

..DID: 14294  
..TXT: PSC NO: 8 GAS LEAF: 139  
COMPANY: NATIONAL FUEL GAS DISTRIBUTION CORPORATION REVISION: 1  
INITIAL EFFECTIVE DATE: 01/02/01 SUPERSEDING REVISION: 0  
STAMPS: ISSUED IN COMPLIANCE WITH ORDER IN CASE 00-M-1556 DATED 12/21/00.  
Cancelled by 2 Rev. Leaf No. 139 Effective 05/01/2002  
RECEIVED: 12/29/00 STATUS: Cancelled EFFECTIVE: 01/02/01  
GENERAL INFORMATION (Cont'd)

## II. CONTINUED

### 35. INCREASE IN RATES IN MUNICIPALITY WHERE SERVICE IS SUPPLIED

The rates and charges under all Service Classifications, including gas adjustment and minimum charge, payable in the municipality where service is supplied, shall be increased to reflect the aggregate percentage rate of the taxes imposed on the Company's revenues within such municipality pursuant to the following statutes:

- (1) Tax Law Section 186-a
- (2) General City Law, Section 20-b and  
Village Law Section 5-530
- (3) State Income Tax, Article 9A

The total of all rates and charges shall be increase by a factor determined by dividing the applicable percentage rate of taxes by 100% minus the applicable percentage rate of taxes.

The applicable surcharge factor shall be set forth on statements filed with the Public Service Commission. Whenever a city or village levies a new tax on the Company's gross revenue, repeals such a tax or changes the rate of such a tax, the Company will file a new statement. Every such statement shall be filed not less than fifteen business days before the date on which it is proposed to be effective, and no sooner than the date of the tax enactment to which the statement responds; shall become effective no sooner than the date when the tax enactment is filed with the Secretary of State; shall be applicable to bills subject to the tax enactments that are rendered on or after the effective date of the statement; and shall be cancelled not more than five business days after the tax enactment either ceases to be effective or is modified so as to reduce the tax rate. Such statements will be duly filed with the Public Service Commission, apart from this Rate Schedule, and will be available to the public at Company offices at which applications for service may be made.

The rates and charges under all Service Classifications will be subject to the procedures set forth by the Commission Order in Case 00-M-1556 issued December 21, 2000. Effective January 1, 2000 the Gross Earnings Tax under Section 186 of the New York State Tax Code is repealed. The Gross Income Tax under Section 186-a of the New York Tax Code will be separated into two different declining rates that will be applied to transmission and distribution revenues and gas commodity revenues.

Issued by D.F. Smith, President, 10 Lafayette Square, Buffalo NY 14203  
(Name of Officer, Title, Address)