

..DID: 8348
..TXT: PSC NO: 218 GAS LEAF: 197.8
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 0
INITIAL EFFECTIVE DATE: 06/01/99 SUPERSEDING REVISION:
STAMPS:
RECEIVED: 04/26/99 STATUS: Effective EFFECTIVE: 06/01/99

SERVICE CLASSIFICATION NO. 11
LOAD AGGREGATION (continued)

Other Billing, Collection Services, and Charges (continued)

3. Invoice Payments (continued)

- d. Unless otherwise mutually agreed upon, payments will be applied by the Company to arrears first and then to current charges.
- e. Upon failure of the Marketer/Direct Customer to make any payment when due, the Company has the right to draw down on any security that may be available, as described in this Service Classification.
- f. The Company reserves the right to set off against any sums otherwise payable to the Marketer/Direct Customer (i) any amounts invoiced by the Company pursuant to this Service Classification or pursuant to any written agreement with the Marketer/Direct Customer in connection with the Supplier Select Program, or pursuant to the Tariff; (ii) any other sums owed by the Marketer/Direct Customer to the Company; and (iii) any late payment charges or deposits that have not been paid.
- g. The costs of any payment defaults that occur due to mutually agreed-upon terms between the Company and a Marketer/Direct Customer will not be borne by any other Marketers/Direct Customers, or customers.
- h. Bills will not be suspended as a consequence of a complaint filed with the DPS.
- i. The Company and a Marketer/Direct Customer may, by mutual agreement, develop customized billing and collection arrangements.

Issued By: Darlene D. Kerr, Executive Vice President, Syracuse, New York