

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

LEAF: 101
REVISION: 0
SUPERSEDING REVISION:

GENERAL INFORMATION

16. UNDERGROUND DISTRIBUTION: (Continued)

c. In the absence of a governmental requirement where any part of such connection is to be placed overhead, applicant must submit a written application to the Company at least 75 days prior to the projected commencement of the construction of the supply line, and the Company must report such projected construction to the Public Service Commission for its approval no later than 45 days before such construction is commenced.

d. Company may, at its sole discretion and expense, underground additional portions of such connecting supply lines.

16.5.2 Whenever Company intends to place any underground connecting supply lines between an existing distribution system and the underground distribution lines installed within an applicant's subdivision, it will inform the telephone company and cable television company serving the area in which the subdivision is located.

16.6 Letter of Credit by Non-Residing Applicants:

16.6.1 In order to guarantee performance, the Company may require from the non-residing applicant/developer, before construction is commenced, a reasonable deposit, in the form of an acceptable Letter of Credit, or a cash deposit, but in no event greater than the estimated cost of construction. The Letter of Credit, when required, shall be applicable only to that portion of the extension not covered by contributions and shall be in addition to any contributions which may be required of the non-residing applicant/developer pursuant to Rule 16.4 and 16.5. An annual review shall be performed and the Letter of Credit shall be reduced by the required amount on a prorata basis as each new customer is connected with service from Company.

16.6.2 Any portion of the Letter of Credit, made by the non-residing applicant/developer, remaining after five years, from the date the Company is first ready to render service from the underground electric distribution lines installed with respect to the subdivision for which application hereunder was first made, shall be retained by Company and credited to the appropriate plant accounts.

16.6.3 Any cash deposit received shall be returned quarterly to the non-residing applicant/developer with interest, on a prorata basis as each new customer is connected with service from the Company. The interest is calculated at the Company's current deposit rate. Any portion of the cash deposit made by the non-residing applicant/developer remaining after five years from the date the Company is first ready to render service from the underground electric distribution lines, shall be retained by the Company and credited to the appropriate plant accounts.