySpan can schedule the final interconnection, Customer shall provide _____ (__) days prior written notice of the date that the Facilities will be completed and ready for final interconnection to KeySpan’s gas distribution system. Provided that KeySpan receives proper notice, KeySpan shall use commercially reasonable efforts to complete the final interconnection taps within _____ (__) days after the Facilities are completed and ready for final interconnection. However, KeySpan shall not be required to complete the final interconnection within any specified time during the period from September 1 through the following April 15.
- 5.5 Commencement of Gas Service. KeySpan shall have no obligation to complete the final interconnection or to commence gas transportation service unless and until (a) Customer’s construction under this Agreement has been completed and tested to KeySpan’s satisfaction in accordance with the Standards and KeySpan’s test procedures; (b) Third Party and KeySpan have executed the Gas Transportation Agreement; (c) Customer and KeySpan have executed the O&M Agreement; and (d) Customer has provided to KeySpan written certification, with the stamp of a duly licensed New York State Professional Engineer affixed thereto, stating that: with respect to the Facilities, including any and all natural gas piping and equipment within the Plant, that have been either designed or constructed by Customer pursuant to this Agreement, all such design, construction, and associated inspection and testing has been performed in accordance with the Standards, all required documentation as stated in Exhibit B has been received and approved by KeySpan; and that such Facilities are in compliance with the Standards.

Issued by: Joseph F. Bodanza, Senior Vice President, Hicksville, NY