

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

LEAF: 210
REVISION: 0
SUPERSEDING REVISION:

**SERVICE CLASSIFICATION NO. 11
LOAD AGGREGATION (CONTINUED)**

ASSIGNMENT OF MARKETER CONTRACTS: (continued)

3. The Company will, within 5 calendar days of the notice from the Marketer, also send a notice to the Marketer's assigned customers advising them that transfer requests have been received and will be executed in accordance with the Marketer's designated transfer date. No estimated reads will be provided unless the Marketer makes such a request.
4. Sample copies of the notice to customers shall be submitted to the DPS for review at least 5 calendar days before the letters are sent to customers.
5. If the Company learns that a Marketer has assigned customers and transferred service to other Marketers without giving the required notices (in contracts and/or disclosure statements and in the letters to be sent at least 15 days prior to the transfer of service) to customers and to the Company in accordance with this Service Classification the Company will immediately inform the DPS and then, if directed, notify all of the Marketer's customers in accordance with this Service Classification.
6. If a Marketer does not give the required notices to its customers, the Company and the PSC in accordance with the above requirements prior to transferring customer, the Marketer may be determined ineligible by the PSC to sell electricity or natural gas to retail customers in the State of New York and/or may be assessed a monetary penalty by the PSC.
7. The assignment document(s) (copies of which shall be provide to the Company and the PSC) shall indicate which party will be responsible for payment or reimbursement of any and all sums owed under the Tariff, and service agreements relating thereto, or under any agreements between the Marketer and the Company and between the Marketer and customers.
8. If a more expeditious transfer process is judged to be needed in a specific situation, the Marketer may request such expedited treatment upon a showing of need to the PSC or DPS, who shall have the authority to grant such a request. The Company will have standing in any such process.

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