

FORM 4

**CUSTOMER REQUEST TO BECOME A DIRECT CUSTOMER
AND ENROLL IN THE RETAIL ACCESS PROGRAM**

Customer hereby requests authorization from Niagara Mohawk Power Corporation to become a Direct Customer under Rule 39- Retail Access Program of the PSC No. 220 Schedule for Electric Service, and purchase energy and capacity on their own behalf without an ESCo.

Customer Name: _____
Mailing Address: Street _____
City _____ State _____ Zip Code _____
Contact Name: _____ Telephone () - _____
Fax No. () - _____
Customer Account No. _____

(If multiple account numbers, please attach a separate sheet)

(Name) (Title)

am authorized to state that Customer has read, understands and agrees to abide by all provisions of Rule 39 – Retail Access Program of the PSC No. 220 Schedule for Electric Service.

Customer further represents and warrants that he/she is in, an will continue to be in, full compliance with New York Independent System Operator Market Administration and Control Area Service Tariff and the New York Independent System Operator Open Access Transmission Tariff and all the terms and conditions of said tariff, as may be amended from time to time..

Customer further understands that he/she as a Direct Customer shall have all the rights and obligations of an ESCo under Rule 39 of the PSC No. 220 Schedule for Electric Service and any applicable Federal Energy Regulatory Commission tariffs, as may be amended from time to time, except for obligations imposed by the State of New York Public Service Commission with respect to regulatory oversight requirements.

The Customer understands and agrees that no authorization will be granted by Niagara Mohawk until the Direct Customer has established its qualifications described above and until Niagara Mohawk and the Customer have exchanged any necessary and mutually signed Service Agreement(s). Customer further understands and agrees that this Form 4 is an agreement legally binding on the Customer. Subject to the jurisdiction of the State of New York Public Service Commission and the Federal Energy Regulatory Commission, the Customer consents to the personal jurisdiction of the courts in the State of New York for purposes of enforcement and interpretation of this Form 4 and of all agreements and requirements incorporated herein.

Customer Representative Name Date

FOR INTERNAL USE ONLY

(1) Date Form 4 was received By Niagara Mohawk: _____
(2) The above noted Customer will have an Effective Date of: _____