

..DID: 7579
..TXT: PSC NO: 218 GAS LEAF: 75
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 2
INITIAL EFFECTIVE DATE: 03/22/99 SUPERSEDING REVISION: 1
STAMPS: Issued in Compliance with order of PSC in C. 99-M-0074 dated 01/22/99.
Cancelled by 3 Rev. Leaf No. 75 Effective 04/29/2002
RECEIVED: 02/18/99 STATUS: Cancelled EFFECTIVE: 03/22/99

GENERAL INFORMATION

15. BILLING AND COLLECTION (continued)

15.2 Bills are due when rendered, in accordance with Rule 15.1.1. A customer is in default unless payment is made at or is mailed to a designated office or bill paying agency of the Company on or before the date specified on the bill. The date specified on the bill shall be at least twenty (20) calendar days subsequent to the date the bill is rendered. If payment is not made on or before the date specified on the bill, a late payment charge at the rate of one and one-half percent (1 1/2%) per monthly billing period will be applied to all amounts previously billed under this tariff, except for state agencies, including arrears and unpaid late payment charges applied to previous bills. Payment must be made without regard to any counterclaims relating to matters other than for service rendered and failure to receive a bill does not relieve responsibility for payments of amounts due.

15.2.1 Service to state agencies will be rendered in accordance with the provisions of Article XI-A of the State Finance Law (Chapter 153 of the Laws of 1984, effective July 1, 1984).

15.2.2 The continuing late payment charge shall not be imposed on any bill that is the subject of a pending complaint before the Company or the Public Service Commission, provided, however, that a late payment charge may be imposed on the balance due where the final resolution of the complaint directs payment of the entire disputed amounts to the Company, and provided further that no such charges may be imposed for more than two months of the duration of the complaint unless authorized by the Commission or its designee.

15.2.2.1 Late payment charges will be charged when the amount billed for non-residential service used that was previously unbilled because the service was being provided through tampered equipment and the Company can demonstrate either that the condition began since the customer initiated service or that the customer actually knew or reasonably should have known the original billing was incorrect.

15.2.2.2 In the case of residential service, the Company may not impose a continuing late payment charge on an unpaid balance that has been restructured under a deferred payment agreement, if the regularly scheduled bill (current charges plus agreed upon installment amount) is paid within twenty (20) days of when the bill is rendered. The Company may, however, impose a late payment charge on monies still owing more than twenty (20) days after the Company has rendered a bill for payment of both the agreed upon installment amount and any applicable current charges.

15.2.3 Other charges. Except as provided in Rule 15.2, a late payment charge, penalty, fee, interest or other charge of any kind shall not be imposed on any residential customer for any late payment, collection effort, service termination or deferred payment agreement occasioned by the customer's failure to make timely payment for services. The Company may impose a charge pursuant to this tariff for other lawful purposes.

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