

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

Leaf No. 306
Revision: 0
Superseding Revision:

SERVICE CLASSIFICATION NO. 13 (Continued)

SERVICE AGREEMENT: (Cont'd)

(D) A statement that the customer has met all of the requirements of this tariff including the following requirements:

(1) If relocation is Customer's Competitive Viable Alternative:

- (a) Customer must provide future projections for the period for which this tariff is being requested, presented in a form as defined by the American Institute of Certified Public Accountants (AICPA). The financial projections must be examined and reported upon by the customer's independent certified public accountants, indicating the projections to be in accordance with standards for the examination of financial projections established by the AICPA, and consistent with past practices and results.

The required projections must support the need for rate relief to operate in a manner consistent with past practices within the service territory of New York State Electric & Gas Corporation.

The customer through their independent certified public accountants will provide upon request to Coopers & Lybrand, or another CPA as determined by the Corporation, for review, work papers and supporting documentation.

All information provided by the customer to the Company, 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 Company 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 NYS P.S.C., NYSEG will notify the customer of such request prior to its submittal.

- (b) Customer must submit a strategic operating plan for the customer to continue to operate in a manner consistent with past practices at the existing facility, or to develop a new or existing facility within the Corporation's service territory.

- b.1. The plan shall include an appropriate showing to the Corporation of the favorable economics and the viability of alternative power options. In so doing, the plan shall include an assessment of competitive factors including cost factors within the customer's market.

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