

PSC NO. 220 ELECTRICITY  
NIAGARA MOHAWK POWER CORPORATION  
INITIAL EFFECTIVE DATE: JULY 1, 2015  
STAMPS: Issued in Compliance with order issued June 18, 2015 in Case 15-E-0189.

LEAF: 263.24  
REVISION: 0  
SUPERSEDING REVISION:

#### GENERAL INFORMATION

#### 62. COMMERCIAL SYSTEM RELIEF PROGRAM (Continued)

##### 62.9.1.4.4 Penalties

62.9.1.4.4.1 If the average kW of Load Relief provided for Planned Events in the current month is lower than the prior month's average kW of Load Relief for Planned Events or the contracted kW, whichever is lower, the Direct Participant or Aggregator will be subject to a Penalty. The Penalty is equal to the Reservation Payment rate times the difference between the prior months' average kW or the contracted kW, whichever is lower, and the current (lower) average kW performed. If the current average kW performed is negative, 0 kW will be set as the current month's average kW performance.

##### 62.9.1.4.5 Performance Adjustment

62.9.1.4.5.1 A Performance Adjustment will be applied in calculating the Performance Factor if the Direct Participant or Aggregator requests in writing to provide a Performance Adjusted kW.

62.9.1.4.5.2 Once a Performance Adjustment is in effect, a Direct Participant or Aggregator may request subsequent increases to the Performance Adjusted kW if the updated kW level meets the requirements for Performance Adjusted kW. No more than one request will be accepted per month to change to the Performance Adjusted kW. The Performance Adjustment will become effective commencing the first day of the first calendar month that follows the Company's receipt of the request to initiate or update the Performance Adjusted kW.

62.9.1.4.5.3 If the current Performance Factor is lower than the previous month's Performance Factor, the lower Performance Factor becomes the new Performance Factor for the current month and each month thereafter the month in which a Performance Adjusted kW request is received or a lower Performance Factor is achieved.

##### 62.9.1.4.6 Application of Payments

62.9.1.4.6.1 Reservation Payments, Performance Payments, and Penalties under this Rule 62.9 will be calculated on a monthly basis. Payments will be made by bill credit, check or wire transfer. Payments will be made within sixty (60) days following the end of the applicable Load Relief month.

Issued by Kenneth D. Daly, President, Syracuse, NY