

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

LEAF: 68
REVISION: 0
SUPERSEDING REVISION:

GENERAL INFORMATION

3. LIMITATION OF THE SERVICE OFFER: (Continued)

(d) "Pool Participants" shall mean the member companies and PASNY.

(e) "Senior Pool Dispatcher" shall mean the employee of the Power Pool on duty at any given time at the Power Control Center of the Power Pool, then having immediate operating responsibility for the analysis of operations and the security of the integrated power systems of the Pool Participants.

3.13 Compliance with directives of the Senior Pool Dispatcher shall, without limitation by reason of specification, constitute a circumstance beyond the control of the Company for which the Company shall not be liable; provided, however, that the Company shall not be absolved from any liability to which it may otherwise be subject for negligence in the manner in which it carries out the Senior Pool Dispatcher's instructions. (See Rule 3.7).

3.14 Without limiting the generality of the foregoing, the Company may, without liability therefore, interrupt, reduce, or impair services to any customer or customers in the event of an emergency threatening the integrity of its system, or any other systems with which it is directly or indirectly interconnected, if, in its sole judgement or that of the Senior Pool Dispatcher (Rule 3.13), such action will prevent, alleviate, or reduce the emergency condition, for such period of time as the Company, or said Senior Pool Dispatcher, deems necessary.

3.15 Customers requiring service which is uninterrupted, unreduced, or unimpaired on a continuous basis, should provide their own emergency or back-up capability.

3.16 Selection of Service Classification:

The Company will endeavor to assist a customer in the selection of the available service classification which may be most favorable to his requirements, but does not make any warranty, expressed or implied, as to the rates, classifications or provisions favorable to the present or future service requirements of the customer.

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