

PSC NO: 219 GAS
NIAGARA MOHAWK POWER CORPORATION
INITIAL EFFECTIVE DATE: 08/01/03

LEAF: 44
REVISION: 0
SUPERSEDING REVISION:

GENERAL INFORMATION

4. LIMITATION OF SERVICE OFFER: (continued)

4.10.2.2.4 Copies of waivers granted or denied by the Company shall be made available to the Commission. Each applicant that has been denied a waiver shall be promptly informed by the Company of the right to appeal to the Commission.

4.10.2.3 Certificate of Compliance:

4.10.2.3.1 A Certificate of Compliance shall be used in all areas of the state where no local authority exists to assure compliance with the insulation requirements of the State Energy Conservation Construction Code. The Certificate of Compliance pursuant to Rule 3 of P.S.C. No. 207 Electricity will be used for this purpose.

4.10.2.3.2 Each Certificate of Compliance shall be signed by a builder or contractor. The owner of the structure shall receive a copy of the Certificate.

4.10.2.4 Compliance Procedures :

4.10.2.4.1 In areas where there is no local building code authority, upon a complaint by a dwelling owner or tenant concerning non-compliance with the provisions of Rule 4.10.2.1, the Company will perform an on-site inspection to determine conformance with the standards concerning roofs, walls, foundation walls, floors, windows and doors. The result of this inspection will be provided in writing to the owner (and tenant where applicable) of the residential building.

4.10.2.4.2 Whenever the Company finds, as a result of such inspection in subsection 4.10.2.4.1 or notification by the local building code authority, more than one outstanding complaint against any contractor wherein a dwelling constructed by such contractor or builder was found to be in non-compliance with the applicable standards, the Company shall refuse to provide gas service to any construction site of that contractor or builder until all existing violations are corrected. The Company shall undertake random inspections of future construction work of a past non-complying contractor or builder until such time as the Company is satisfied that the applicable standards are being met. The Company may charge the builder or contractor a reasonable inspection fee for each residential structure inspected.

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