

..DID: 9964
..TXT: PSC NO: 218 GAS LEAF: 185
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 3
INITIAL EFFECTIVE DATE: 10/01/99 SUPERSEDING REVISION: 2
STAMPS: Issued in Compliance with Order of PSC in C. 98-M-1343 dated 09/22/99.
Cancelled by 4 Rev. Leaf No. 185 Effective 04/23/2000
RECEIVED: 09/28/99 STATUS: Cancelled EFFECTIVE: 10/01/99
SERVICE CLASSIFICATION NO. 11
LOAD AGGREGATION (continued)

Limitation on Availability (continued)

There is no limitation on participation in Pooled Balancing Service programs.

One Customer - One Marketer - One Marketer Service

At any time, each customer may employ only one marketer and may participate in only one aggregation pool.

Direct Customer

To be a Direct Customer, a customer must be eligible to participate in the Supplier Select Program as set forth in this Service Classification. A Direct Customer shall have all the rights and the obligations of an Marketer under this Service Classification except (1) for obligations imposed by the PSC with respect to regulatory oversight requirements as set forth in this Service Classification and (2) as otherwise expressly provided in this Service Classification.

Marketer/Direct Customer Eligibility

To participate in the Supplier Select Program, an Marketer/Direct Customer must meet all the following requirements, as applicable, at all times:

- a. Regulatory Oversight Requirement - Aggregators/Marketers must file with the Public Service Commission. The Marketer must notify the DPS at any time of any material change in information previously submitted to the DPS and a copy of its standard contract and warrant that they have complied with the requirements set forth in the Public Service Commission Order dated March 28, 1996 in Case No. 95-G-1048.
- b. The Marketer/Direct Customer has applied to the Company for authorization to participate in the Supplier Select Program by submitting Supplier Select Form 1.
- c. The Marketer/Direct Customer meets the creditworthiness requirements of the Company, as described in this Service Classification; and
- d. The Marketer has complied with all reporting requirements determined by the PSC or the DPS; and
- e. The Marketer has adhered to the policies and procedures contained in its disclosure statements filed with the PSC; and

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