

PSC No: 120 - Electricity
New York State Electric and Gas Corporation
Initial Effective Date: December 1, 2003

Leaf No. 316
Revision: 0
Superseding Revision:

SERVICE CLASSIFICATION NO. 14 (Continued)

SERVICE AGREEMENT: (Cont'd)

(D) (Cont'd.)

- (2) The documentation shall demonstrate the customer's appropriate participation in available State and/or local economic development programs as reviewed and attested to by the appropriate agency(ies) and a Certified Economic Developer employed by New York State Electric & Gas Corporation. To that end, the Corporation will coordinate a comprehensive program of development initiatives that are available and applicable from the private and/or state and/or local public sector(s).
 - (3) The documentation shall also include the results of a comprehensive production analysis and energy audit, including, but not limited to process usage, lighting, and HVAC requirements as presented by independent consultants, licensed in New York State as professional engineers, or as otherwise acceptable to the Corporation. The customer agrees to assess in good faith the resulting recommendations from the comprehensive production analysis and energy audit for inclusion in the customer's facility.
- (E) The executed Service Agreement must be accompanied by a sworn affidavit of the senior manager or officer at the customer's facility, representing that the documented information submitted is true and that but for the Service Agreement, the customer would not have commenced taking or increased the use of electric service from the Corporation with the attendant economic development benefits to the Corporation and its other customers, the Community and the State.
- (F) For Service Agreements negotiated after August 1, 1998, NYSEG will not require as a condition of contract, that a customer purchase its Electric Power Supply from the Corporation. An Eligible Customer whose Service Agreement allows and who otherwise qualifies for General Retail Access pursuant to NYSEG's General Information Section 16 of this Schedule may elect to purchase Electric Power Supply from an ESCO.

CONFIDENTIALITY AND TRADE SECRETS:

All information provided by the customer to the Corporation, whether printed, written or verbal, in compliance with this service classification, shall be held in confidence and used only for the purpose of business transacted between the Corporation and the Customer.

Without limiting the foregoing, information furnished by the Customer and required to be submitted to the New York State Public Service Commission shall not be submitted without a request by NYSEG that such information shall be given trade secret protection in accordance with 16 NYCRR 6-1.3. When any such information is required to be submitted to the New State Public Service Commission, New York State Electric & Gas Corporation will notify the customer of such request prior to its submittal.

ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Binghamton, New York