



October 31, 2008

Honorable Jaclyn A. Brillling, Secretary  
State of New York  
Public Service Commission  
Office of the Secretary, 19th Floor  
Three Empire State Plaza  
Albany, New York 12223-1350

RE: Case No. 98-M-1343 - In the Matter of Retail Access Business Rules

Case No. 07-M-1514 – Petition of New York State Consumer Protection Board and the New York City Department of Consumer Affairs Regarding Marketing Practices of Energy Service Companies

Case No. 08-G-0078 – Ordinary Tariff Filing of National Fuel Gas Distribution Corporation to establish a set of commercially reasonable standards for door-to-door sales to natural gas by ESCOs.

Dear Secretary Brillling:

The attached UBP Addendum No. 5, issued by Niagara Mohawk Power Corporation, d/b/a National Grid (hereinafter the “Company”), is transmitted for filing in compliance with Order of the Public Service Commission (“Commission”), State of New York issued and effective October 27, 2008, in Case No. 98-M-1343.

UBP Addendum No. 5

To PSC No. 219 Gas

Effective: November 01, 2008

On October 27, 2008, the Commission issued the above Order adopting revised Uniform Business Practices (UBP’s). In this Order, modifications were made to the existing UBP’s to address concerns with ESCO marketing and sales agreements by setting forth in this Order acceptable and unacceptable ESCO marketing practices with remedies to address violations of those practices and improving disclosure requirements. In addition to revisions to various sections of the existing Uniform Business Practices set forth in UBP Addendum No. 4, the revised rules reflect the addition of Section 10 – Marketing Standards.

Ordering Clause No. 5 of the above order directed electric and gas utilities that have tariff provisions providing for retail access to file tariff amendments or addenda to incorporate the changes to the Uniform Business Practice revisions approved in this Order. These revisions are allowed to become effective on not less than one day’s notice, on or before November 1, 2008. Addendum No. 5 attached to this filing incorporates these revised rules verbatim to become effective November 1, 2008 as directed in this Order.

Please advise the undersigned of any action taken in regards to this filing.

Sincerely,

Marcia G. Collier  
Manager, Gas Pricing

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