

PSC NO: 219 GAS  
NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: 06/23/08

LEAF: 159  
REVISION: 1  
SUPERSEDING REVISION: 0

**SERVICE CLASSIFICATION NO. 9  
NEGOTIATED TRANSPORTATION SERVICE (CONTINUED)**

**SERVICE AGREEMENT: (continued)**

Terms and conditions will be offered that do not discriminate unduly between similarly situated customers.

Negotiated service agreements between the Company and the customer will be filed with the Public Service Commission at least thirty (30) days before becoming effective.

**BTU ADJUSTMENT:**

Volumes of gas registered at the customer's meter, in CCF, will be adjusted for Btu content, in Therms as stated in Rule 14.3

**DEFINITIONS:**

For the purposes of this Service Classification, the following terms have the meanings stated below:

1. Service Agreement means a transportation agreement negotiated between the Company and the customer stating terms and conditions for service.
2. Monthly Transportation Quantity means the quantity of customer-owned gas received by the Company in a given month.
3. Monthly Delivery Quantity means Monthly Transportation Quantity minus the amount to be retained by the Company as an allowance for losses incurred in the process of transportation and delivery.
4. Operation Date means the first day of the first calendar month following the month in which customer first tenders or causes to be tendered quantities of natural gas for transportation to The Receipt Point.
5. Contract Year means 365 consecutive days beginning on the Commercial Operation Date and each subsequent 365 day period, or 366 days for leap years.
6. Delivery Point means the metered interconnection, owned and maintained by the Company, between the facilities of the Company and the customer.
7. Receipt Point means the Company's city gate interconnection with pipeline(s).
8. Under Deliveries means the therm balance remaining when the customer's consumption is greater than the sum of the Monthly Delivery Quantity and the prior month's balance.

Issued By: William F. Edwards, President, Syracuse, New York