

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

LEAF: 202
REVISION: 0
SUPERSEDING REVISION:

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

CUSTOMER RETURN TO COMPANY SALES SERVICE: (continued)

2. The Company will charge customers who return to the Company for Sales Service the rates as set forth in the applicable Service Classification.

SLAMMING, CRAMMING, AND OTHER SIMILAR PRACTICES:

1. A Marketer shall not engage in Slamming, Cramming, or other similar activities.
2. The Company will notify the DPS of any Slamming, Cramming, or other similar activities.
3. Any Marketer, who engages in Slamming, Cramming, or other similar activities, will be fully responsible for all wrongful charges applied to the customer's bill (s) and for all reasonable costs incurred by the Company, including but not limited to, Company costs associated with reporting the Marketer's conduct to the PSC. Such Marketer's eligibility to serve retail customers in the State of New York may also be terminated by the PSC and/or a monetary penalty may be imposed.
4. Marketers shall retain and maintain 6 years documentation of customer authorizations to take Delivery Service from them. Such documentation shall be in the form of one of the following:
 - A. Written agreements signed by customers;
 - B. Written statements by independent third parties that witnessed or heard verbal commitments by the customers;
 - C. Tape recordings made by Marketers of the customer's verbal commitments; or
 - D. Electronic transmittals that can be shown to have originated with the customers.

DISCONTINUANCE OF SERVICE:

1. Voluntary Discontinuance of Marketer Operations in the Company's Service Area:
 - A. A Marketer may discontinue operating (in whole or significant part) in the Company's service territory at will (subject to any penalties or sanctions that may arise due to contractual obligations), upon submission of a written notice to the Company and the Marketer's customers at least 15 calendar days prior to the 1st of the month.
 - B. The Marketer's notice to the Company shall be in the form of a completed Supplier Select Form 3, which shall contain the required information for each account to be discontinued by the Marketer.

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