

GENERAL INFORMATION

7. Compliance with Directives of the New York Independent System Operator (“NYISO”):

Compliance with directives of the NYISO shall, without limitation by reason of specification, constitute a circumstance beyond the control of the Company for which the Company shall not be liable; provided, however, that the Company shall not be absolved from any liability to which it may otherwise be subject for gross negligence or intentional wrongdoing in the manner in which it carries out the NYISO instructions. (See Rule 5 for general liability.)

Without limiting the generality of the foregoing, the Company may, without liability therefore, interrupt, reduce or impair service to any Customer or Customers in the event of an emergency threatening the integrity of its system, or any other systems with which it is directly or indirectly interconnected, if in its sole judgment or that of the NYISO (Rule 4.E.11), such action shall prevent, alleviate or reduce the emergency condition, for such period of time as the Company, or said NYISO, deems necessary.

8. Compliance with Discontinuance Directives from the New York State Department of Transportation (DOT):

The Company is required to discontinue electric service to illuminated outdoor advertising signs, displays, or devices which have been declared illegal by the DOT under Section 88(8) of the Highway Law. The DOT shall reimburse the Company for the full cost, as defined hereunder in Paragraph 6 - Charges for Special Services, of terminating service to the subject sign, display or device.

Prior to discontinuance the Company must receive from the DOT a written notification and request for discontinuance of service, signed by an authorized DOT official, stating that the sign display or device has been declared a public nuisance, its owner has received 30 days' written notice to remove or conform it with the provisions of Section 88 and that the determination of DOT has not been stayed, modified or revoked. The DOT must also include in its written notification to the Company the anticipated removal date of the subject sign, display or device, and allow the Company up to 15 days following its receipt of written notice to effect the discontinuance of service.

The Company shall discontinue service under this provision only if there shall be no adverse effect on electric service supplied for any other purpose.