

NEW YORK STATE ELECTRIC & GAS CORPORATION

Affidavit for Natural Gas ESCOs and Direct Customers

An ESCO supplying gas to firm transportation Core Customers, or a Direct Customer without proven alternative fuel, must complete the following affidavit. The affidavit must be signed by a duly authorized officer of the Company, notarized, and returned to NYSEG **no later than August 1, YEAR**. Unless the context requires otherwise, the capitalized terms used herein shall have the meanings ascribed to them in the NYSEG gas transportation tariff, PSC No. 88, as the same may be amended or superseded. For purposes of this affidavit, references to Company and firm transportation Core Customer shall be deemed to include a Direct Customer, as appropriate.

AFFIDAVIT OF _____ REGARDING FIRM UPSTREAM CAPACITY

Company

STATE OF _____ COUNTY OF _____

_____, being duly sworn, says: I am _____

Name

Title of Officer

of _____, and

Company

I certify to the following:

1. The Company named above is a natural gas ESCO acting on behalf of firm transportation Core Customers or a Direct Customer of New York State Electric & Gas Corporation (NYSEG), and
2. There is in place, for the period November 1, YEAR, through March 31, YEAR, one or more executed contract(s) to meet the full requirements of the Company's firm transportation Core Customers on NYSEG's system. These contracts are: 1) for non-recallable, firm primary point delivery capacity at the point(s) of interconnection designated by NYSEG, and/or 2) for NYSEG recallable, firm primary point delivery capacity at the point(s) of interconnection designated by NYSEG, and/or 3) for firm supplies delivered at the point(s) of interconnection designated by NYSEG, and
3. That sufficient capacity, of the type certified to above, will be retained by the Company to meet the requirements of current and future firm transportation Core Customers, as they may change from time to time, and
4. That copies of all contracts, excluding pricing provisions, sufficient in detail for NYSEG to determine the adequacy of the contracts to satisfy the requirements of the Company's firm transportation Core Customers are attached, and that additional contracts will be provided to the extent necessary to satisfy the full requirements of the Company's firm transportation Core Customers' increased usage or for those customers enrolled after this date, and
5. That firm transportation Core Customers for which the Company cannot demonstrate firm capacity, of the type described in paragraph 2, have been designated as secondary firm, and
6. That those customers designated as secondary firm have been notified in writing by the Company that they are secondary firm and may be subject to interruption in the event the Company is not delivering sufficient quantities to meet their load requirements, and
7. That copies of the written notification sent to customers designated as secondary firm, as described in paragraph 6, are attached, and
8. That I have personal knowledge of all matters set forth in this Affidavit and am authorized to sign this Affidavit on behalf of the Company.

Sworn to before me this ____ day

of _____

Notary Public

Officer's Signature

Date