

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 1  
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# **THE FISHERS ISLAND ELECTRIC CORPORATION**

## **SCHEDULE FOR ELECTRIC SERVICE**

**Applicable  
In  
Fishers Island, NY**

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 2  
Revision: 0  
Superseding Revision:

## TABLE OF CONTENTS

	<u>Leaf No.</u>
(1) Territory to Which Schedule Applies	4
(2) Application of Rules and Regulations	4
(3) Installation of Overhead Lines and Services	4
(4) Liability	7
 (5) A. Definitions	 8
B. Application for Residential Service	10
C. Former Indebtedness Paid – Residential Customers	11
D. Application for Non-Residential Service	11
E. Former Indebtedness – Non-Residential	13
 (6) A. Discontinuance of Service – Residential Customers	 14
B. Complaint Procedures – Residential Customers	18
C. Reconnection of Service – Residential Customers	18
D. Discontinuance of Service – Non-Residential Customers	19
 (6.1) Notice Requirements	 27
(6.2) Inspection and Examination of Company Apparatus	28
(6.3) Deferred Payment Agreement – Residential Customers	29
(6.4) Deferred Payment Agreement – Non-Residential Customers	32
 (7) Consumer Deposits	 35
A. Deposits and Refunds – Residential	35
B. Security Deposits – Non-Residential	37
 (8.1) Rates	 41
(8.2) Guarantee of Payment	42
(8.3) Shared Meters	42
 (9) Access to Premises	 42
(10) Rights-of-Way for Electric Line Extensions	42
(11) Resale	44
(12) Change in Location of Existing Service Facilities	46
(13) Temporary Service	46
(14) Service Charge	46
(15) Sealed Meters	46

PSC NO: 2 Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: 2/01/2018

Leaf No. 3  
Revision: 2  
Superseding Revision: 1

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## TABLE OF CONTENTS

(16) Meter Reading, Billing, Collection, and Estimated Bills	47
A. Meter Reading and Billing	47
B. Estimated Bills – Residential Customers	47
C. No Access Procedure – Residential Customers	48
D. Meter Reading – Non-Residential Customers	49
E. Estimated Bills – Non-Residential Customers	50
F. No Access Procedure – Non-Residential Customers	52
G. Backbilling – Non-Residential Customers	54
H. Levelized Payment Plan – Non-Residential Customers	56
I. Adjustment of Rates According to Changes in the Cost of Fuel	57
J. Interest on Customer Overpayments	59
K. Contents of Bills	59
(17) Minimum Insulation Standards For the Provision of Electric Service	60
(18) Forms	
1. Form of Application for Non-Residential Service	62
2. Deferred Payment Agreement Form – Non-Residential Customers	65
3. Deposit Alternative Notice Form – Non-Residential Customers	68
4. Deferred Payment Agreement Form – Residential Customers	69

## SERVICE CLASSIFICATIONS

<u>No.</u>	<u>Type of Service</u>	
1	Annual True Year Round Residential Service	72
2	Summer Residential	74
5	Commercial	78
7	Seasonal Residential	81

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 4  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (1) Territory to Which Schedule Applies:

This schedule applies to all the territory served on Fishers Island in the Town of Southold, Suffolk County, New York.

### (2) Application of Rules and Regulations:

- (a) The rules and regulations as to rates, terms and billing apply throughout all territory served.
- (b) The rules and regulations as to service, service connections, and extensions apply to the territory as a whole, as specifically set forth in such rules or regulations.

### (3) Installation of Overhead Lines and Services:

- (a) The Company shall hereafter furnish, place, construct, operate, maintain and when necessary, replace at its own cost and expense all overhead electric lines and overhead service connections and other facilities within the territorial limits of any street, avenue, road or way that is for any highway purpose under the jurisdiction of the legislative body of any city, town, village, county or the State of New York, or on a private right of way when the Company elects to use such a route in lieu of construction within such limits.
- (b) Services will be furnished upon application at 110/240 volts, 60 cycle, alternating current.
- (c) Upon written application of the owner or occupant of any property abutting on any street, avenue, road or way, as hereinbefore defined, within five hundred (500) feet for single phase service or three hundred (300) feet for three phase service of any overhead electric line of the Company appropriate to the service requested, the Company shall furnish, place and construct at its own cost and expense such lines, service connections and facilities as are necessary to render the service requested. Said cost and expense shall include the amounts paid to governmental authorities for permits to do the work required.
- (d) Upon written application of the owner or occupant of any property abutting on any street, avenue, road or way as hereinbefore defined, upon which there is no electric line appropriate to the service requested within a distance of five hundred (500) feet for single phase service or three hundred (300) feet for three phase service from said property the Company shall furnish, place and construct such lines, service connections and facilities as are necessary to render the service requested, provided:

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 5  
Revision: 0  
Superseding Revision:

(3) Installation of Overhead Lines and Services: (Cont'd)

(d) (Cont'd)

- (1) That said applicant shall first have assured the Company that he or she will be a reasonably permanent customer, and
- (2) That he or she shall first have executed an agreement, the terms of which shall provide substantially as follows:
  - (a) Applicant shall agree to pay to the Company the rates charged to customers served under (3) (c) above and in addition a surcharge of twelve percent (12%) (return, depreciation, taxes and maintenance) per year of the actual reasonable cost of such portion of said line extension (excluding the cost of service wires and accessories) that is in excess of five hundred (500) feet for single phase overhead extensions or in the case of three phase extensions in excess of three hundred (300) feet from the end of the nearest electric line; said surcharge to be paid annually or ratably for each billing period.
  - (b) Whenever more than one customer is connected to said connection, said surcharge shall be so adjusted as to yield to said corporation not more than said twelve percent (12%) in any one year from all customers served from said extension and said surcharge shall be reasonably allocated to the several customers served from said extension taking into account that five hundred (500) feet for single phase overhead extensions or in the case of three phase three hundred (300) feet of extension, and a service are to be allowed without surcharge for each customer connected thereto.
  - (c) Whenever the number of customers on a single phase electric extension multiplied by five hundred feet shall equal or exceed the length of the electric extension, or whenever the total revenue in each of any two consecutive calendar years from all customers on the electric extension shall exceed one-fourth of the actual reasonable cost of said electric extension, said cost to be as hereinbefore defined, all surcharges shall cease; and no surcharge shall be imposed if the total estimated revenue in each of any two consecutive calendar years shall exceed one-fourth of said cost as defined in this paragraph; and
  - (d) That he or she shall first have furnished reasonable security as to performance of his or her agreement if so required by the Company.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 6  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (3) Installation of Overhead Lines and Services: (Cont'd)

- (e) The portion of the overhead electric service line beyond the limits of a street, avenue, road or way as hereinbefore defined shall be provided, placed, constructed and maintenance thereof as provided herein.
- (f) The Company shall hereafter be solely responsible for the maintenance and replacement of all overhead electric lines, overhead service connections and facilities placed within a street, avenue, road or way as hereinbefore defined, used by the Company for supplying electricity to its customers; and if adequate maintenance requires the reconstruction or replacement of such overhead service connections and facilities, said overhead lines, overhead service connections and facilities, shall be reconstructed or replaced by the Company.
- (g) For residential applicants, the Company will provide a minimum of 100 feet of overhead or underground distribution line and/or service line without charge to each applicant for residential service. The facilities provided without charge shall be measured from the Company's distribution facilities (from the connection point on the riser pole for overhead to underground service connections) to the applicant's building. In cases where facilities are installed underground solely because of an applicant's request, the Company may charge the actual cost of providing such facilities less the dollar value of overhead allowances which the applicant would receive.
- (h) Except as provided under (g) above, underground services and services at higher voltages than 110/220 volts, or any other special service are to be arranged and paid for by the customers at the prevailing unit rates. Transformers located on customer's property must be paid for by the customer and housed in vaults complying with this Company's specifications.
- (i) Meters will be installed by this Company at the regular installation rate of \$30.00 each, during regular working hours, \$45.00 outside regular working hours. Metering will be either primary or secondary and determined by the type and size of equipment to be served.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 7  
Revision: 0  
Superseding Revision:

(3) Installation of Overhead Lines and Services: (Cont'd)

- (j) Services will only be connected when either temporary or permanent certificate of approval by the New York Board of Fire Underwriters is presented to the Company for inspection. (The renewal of temporary certificate is the customer's responsibility).
- (k) Temporary service from portable transformer vault will be furnished contractors, upon written request.

(4) Liability

The company will endeavor at all times to provide a regular and uninterrupted supply of service shall be interrupted or irregular or defective or fail from causes beyond its control or through ordinary negligence of employees, servants or agents the Company will not be liable therefore.

Neither by inspection or non-rejection, nor in any other way, does the Company give any warranty, expressed or implied, as to the adequacy, safety or other characteristics of any structures, equipment, wire, pipes, appliances or devices owned, installed or maintained by the customer or leased by the customer from third parties.

The Company will not be liable for any injury, casualty or damage resulting in any way from the supply or use of electricity or from the presence or operation of the Company's structures, equipment, wires, pipes, appliances or devices on the customer's premises, except injuries or damages resulting from the negligence of the Company.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 8  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (5) A. Definitions:

#### 1. Residential Applicant or Customer:

A residential applicant or customer is defined as a person who requests electric service at a dwelling for his or her residential use or the residential use by another person, for which the Company's effective tariff specifies a residential rate.

For purposes of the Home Energy Fair Practice Act a residential customer or current residential customer includes any person who pursuant to an application for service made by such person or a third party on his or her behalf is supplied directly by the Company with electric service at a premises used in whole or in part as his or her residence, as defined in 16 NYCRR 11.2(a)(2).

For purposes of the Home Energy Fair Practice Act an applicant includes any person who requests electric service at a premises to be used as his or her residence or the residence of a third party on whose behalf the person is requesting service, as defined in 16 NYCRR 11.2(a)(3).

#### 2. Non-Residential Applicants and Customers:

- (1) A "non-residential applicant" is a person, corporation, or other entity who has requested electric service as a non-residential customer.
- (2) A "non-residential customer" is a person, corporation or other entity, supplied by the Company with electric service under the Company's tariff and pursuant to an accepted application for service, who is not a residential customer as defined in 16 NYCRR Part 11.
- (3) A "new non-residential customer" is a customer who was not the last previous customer at the premises to be served, regardless of whether such customer previously was or is still a customer of the Company at a different location.
- (4) A "seasonal non-residential customer" is a customer who applies for and receives Company service periodically each year, intermittently during the year, or at other irregular intervals.
- (5) A "short-term or temporary non-residential customer" is a customer who requested service for a period of time up to two years.
- (6) An "actual reading" is one obtained by a Company employee from either the meter or a remote registration device attached thereto.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 9  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(5) A. Definitions: (Cont'd)

2. Non-Residential Applicants and Customers: (Cont'd)

- (7) An “access controller” is a party known to the Company to be in control of access to the metering equipment of a non-residential customer, and to have an active account of its own with the Company.
- (8) A “payment” is considered to be made on the date when it is received by the Company or one of its authorized agents.
- (9) A “late payment” is any payment made more than 20 calendar days after the payment was due. Payment is due whenever specified by the Company on its bill, provided such date does not occur before personal service of the bill or three calendar days after the mailing of the bill.
- (10) “Arrears” are charges for which payment has not been made more than 20 calendar days after payment was due.
- (11) A “delinquent customer” is a customer who has made a late payment on two or more occasions within the previous 12 month period.
- (12) A “business day” is any Monday through Friday when the Company’s business offices are open.
- (13) A “deferred payment agreement” is a written agreement for the payment of outstanding charges over a specified period of time. It must be signed in duplicate by the Company representative and the customer, and each must receive a copy, before it becomes enforceable by either party.
- (14) A “levelized payment plan” is a billing plan designed to reduce fluctuations in a customer’s bill payments due to varying, but predictable, patterns of consumption.
- (15) A “backbill” is that portion of any bill, other than a levelized bill, which represents charges not previously billed for service that was actually delivered to the customer during a period before the current billing cycle. A bill based on an actual reading rendered after one or more bills based on estimated or customer readings (commonly called a catch-up bill) which exceeds by 50 percent or more the bill that would have been rendered under the Company’s standard estimation program is presumed to be a backbill.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: February 1, 2021

Leaf No. 10  
Revision: 1  
Superseding Revision: 0

## GENERAL INFORMATION

### (5) B. Application for Residential Service:

- (a) A residential service application may be oral or written. An oral application for service shall be deemed completed when the applicant provides his or her name, address, telephone number and address of prior account (if any) or prior account number (if any). The Company may require an applicant to complete a written application if:
  - (1) There are arrears at the premises to be served and service is terminated for non-payment or is subject to a final notice of termination; or
  - (2) There is evidence of meter tampering or theft of service; or
  - (3) The meter has advanced and there is no customer of record; or
  - (4) The application is made by a third party on behalf of the person(s) who would receive service.
- (b) Whenever a written application for residential service is required, the Company shall so notify the applicant as soon as practicable after the request for service is made, and in no event more than two business days after such request, and shall state the basis for requiring a written application. A written application may require the submission of information required in an oral application and reasonable proof of the applicant's identity and responsibility for service at the premises to be served. A written application containing the required information shall be deemed completed when received by the Company.
- (c) Upon written request from a prospective tenant or lessee, the Company will provide, at no cost, the total electricity charges incurred at the prospective residential rental premises for the life of the premises, or the preceding two-year period, whichever is shorter. Prior to the commencement of the tenancy or execution of a lease, the Company will provide such information to the landlord or lessor and to the prospective tenant, or other authorized person, within ten days of receipt of the written request.

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PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 11  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (5) C. Former Indebtedness Paid – Residential Customers:

- (a) The Company will not be obligated to provide service to an applicant who owes the Company money for residential service provided to a prior account in his or her name unless:
  - (1) The applicant makes full payment for residential service provided to any such prior account in his or her name; or
  - (2) The applicant agrees to make payments under a deferred payment plan of any amounts due for service to a prior account in his or her name; or
  - (3) The applicant has pending a billing dispute with respect to any amounts due for service to a prior account in his or her name and has paid any amounts required to be paid; or
  - (4) The applicant is a recipient of, or an applicant for, public assistance, supplemental security income benefits or additional state payments pursuant to the Social Services Law, and the Company receives from an official of the Social Services District in which the applicant resides, or is notified by such an official that it is entitled to receive, payment for services due to a prior account in the applicant's name together with a guarantee of future payments to the extent authorized by the Social Services Law; or
  - (5) The Commission or its authorized designee directs the provision of service.
  - (6) The Company shall not be obligated to provide seasonal or short-term service to an applicant who fails to post a lawfully required deposit.
- (b) The Company shall be obligated to provide service to any applicant who meets the requirements of paragraphs (B) & (C) above within five business days of receipt of a completed oral or written application for service except as provided under Commission rule 16 NYCRR 11.3.

### (5) D. Application for Non-Residential Service:

- (a) Extension of Service:
  - (1) The Company shall either provide or deny service to any applicant as soon as reasonably possible, but no later than 10 calendar days after receipt of a completed application for service or such later time as may be specified by the applicant, except:

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 12  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(5) D. Application for Non-Residential Service: (Cont'd.)

(a) Extension of Service: (Cont'd)

- (i) where prevented by labor strikes, or other work stoppages;
- (ii) where precluded by consideration of public safety;
- (iii) where precluded by physical impediments including:
  - (a) adverse weather conditions;
  - (b) inability to gain access to premises in the possession of the applicant or others;
  - (c) incomplete construction of necessary facilities by the applicant or inspection and certification thereof by the appropriate authorities; or
  - (d) incomplete construction of necessary facilities by the Company.

(2) The Company will make reasonable efforts to eliminate conditions preventing extensions of service and will pursue completion of any facilities it must construct with due diligence.

(3) As a prerequisite to accepting an applicant as a customer, and providing service, the Company may require the applicant to:

- (i) file a written service application containing information sufficient to establish the applicant's identity and responsibility for the premises as either the owner or occupant, the correct service classification, and who controls access to the meter(s) if not the customer;
- (ii) comply with the Company's tariff, or any applicable state or local laws or ordinances;
- (iii) fulfill any applicable requirements of 16 NYCRR Part 98.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 13  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (5) D. Application for Non-Residential Service: (Cont'd.)

#### (b) Denial of Application:

- (1) The Company will not deny an application for service except in a written notice either delivered personally to the applicant or sent to the applicant's current business address or any alternative mailing address provided in the application.
- (2) The written notice of denial shall:
  - (i) state the reason(s) for the denial:
  - (ii) specify what the applicant must do to qualify for service; and
  - (iii) advise the applicant of the right to an investigation and review of the denial by the Commission or its authorized designee if the applicant considers the denial to be without justification, and identify the appropriate address and telephone number of the Commission.
- (3) The Company shall advise any applicant who submits an incomplete application, in writing and within three business days after receipt of the application, of the information and/or documents that must be submitted in order for the application to be considered complete. Such notice shall not itself be considered a denial of the application.

### (5) E. Former Indebtedness – Non-Residential:

The Company will not be obligated to provide service to an applicant until full payment is made for all amounts due and payable which are not either the subject of a pending billing dispute pursuant to 16 NYCRR 13.15 or of an existing deferred payment agreement that is in good standing, including:

- (a) service provided and billed in accordance with 16 NYCRR 13.11 to prior account(s) in the applicant's name or for which the applicant is legally responsible;

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 14  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(5) E. Former Indebtedness – Non-Residential: (Cont'd.)

- (b) other tariff fees, charge, or penalties;
- (c) reasonably chargeable material and installation costs relating to temporary or permanent line or main extensions or service laterals as required by Rule (3) and authorized under 16 NYCRR Part 230, provided these costs are itemized and given to the applicant in writing;
- (d) special services billable under this tariff, provided these costs are itemized and given to the applicant in writing; and
- (e) a security deposit, if requested by the Company in accordance with Rule (7)B.
- (f) The Company will provide service to any accepted applicant whose application for service was previously denied solely for failure to make full payment as provided in this rule as soon as reasonably possible, but no later than three business days, or such later time as may be specified by the applicant, after payment is made, or 10 calendar days after receipt of the original application, whichever is later, except as provided in Rule (5)D.(a)(1).

(6) A. Discontinuance of Service – Residential Customers:

1. Notice of Discontinuance – Time:

The Company may discontinue the supply of electricity for nonpayment of bills rendered for service or for failure to post a lawfully required deposit at least 15 days after written notice has been served personally upon the customer or mailed to the customer. This notice may not be issued until at least 20 days have elapsed from the date payment was due.

If the person supplied above has specified to the Company in writing an alternate address for billing purposes, the notice shall be sent to such alternate address rather than to the premises where service is rendered.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 15  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(6) A. Discontinuance of Service – Residential Customers: (Cont'd.)

2. Notice of Discontinuance – Format: Every notice indicating discontinuance of service will
  - (a) Clearly indicate in non-technical language:
    - (1) the reason for service discontinuance;
    - (2) the total amount required to be paid indicating the amount for which the customer's account is either in arrears or the required deposit, if any, which must be posted by the customer, or both;
    - (3) a method whereby the customer may tender payment of the full sum due and owing, including any required deposit, to avoid the discontinuance of service; and
    - (4) the availability of Company procedures for handling complaints prior to discontinuance, including the address and telephone number of the office of the Company the customer may contact in reference to his or her account; and
    - (5) the earliest date on which discontinuance may be attempted; and
  - (b) have printed on the face thereof in a size type capable of attracting immediate attention, the following:

“THIS IS A FINAL TERMINATION  
NOTICE. PLEASE BRING THIS NOTICE  
TO THE ATTENTION OF THE COMPANY  
WHEN PAYING THIS BILL.”
  - (c) include a summary to residential customers as prepared or approved by the Public Service Commission stating the protections available to them together with a notice that any customer eligible for such protections should contact the Company.
3. Verification of Delinquent Account Prior to Discontinuance:

The Company will not discontinue service for nonpayment of bills rendered or for failure to post a required deposit unless:

  - (a) it has verified that payment has not been received at any office of the Company or at any office of an authorized collection agent through the end of the required notice period; and
  - (b) it has verified on the day discontinuance occurs that payment has not been posted to the customer's account as of the opening of business on that day, or has complied with procedures established for rapid posting of payments.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 16  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) A. Discontinuance of Service – Residential Customers: (Cont'd.)

#### 4. Rapid Posting of Payments in Response to Notices of Discontinuance:

The Company shall take reasonable steps to establish procedures to insure that any payments made in response to notices of discontinuance, when the customer brings the fact that such a notice has been issued to the attention of the Company or its authorized collection agents, are either:

- (a) posted to the customer's account on the day payment is received; or
- (b) processed in some manner so that discontinuance will not occur.

#### 5. Days and Time When Discontinuance of Service is Not Permitted:

(a) The company shall not discontinue service to any person for nonpayment of bills or for failure to post a required deposit on a Saturday, Sunday, public holiday, or day on which the main business office of the Company is not open for business. For purposes of this section, the term "public holiday" refers to those holidays enumerated in the General Construction Law.

(b) The Company shall not discontinue service to any residential customer for nonpayment of bills or for failure to post a required deposit on a Friday, or the day immediately preceding a day on which the main business office of the Company is not scheduled to be open for business, or the day immediately preceding a public holiday, or during a two-week period encompassing Christmas and New Year's Day. Residential disconnection shall be made only between the hours of 8:00 a.m. and 4:00 p.m.

#### 6. Voluntary Third Party Notice Prior to Discontinuance of Service:

The Company shall permit a residential consumer to designate a third party to receive a copy of every notice of discontinuance of service sent to such residential consumer, provided that such third party indicates in writing his or her willingness to receive such notices.

#### 7. No Additional Notice Required When Payment by Check is Subsequently Dishonored:

Receipt of a subsequently dishonored negotiable instrument in response to a notice of discontinuance shall not constitute payment of a residential customer's account and the Company shall not be required to issue additional notice prior to discontinuance.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 17  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) A. Discontinuance of Service – Residential Customers: (Cont'd.)

#### 8. Discontinuance of Service to Entire Multiple Dwellings:

The Company shall not discontinue service to an entire multiple dwelling (as defined in the Multiple Dwelling Law or the Multiple Residence Law) unless the notices specified in the Public Service Law have been given, provided that where any of the notices required thereunder are mailed in a post-paid wrapper there shall be no discontinuance of service until at least 18 days after the mailing of such notices.

#### 9. Discontinuance of Service to Two-Family Dwellings:

The Company shall not discontinue service to a two-family dwelling that is known by the Company to contain residential units where service is provided by a single meter, unless the notices specified in the Public Service Law have been given.

Subsections 3 through 7 shall be applicable with respect to the discontinuance of service to entire multiple dwellings.

During the cold weather period beginning November 1 of each year ending April 15 of the following year, the written notices required in Subsections 8 and 9 shall be provided not less than 30 days before the intended termination.

The Company may disconnect service when an emergency may threaten the health or safety of a person, a surrounding area or the utility's distribution system. The Company shall act promptly to assure restoration of service as soon as feasible. Service will be restored before it may be terminated for any other reason.

#### 10. Termination of Residential Service-Special Procedures:

Special emergency procedures, required by 16 NYCRR, Part 11, provide special protections for specified residential customers regarding the termination and restoration of service in cases involving medical emergencies, the elderly, blind or disabled, and terminations during cold weather.

Copies of the Company's special procedures are on file with the Commission and are available to the public upon request at Company offices where application for service may be made.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 18  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) B. Complaint Procedures – Residential Customers:

Any complaint filed with the Company regarding disputed bills, charges or deposits will be promptly investigated in accordance with the procedures and form of notice required by the Public Service Commission rules contained in 16 NYCRR 11.20 and 143.

The Company will not discontinue service regarding a disputed bill or deposit until it has complied with said Commission rules.

Copies of the Company's complaint handling procedures and form of notice are on file with the Commission and are available to the public upon request at Company offices where application for service may be made.

### (6) C. Reconnection of Service – Residential Customers:

1. Where a customer's service is discontinued for nonpayment of bills, the Company reserves the right to refuse to furnish service to residential customers at the same or any other location until:
  - (a) The Company receives the full amount of arrears for which service was terminated; or
  - (b) The Company and the customer reach agreement on a deferred payment plan and the payment of a down payment, if required, under that plan;
  - (c) Upon direction of the Commission or its designee; or payment or written guarantee of payment from the social services official of the social services district in which the customer resides; or
  - (d) Where the Company has notice that a serious impairment to health or safety is likely to result if service is not reconnected. Doubts as to whether reconnection of service is required for health or safety reasons shall be resolved in favor of reconnection.
2. The Company shall reconnect service, unless prevented by circumstances beyond its control or where a customer requests otherwise, to any disconnected residential customer not more than 24 hours after the above conditions of Section 1 of this section have been satisfied. Whenever circumstances beyond the Company's control prevent reconnecting of service within 24 hours, service shall be reconnected within 24 hours after those circumstances cease to exist.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 19  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) D. Discontinuance of Service – Non-Residential Customers:

#### 1. Termination of Service:

##### (a) Conditions for Termination:

(1) Except as provided by paragraph (2) of this rule and Rule (6)2, the Company will only terminate service to a customer if it provides advance final notice of the termination and fulfills all other requirements of this rule when the customer:

- (i) fails to pay any tariff charge due on the customer's account for which a written bill itemizing the charge, in conformance with 16 NYCRR 13.11 regarding contents of bill, has been sent, except for charges that reflect service used more than six years prior to the time the bill first containing these charges was rendered, which charges must be pursued by other methods of collection;
- (ii) fails to pay amounts due under a deferred payment agreement;
- (iii) fails to pay a security deposit in accordance with Rule (7)B;
- (iv) fails to provide reasonable access to the premises for necessary or proper purposes in connection with rendering of service, including meter installation, reading or testing, or the maintenance, or removal, or securing, of the Company's property, so long as the requirements of Rule (16)F have been met, and the customer has not advised the Company that the customer does not and who does have control over access; or
- (v) fails to comply with a provision of the Company's tariff which permits the Company to refuse to supply or to terminate service.

(2) The Company may terminate service to a customer without providing advance notice of the termination and without fulfilling the other requirements of this rule when it finds service being supplied through tampered equipment provided that the Company:

- (i) has evidence that the customer opened the account and used the service prior to the creation of the condition or that the customer knew, or reasonably should have known, that service was not being fully billed;
- (ii) has rendered a written unmetered service bill in accordance with 16 NYCRR 13.11(e);
- (iii) has made reasonable efforts to provide to a person in charge of the premises;
  - (a) the written unmetered service bill; and

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 20  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) D. Discontinuance of Service – Non-Residential Customers:

#### 1. Termination of Service: (cont'd)

##### (a) Conditions for Termination: (cont'd)

- (2)(iii) (b) oral notice of the conditions, if any, under which the Company will continue service, which may include the payment by cash, certified check, or money order within two hours, of some portion of the bill up to, but not exceeding, 50 percent; and
- (iv) has not received the requirement payment.

##### (b) Final Notice of Termination

###### (1) A final notice of termination shall state:

- (i) the reason(s) for termination, including the total amount required to be paid, if any, and the manner in which termination may be avoided;
- (ii) the earliest date on which termination may occur;
- (iii) the address and phone number of the office of the Company that the customer may contact in reference to customer's account;
- (iv) that the Company procedures are available for considering customer complaints prior to discontinuance;
- (v) that Commission procedures are available for considering customer complaints when a customer is not satisfied with the Company's handling of the complaint, including the address and phone number of the appropriate Commission office;
- (vi) that it is a termination notice which should be brought to the attention of the Company when the bill is paid;
- (vii) that payment of the charges with a check that is subsequently dishonored may result in immediate termination of service without further notice, if applicable; and
- (viii) that at the time the Company goes to the premises to terminate service, it may require any payment to be made with cash, certified check, or money order if the customer has, within the last 24 months, paid with a check that was dishonored.

###### 2. A final notice of termination may contain any additional information not inconsistent with this rule.

###### 3. A final notice of termination may not be issued or sent unless at least 20 calendar days have elapsed from the date payment was due, or the date given in a written notice to cure a tariff violation, or as provided in Rule (16)F.(3)(iii) where the reason for the notice is the failure to provide access, except that a final notice of termination for non-payment may be issued or sent on or after the date payment was due in the following circumstances;

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 21  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

#### 1. Termination of Service: (cont'd)

##### (b) Final Notice of Termination: (cont'd)

- (3)(i) when any portion of the charge that the customer has failed to pay is for unmetered service that was being supplied through tampered equipment and for which an unmetered service bill in accordance with 16 NYCRR 13.11(e) has been rendered;
  - (ii) when the charge that the customer has failed to pay is the installment amount due in accordance with a deferred payment agreement; or
  - (iii) when the Company has accepted a written waiver of the customer's right not to be sent a termination notice in accordance with the provisions of Rule (7)B.(d)(2).
- (4) A final notice of termination shall not be sent while a complaint is pending before the Company or the Commission for non-payment of the disputed charges or for any other reason that is the subject of the complaint as provided in 16 NYCRR 12.3. Nothing in this rule bars the Company from sending such notice for non-payment of undisputed charges or for reasons not at issue in the complaint.

##### (c) Physical Termination of Service:

- (1) The Company shall not terminate service for the reasons set forth in paragraph (a) (1) of this rule:
  - (i) for five calendar days after a final notice of termination has been personally served upon the customer; or
  - (ii) for eight calendar days after a final notice of termination has been mailed to the customer at the location where service is previously provided to the Company.
- (2) The Company shall not terminate service under this rule on:
  - (i) a Saturday or Sunday;
  - (ii) a Public Holiday as defined in the General Construction Law;
  - (iii) a day on which the business offices of the Company are closed for business; or
  - (iv) a day on which the Public Service Commission is closed.
- (3) On days when termination may occur, the Company may terminate service between the hours of 8:00 a.m. to 6:00 p.m., except that on days preceding the days listed in paragraph (2) of this rule, termination may only occur after 3:00 p.m. if the customer or any person in charge of the premises is informed prior to termination in a personal contact that termination is about to occur and the Company is prepared to accept a check for any payment required to avoid termination.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 22  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

#### 1. Termination of Service: (cont'd)

##### (c) Physical Termination of Service: (cont'd)

- (4) The Company shall not terminate service unless it shall have verified on the day termination is scheduled that payment has not been posted to the customer's account as of the opening of business on that day, or shall have complied with procedures established pursuant to (d)(2) of this rule.
- (5) Consistent with this rule, the Company shall strive to physically terminate service whenever a final notice of termination is sent.
- (6) The Company shall not terminate service more than 60 calendar days after issuance of the final termination notice, unless it has during that time, issued a termination reminder notice that states the current arrears due, if applicable. The Company shall not terminate service more than 90 calendar days after issuance of the final termination notice unless it has, during that time, issued a termination reminder notice that contains all the information required in (b) of this rule.
- (7) The Company shall not terminate service while a complaint is pending before the Company or the Commission and for eight calendar days after resolution by the Company or by the Commission or its authorized designee, for non-payment of the disputed charges or for any reason that is the subject of the complaint as provided in 16 NYCRR 12.3. Nothing in this rule bars the Company from termination for non-payment of undisputed charges or for reasons not at issue in the complaint.

##### (d) Rapid Posting of Payments:

The Company shall establish written procedures to ensure that any payments made in response to final notices of termination when the customer brings the fact that such a notice has been issued to the attention of the Company or its collection agents:

- (1) are posted to the customer's account on the day payment is received; or
- (2) are processed in some manner so that termination will not occur.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 23  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

1. Termination of Service: (cont'd)

(e) Payment at the Time of Termination: (cont'd)

- (1) If a customer claims, at the time that termination for non-payment is to take place, that payment has already been made and produces a written business record of payment, or claims that there is a complaint pending before the Company or the Commission with regard to the charges demanded, the Company's field representative shall make a reasonable effort to verify this information with the Company office representative and shall not terminate service for non-payment of any verified disputed amount.
- (2) If a customer offers payment of the full amount that forms the basis for a scheduled termination at the time of termination, the Company representative shall accept such payment and not terminate service.
- (3) If an eligible customer signs a deferred payment agreement in accordance with Rule (6.4) for the full amount that forms the basis for a scheduled termination and offers payment of the required downpayment at the time of termination, the Company representative shall accept such downpayment and not terminate service. If the Company allows the customer an extension of time to go to a business office to sign the deferred payment agreement, and the customer agrees to do so and offers payment of the required downpayment, the Company representative shall accept such downpayment and not terminate service; provided, however, that the Company may terminate service without further notice if the customer fails to sign the agreement within the specified time.
- (4) If a customer has, within the last 24 months, paid for service with a check that was dishonored, the Company has the right to accept only cash, certified check, or money order as payment under paragraphs (2) or (3) of this rule.
- (5) Whenever payment is made at the time of termination, the Company's field representative shall provide a customer with a receipt showing the date, the account number, the amount received, the form of the payment and either the name or identification number of the Company representative.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 24  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

#### 1. Termination of Service: (cont'd)

##### (f) Dishonored Checks:

Receipt of a subsequently dishonored negotiable instrument in response to a notice of termination or tendered to the Company representative, shall not constitute payment of a customer's account and the Company shall not be required to issue additional notice prior to termination.

##### (g) Applicability:

(1) Nothing in this rule shall affect the Company's right to suspend, curtail or disconnect service:

(i) when there is no customer and service is being provided through tampered equipment;

(ii) when there is no customer and the Company can show that the user will require service for a period of less than one week, provided that it makes a reasonable effort to advise the user before disconnection and to provide the user an opportunity to apply for service;

(iii) when there is no customer and the Company has provided advance written notice to the occupant stating its intent to disconnect service unless the responsible party applies for service and is accepted as a customer, and advising the occupant of the location of the nearest Company business office where application can be made, either by posting 48 hours or by mailing at least five and no more than 30 calendar days before disconnection; or

(iv) as permitted under Rule (16) D.2.

(2) Nothing in this rule shall affect the Company's obligation to comply with the additional requirements set forth in 16 NYCRR 11.7 and 11.8 relating to termination of service to entire multiple dwellings and two-family homes.

#### 2. Disconnection Without Notice:

##### (a) Emergency Disconnections:

The Company may only suspend, curtail or disconnect service to a building, unit or piece of equipment, without the notice required under Rule (6)D.1. when:



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 25  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

2. Disconnection Without Notice: (cont'd)

(a) Emergency Disconnections: (cont'd.)

- (1) an emergency may threaten the health or safety of a person, a surrounding area, or the Company's transportation or distribution system;
- (2) there is a need to make permanent or temporary repairs, changes or improvements in any part of the system;
- (3) there is a governmental order or directive requiring the Company to do so.

(b) Notice:

The Company shall, to the extent reasonable feasible under the circumstances, provide advance notice to those whose service will be interrupted for any of the above reasons.

(c) Restoration of Service:

The Company shall act promptly to restore service as soon as possible after disconnection under this rule; provided, however, that service need not be restored to any building, unit, or piece of equipment if, at the time restoration is to occur, the Company has the lawful right to terminate service for another reason pursuant to this rule or Rule (6)D.1.

3. Reconnection of Service:

(a) Obligation to Reconnect:

- (1) The Company shall reconnect service that has been terminated solely for non-payment of bills for any tariff charge or a security deposit within 24 hours of the customer's request for reconnection, receipt by the Company of the lawful reconnection charge, any other charges, fees or penalties due, legal fees, court costs, and disbursements, if applicable, and either:
  - (i) the full amount of arrears and/or a security deposit for which service was terminated, and any other tariff charges billed after the issuance of the termination notice which are in arrears at the time reconnection is requested; or
  - (ii) the signing of a deferred payment agreement in accordance with Rule (6.4) for the amounts set forth in subparagraph (i) of this paragraph, and the receipt of a downpayment, if required under the agreement.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 26  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

3. Reconnection of Service: (cont'd.)

(a) Obligation to Reconnect: (contd.)

- (2) The Company shall reconnect service that has been terminated solely for failure to provide access within 24 hours of the customer's request for reconnection, provided the customer has allowed access and has made a reasonable arrangement for future access.
- (3) The Company shall reconnect service that has been terminated solely for a violation of the tariff within 24 hours of a customer's request for reconnection and, at the option of the Company, either receipt by the Company of adequate notice and documentation, or a field verification by the Company, that the violation has been corrected; provided, however, that the field verification, if required, shall be arranged within two business days of the customer's request or such later time as may be specified by the customer.
- (4) The Company shall reconnect service that has been terminated for two or more independent reasons when the customer has requested reconnection and has satisfied all conditions for reconnection. The reconnection shall be accomplished within the time period applicable to the last condition satisfied under paragraph (1), (2) or (3) of this rule.
- (5) The Company shall reconnect service that has been terminated within 24 hours after the direction of the Commission or its designee, which direction may occur only where the termination was in error, or the customer has filed a complaint with the Commission and has either paid in full the undisputed amount established pursuant to 16 NYCRR 12.3, or has entered into a deferred payment agreement in accordance with Rule (6.4) for such amount and has paid the required downpayment.

(b) Inability to Reconnect:

Whenever circumstances beyond the Company's control, as set forth in Rule (5)D.(a)(1)(i) – (iii), prevent reconnection of service within 24 hours of any of the events specified in paragraphs (a) (1) – (5) of this rule, service shall be reconnected within 24 hours after those circumstances cease to exist.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 27  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(6) D. Discontinuance of Service – Non-Residential Customers: (cont'd.)

4. Complaint Procedures:

(a) Complaints to the Company:

- (1) Complaints to the Company shall be promptly acknowledged, fairly investigated in a reasonable period of time, and the results of such investigation promptly reported to the complainant in plain language.
- (2) The Company shall refrain from sending a final notice of termination or from terminating service after the filing of a complaint with the Company as set forth in (b)(4) and (c)(7) of Rule (6)D.1.
- (3) If the report of the investigation is made orally, the Company shall provide the customer with the report in writing upon request.
- (4) At the time the Company communicates its final response to a customer's complaint, it shall, if the complaint resolution is wholly or partially in the Company's favor, inform the customer of the Commission's complaint handling procedures, including the Commission address and telephone number.

(b) Complaints to the Commission:

- (1) If a customer is unable to reach a satisfactory resolution of a dispute with the Company, the customer may complain, either orally or in writing, to the Commission, pursuant to 16 NYCRR Part 12.
- (2) The complaint of a customer to the Commission shall be handled in accordance with the procedures set forth in 16 NYCRR Part 12.

- (c) Copies of the Company's complaint handling procedures and form of notice are on file with the Commission and are available to the public upon request at the Company's business office.

(6.1) Notice Requirements:

(a) Annual Notice of Rights:

- (1) The Company shall, at the time of application for service, and at least annually after service is initiated, provide applicants and customers with a brochure containing a detailed summary of their rights and obligations under 16 NYCRR Part 13, a notice describing the commonly used non-residential service classifications and their rates, an offer of written guidelines regarding eligibility requirements for the Company's service classifications, notice that the Company's tariff is available for review in the Company's business office, and notice that some non-residential customers may be eligible for protections under 16 NYCRR Part 11.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 28  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.1) Notice Requirements: (cont'd.)

#### (a) Annual Notice of Rights: (cont'd.)

- (2) The notice required at the time application for service shall be provided with the service application to an applicant from whom a written application is required and by mail within 30 calendar days of the request for service to an applicant from whom a written application is not required.

#### (b) Periodic Notices:

- (1) An accounting for the deposit held on an account showing the interest earned during the current year and either the date the deposit was obtained or the length of time that the deposit has been held shall be provided annually to every customer having a deposit with the Company.
- (2) A notice explaining how an increase in the customer's usage might require the Company to install a demand meter and, in some cases, the customer to make electric installation modifications, shall be provided annually to every non-demand electric customer.
- (3) A notice explaining how a change in the recorded demand may cause the service classification on which the charges are based to be changed shall be provided annually to every customer with a demand meter.
- (4) A notice advising the customer of any change made in the customer's service classification and the reason for the change shall be provided to the customer at the time of the change.
- (5) A notice advising a customer whether the Company records show that the customer, or some other party, has control over access to the meter, that the customer has an obligation to tell the Company who controls access, and that, if the Company records that show the customer has access are not corrected, the customer may be subject to future notices and penalties due to the Company's failure to obtain access, shall be provided to every customer at the time a second consecutive estimated bill is rendered.
- (6) A notice explaining the Company's right to revise estimated demand charges, that such revisions may be to the customer's disadvantage and that revision of demand charges may be avoided by arranging access, shall be provided to every demand customer at least annually and whenever an estimated demand bill is rendered.

### (6.2) Inspection and Examination of Company Apparatus:

#### (a) Right to Inspect:

A duly authorized officer or agent of the Company may enter, at all reasonable times, any building or other location supplied with service by the Company for the inspection and examination of meters, wires, and works for supplying or regulating the supply of electric and of ascertaining the quantity of electric provided such agent exhibits a photo-identification badge and written authority as provided in Section 65(9) of the Public Service Law.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 29  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.2) Inspection and Examination of Company Apparatus: (cont'd.)

#### (b) Duty to Inspect:

Except to the extent prevented by circumstances beyond its control, the Company shall conduct a field inspection as soon as reasonably possible and within 60 calendar days of the following.

- (1) a request contained in a service application pursuant to 16 NYCRR 13.2(b)(6);
- (2) a reasonable customer request;
- (3) the issuance of a field inspection order in accordance with an automatic Company bill review program;
- (4) notification from any reasonable source that service may not be correctly metered;
- (5) a directive by the Commission or its authorized designee.

#### (c) Penalty:

A customer who, at any time, directly or indirectly prevents or hinders a duly authorized officer or agent of the Company from entering the building or location, or from making an inspection or examination, at any reasonable time, may be billed a \$100 penalty charge for each such offense as provided in Section 65(9)(b) of the Public Service Law.

#### (d) Other Rights:

Nothing contained in this rule shall be construed to impair the Company's rights as to any other person who prevents access to Company meters and/or equipment.

### (6.3) Deferred Payment Agreement – Residential Customers:

Generally the Company will offer any eligible residential customer or applicant a deferred payment agreement with specific terms as required by 16 NYCRR 11.10 which sets forth in detail the procedures summarized here. The agreement will be made in duplicate on the form set forth in Rule (18) 4 of this tariff.

#### (a) Eligibility:

All residential customers and applicants are eligible for an agreement unless the customer has broken an existing payment agreement which required payment over a period at least as long as the standard agreement described below, or the Public Service Commission determines that the customer or applicant has the resources to pay the bill.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 30  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.3) Deferred Payment Agreement – Residential Customers: (cont'd.)

#### (b) Written Offers:

A specific written offer will be made to eligible customers before the date of any threatened termination of service, where payment of outstanding charges is a requirement for reconnection or acceptance of an application for service, and when a customer has broken an agreement that was for a shorter period than the standard agreement.

#### (c) Negotiating Agreements:

Before making a written offer, the Company will make a reasonable effort to contact eligible customers or applicants in order to negotiate agreement terms that are fair and equitable considering the customer's financial circumstances. The Company may, at its discretion, require the customer to complete a form showing his or her assets, income and expenses and provide reasonable substantiation of such information, and if it does so, shall treat all such information confidentially. The Company also may postpone a scheduled termination for up to 10 days for the purpose of negotiating an agreement.

#### (d) The Standard Agreement:

If the Company and the customer or applicant are unable to agree upon specific terms, the Company will offer an agreement with the following terms:

- (1) A downpayment up to 15 percent of the amount covered by the payment agreement or the cost of one-half of one month's average use, whichever is greater, or if the amount covered by the agreement is less than one-half of one month's average usage, 50 percent of such amount; and
- (2) monthly installments up to the cost of one-half of one month's average use or one-tenth of the balance, whichever is greater.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 31  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.3) Deferred Payment Agreement – Residential Customers: (cont'd.)

#### (e) Entering the Agreement:

The copy of the written agreement must be signed by the customer and returned to the Company in order to be valid and enforceable. In the case of customers who are subject to a final notice of termination, the signed agreement must be returned to the Company by the day before the earliest day on which termination may occur in order to avoid termination. If the agreement is not signed and returned as required, the Company will terminate service.

#### (f) Renegotiating Agreements:

If a customer or applicant demonstrates that his or her financial circumstances have changed significantly because of circumstances beyond his or her control, the Company will amend the terms of the agreement to reflect such changes.

#### (g) Broken Agreements:

If a customer fails to make timely payment of installments in accordance with a payment agreement, the Company will send a reminder notice before sending a final notice of termination. If a customer fails to pay an installment by the 20<sup>th</sup> day after payment was due and has not negotiated a new agreement, the Company will demand full payment and send a final notice of termination in accordance with 16 NYCRR 11.4 and 11.10 and Rule (6) A. of this tariff.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 32  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.4) Deferred Payment Agreement – Non-Residential Customers:

#### (a) Company's Obligations:

- (1) The Company shall provide a written notice offering a deferred payment agreement to an eligible non-residential customer at the following times:
  - (i) not less than five calendar days before the date of a scheduled termination of service for non-payment of arrears, as indicated on a final termination notice, or eight calendar days if mailed, provided the customer has been a customer for at least six months and the arrears on which the outstanding termination notice is based exceeds two months average billing; and
  - (ii) when it renders a backbill, which exceeds the cost of twice the customer's average monthly usage or \$100, whichever is greater; provided, however, that the Company shall not be required to offer an agreement when the customer knew, or reasonably should have known, that the original billing was incorrect.
- (2) If the Company and a customer agree to terms of a deferred payment agreement in a telephone conversation, the Company shall send the customer two fully completed copies of the agreement, signed by the Company, for the customer to sign and return.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 33  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.4) Deferred Payment Agreement – Non-Residential Customers: (Cont'd.)

#### (b) Eligibility:

- (1) Any non-residential customer is eligible for a deferred payment agreement except the following:
  - (i) a customer who owes any amounts under a prior deferred payment agreement;
  - (ii) a customer who failed to make timely payments under a prior deferred payment agreement in effect during the previous 12 months;
  - (iii) a customer that is a publicly held company, or a subsidiary thereof;
  - (iv) a seasonal, short-term or temporary customer;
  - (v) a customer who, during the previous 12 months, had a combined average monthly billed demand for all its accounts with the Company in excess of 20 kW, or who registered any single demand on any account in excess of 40 kW;
  - (vi) a customer who the Company can demonstrate has the resources to pay the bill, provided that the Company notifies the customer of its reasons and of the customer's right to contest this determination through the Commission's complaint procedures.
- (2) The Commission or its authorized designee may order the Company to offer a deferred payment agreement in accordance with this rule to a customer whom it finds this rule intended to protect, when an agreement is necessary for a fair and equitable resolution of an individual complaint.

#### (c) Contents of Offer:

- (1) Every offer of a deferred payment agreement shall inform the customer of the availability of a deferred payment agreement for eligible customers, set forth generally the minimum terms to which such customer is entitled, explain that more generous terms may be possible, and specify the telephone number and the times to call in order to discuss an agreement.
- (2) An offer pursuant to (a)(1)(i) of this rule shall also state the date by which the customer must contact the Company in order to avoid termination, and explain that the Company has the right to a larger downpayment if the deferred payment agreement is not entered into until after a field visit to physically terminate service has been made.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 34  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (6.4) Deferred Payment Agreement – Non-Residential Customers: (Cont'd.)

#### (d) Terms of Agreement:

- (1) A deferred payment agreement shall obligate the customer to make timely payments of all current charges.
- (2) A deferred payment agreement offered pursuant to (a)(1)(i) of this rule may require the customer:
  - (i) to make a downpayment of up to 30 percent of the arrears on which an outstanding termination notice is based, or the cost of twice the customer's average monthly usage, whichever is greater plus the full amount of any charges billed after the issuance of the termination notice which are in arrears at the time the agreement is entered into; or
  - (ii) in the event a field visit to physically terminate service been made, to make a downpayment of up to 50 percent of the arrears on which an outstanding termination notice is based or the cost of four times the customer's average monthly usage whichever is greater, plus the full amount of any charges billed after the issuance of the termination notice which are in arrears at the time the agreement is entered into; and
  - (iii) to pay the balance in monthly installments of up to the cost of the customer's average monthly usage or one-sixth of the balance whichever is greater; and
  - (iv) to pay a security deposit in three installments, 50 percent down and two monthly payments of the balance, if previously requested in accordance with Rule (7)B.
- (3) A deferred payment agreement offered pursuant to (a)(1)(i) of this rule, may require the customer to pay the outstanding charges in monthly installments of up to the cost of one-half of the customer's average monthly usage or one twenty-fourth of such charges, whichever is greater.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 35  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(6.4) Deferred Payment Agreement – Non-Residential Customers: (Cont'd.)

(d) Terms of Agreement: (Cont'd.)

(4) A deferred payment agreement may provide for a greater or lesser downpayment, a longer or shorter period of time, and payment on any schedule, if mutually agreed upon by the parties.

(e) Broken Agreements:

(1) The first time a customer fails to make timely payment in accordance with a deferred payment agreement, the Company shall give the customer a reasonable opportunity to keep the agreement in force by paying any amounts due under the agreement.

(2) Except as provided in (1) above, if a customer fails to comply with the terms of a deferred payment agreement, the Company may demand full payment of the total outstanding charges and send a final termination notice in accordance with Rule (6)D.1(b)(3)(ii).

(7) Consumer Deposits:

A. Deposits and Refunds – Residential:

(1) Deposits:

(a) The Company may require a consumer deposit from new or seasonal short-term residential customers and residential customers as a condition of receiving utility service if such customers are delinquent in payment of their utility bills. A current customer is delinquent for the purpose of a deposit assessment if such customer:

(1) accumulates two consecutive months of arrears without making reasonable payment, defined as one-half of the total arrears, of such charges before the time that a late payment charge would become applicable, or fails to make a reasonable payment on a bi-monthly bill within 50 days after the bill is due; provided that the Company requests such deposit within two months of such failure to pay;

(2) had utility service terminated for nonpayment during the preceding six months.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(7) Consumer Deposits: (Cont'd.)

A. Deposits and Refunds – Residential: (Cont'd.)

(1) Deposits: (Cont'd.)

Customers included in Subsection (a) above shall be provided a written notice at least 20 days before the deposit is assessed, that the failure to make timely payment will permit the Company to require a deposit from such customer. If a deposit from a current residential customer who is delinquent by virtue of his or her failure to make a reasonable payment of arrears, is required, the Company shall permit such customer to pay the deposit in installments over a period not to exceed 12 months.

- (b) Deposits from new or current residential customers may not exceed two times the estimated average monthly bill for a calendar year except in the case of electric space heating customers where deposits may not exceed two times the estimated average monthly bill for the heating season, to secure payment for services actually rendered, or for the rental of fixtures, instruments, and facilities actually supplied.
- (c) The Company shall not require any person it knows to be a recipient of Public Assistance, supplemental security income, or additional state payments to post a security deposit, nor shall it require or hold a deposit from any new or current residential customer it knows is 62 years of age or older unless such customer has had service terminated by the Company for nonpayment of bills within the preceding six months.
- (d) The Company shall extend service to any new applicant for service who has initiated a complaint on a deposit requested by such Company and shall continue to supply service during the pendency of such complaint, provided that such applicant keep current on bills for service rendered and pay a reasonable amount as a deposit if the complaint challenges only the amount requested.
- (e) Interest: The Company shall allow to each such depositor simple interest at a rate per annum prescribed by the Public Service Commission on the amount deposited. Interest to residential customers shall be paid upon the return of the deposit, or where the deposit has been held for a period of one year, the interest shall be credited to the customer on the first billing for utility service rendered after the end of such period.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(7) Consumer Deposits: (Cont'd.)

A. Deposits and Refunds – Residential: (Cont'd.)

(2) Refunds:

- (a) If a residential customer is not delinquent in the payment of bills, during the one year period from the payment of the deposit, the deposit shall be refunded promptly without prejudice to the Company's right to require a future deposit in the event that the customer thereafter becomes delinquent.
- (b) Each depositor, upon ceasing to be a customer, shall promptly receive a refund of such deposit and all interest thereon not theretofore refunded or credited, upon surrendering the deposit certificate (or submitting satisfactory proof of the right to receive the deposit) and upon payment of all bills for which such deposit is security. A residential customer shall promptly receive such refund of the deposit as stated herein by reason of non-delinquency for a one-year period from the payment of the deposit. Thereafter, the Company may again require a deposit as stated herein.

B. Security Deposits – Non-Residential:

(a) Deposit Requirements:

- (1) The Company may only require the payment of a security deposit from:
  - (i) a new customer; or
  - (ii) an existing customer:
    - (a) who is delinquent;
    - (b) whose financial condition is such that it is likely that the customer may default in the future; provided, however, that the Company must have reliable evidence of such condition, such as reports from accepted financial reporting services, or credit reporting agencies;
    - (c) who has filed for reorganization or bankruptcy; or
    - (d) who has been rendered a backbill within the last twelve months for previously unbilled charges for service that came through tampered equipment.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

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## GENERAL INFORMATION

(7) Consumer Deposits: (Cont'd.)

B. Security Deposits – Non-Residential: (Cont'd.)

(a) Deposit Requirements: (Cont'd.)

- (2) The Company shall offer an existing customer, from whom a deposit is required under clauses (1)(ii)(a) or (b) of this subdivision the opportunity to pay the deposit in three installments, 50 percent down and two monthly payments of the balance.
- (3) A request for a deposit or deposit increase shall be in writing and shall advise the customer:
  - (i) why the deposit is being requested;
  - (ii) how the amount of the deposit was calculated;
  - (iii) that the deposit is subject to later upward or downward revision based on the customer's subsequent billing history;
  - (iv) that the customer may request that the Company review the account in order to assure that the deposit is not excessive;
  - (v) the circumstances under which the deposit will be refunded;
  - (vi) that the customer will receive annual notice of the interest credited to the account;
  - (vii) about the available deposit alternatives; and
  - (viii) that for an existing customer from whom the deposit is being requested because of delinquency or financial condition, the deposit may be paid in three installments.
- (4) The Company shall issue to every customer from whom a deposit is obtained, a receipt showing the date, the account number, the amount received, the form of the payment, and shall contain a notice explaining the manner in which interest will accrue and be paid and that the receipt is neither negotiable nor transferable.

(b) Deposit Calculation:

- (1) The amount of a deposit shall not exceed the cost of twice the customer's average monthly usage, except in the case of customers whose usage varies widely such as space heating or cooling customers, or certain manufacturing and industrial processors, where the deposit shall not exceed the cost of twice the average monthly usage for the peak season.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

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## GENERAL INFORMATION

(7) Consumer Deposits: (Cont'd.)

B. Security Deposits – Non-Residential: (Cont'd.)

(b) Deposit Calculation: (Cont'd.)

- (2) In the case of an existing customer who has 12 months or more billing history, the amount of deposit shall be based on service used during the previous 12 month period as evidenced by the billing history.
- (3) In the case of anew customer or a customer with less than 12 months of billing history, the amount of the deposit shall be based on one or more of the following, as available:
  - (i) the billing history of the customer;
  - (ii) information provided in the application by the customer about the expected load and use of service;
  - (iii) information contained in a load study of the premises prepared by the Company; and
  - (iv) the billing history of the previous customer, provided there have been no significant changes in the load.

(c) Deposit Review:

- (1) The Company shall, at the first anniversary of the receipt of the deposit and at least biennially thereafter, review the billing history of every customer who has a deposit with Company, to assure that the amount of the deposit conforms to the limitations contained in subdivision (b) of this section. This requirement does not limit the right of the Company to review a deposit at any time.
  - (i) If a deposit review shows that the deposit held falls short of the amount that the Company may lawfully require by 25 percent or more, the Company may require the payment of a corresponding additional deposit amount from the customer.
  - (ii) If a deposit review shows that the deposit held exceeds the amount that the Company may lawfully require by 25 percent or more, the Company shall refund the excess deposit to the customer in accordance with subdivision (f) of this section.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(7) Consumer Deposits: (Cont'd.)

B. Security Deposits – Non-Residential: (Cont'd.)

(c) Deposit Review: (Cont'd.)

- (2) Upon request of a customer for a downward revision of the deposit, which request is substantiated both by the customer's billing history and by a permanent documented change in load and consumption, the Company shall refund any portion of the deposit in excess of the amount the Company may lawfully require in accordance with subdivision (f) of this section.

(d) Deposit Alternatives:

- (1) The Company shall accept deposit alternatives which provide a level of security equivalent to cash, such as irrevocable bank letters or credit and surety bonds.
- (2) The Company may, at its discretion, accept from the customer in lieu of a deposit, a written promise to pay bills on receipt and a written waiver of the customer's right not to be sent a final termination notice until 20 calendar days after payment is due.

(e) Interest:

- (1) Every cash deposit shall accrue interest at a rate prescribed at least annually by the Commission in light of the current economic conditions and current charges paid for money borrowed by the Company, taking into account the expenses incurred by the Company in obtaining, handling, returning or crediting the sum deposited.
- (2) Interest shall be paid to the customer upon the return of the deposit, or where the deposit has been held for a period of one year or more, the interest shall be credited to the customer no later than the first bill rendered after the next succeeding first day of October and at the expiration of each succeeding one year period.
- (3) Interest shall be calculated on the deposit until the day it is applied as a credit to an account or the day on which a refund check is issued. If the deposit is credited in part and refunded in part, interest shall be calculated for each portion up to the day of credit and refund.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(7) Consumer Deposits: (Cont'd.)

B. Security Deposits – Non-Residential: (Cont'd.)

(f) Deposit Return:

(1) The Company shall return a deposit or a portion thereof plus the applicable interest in accordance with paragraphs (2) and (3) of this subdivision, as soon as reasonable possible, but no more than 30 calendar days after:

- (i) the day an account is closed;
- (ii) the issuance date of the first cycle bill rendered after a three year period during which all bills were timely paid, provided there is no other basis for the Company to request a deposit under subparagraph (a)(1)(ii) of this section; or
- (iii) a review pursuant to subdivision (c) of this section shows that deposit reduction is warranted.

(2) A deposit or portion thereof plus the applicable interest that is subject to return under paragraph (1) of this subdivision:

- (i) shall be credited to the account it secured in the amount of any outstanding charges;
- (ii) may be credited to the account it secured in the amount of the next projected cycle bill, if applicable; and
- (iii) may be credited to any other account of the customer not secured by a deposit, in the amount of the arrears on that account.

(3) If a balance remains after the Company has credited the customer's account(s) in accordance with paragraph (2) of this subdivision, a refund check shall be issued to the customer.

(8.1) Rates:

The rates set forth under the respective service classifications apply to the territory served as a whole.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## CONSTRUCTION CHARGES

### G. POLE ATTACHMENTS

1. Regulations
  - a. Cables, equipment, wireless antennas, and facilities attached to utility owned pole shall be placed and maintained in accordance with the requirements and specifications stipulated in the Pole Attachment Agreements which are consummated between the Company and the utility.
  - b. Such pole attachments shall be negotiated between the utility and the Company upon request.
  - c. The Company reserves the right to deny attachment if general company specifications are not met or if sufficient space is not available.
2. Rates for each pole attachment are on an annual basis and are charged at \$18.50 per foot per attachment.
  - a) Wireline rates are computed using the FCC's establish cable rate formula
  - b) Wireless rates are computed using the FCC's established cable rate formula, using 7.4% space factor applied to the adjusted pole cost to produce a per foot attachment rate. The application of this rate will be based on the overall length of the equipment, including any mounting equipment plus six inches rounded up to the next foot regardless of where the equipment is installed and the area of the pole it occupies. (ex. A wireless attachment that is 3'6" would occupy 4' of useable space, whereas, a wireless attachment that is 3'8" in length would occupy 5' of usable space)

Issued By: John C. Finan, President

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(8.2) Guarantee of Payment:

All bills are due and payable as specified under Service Classification under which service is supplied. The due date for residential customers' bills will be not less than three days after the mailing of the bill. The customer is responsible for all charges for electricity furnished until written notice shall have been given to the Company of intention to discontinue the use of electric current.

(8.3) Shared Meters:

In accordance with 16 NYCRR Sections 11.30 through 11.39, and Section 52 of the Public Service Law, when a tenant's service meter also registers utility service outside the tenant's dwelling, the tenant is not required to pay the charges for that service. The Company will establish an account in the owner's name for all service registered on the shared meter after that date and will rebill for past service in accordance with 16 NYCRR Part 11.34. A customer may request a copy of the entire rules governing shared meters from the Company's office.

(9) Access to Premises:

The Company is to have the right of access to the premises of the customer at all reasonable times for the purpose of reading, inspecting, or repairing any devices, meters, etc. used in connection with its service or of removing its property, and for all other purposes.

(10) Rights-of-Way for Electric Line Extensions:

(a) The applicant or applicants for electric service shall execute and deliver to the Company, free from cost, permanent easements of rights-of-way insofar as the extension or subsequent additions thereto affect the property owned by the applicant or applicants for the placing and maintaining the extended line.

(b) The Company will not be obligated to commence construction of an extension of its electric system until the applicant or applicants to be served by such extension have obtained and delivered to the Company satisfactory permanent easements or rights-of-way agreements or have agreed to pay a surcharge of 12 percent per annum of such costs as may be incurred by the Company if at the applicant's request it obtains such easements or rights-of-way.

(c) The provisions in (a) and (b) above are applicable irrespective of the length of the extension.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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### GENERAL INFORMATION

- (10) Rights-of-Way for Electric Line Extensions: (Cont'd.)  
(d) Rights-of-way costs covered under 10 (a) (b) (c) will not be included as a part of the cost of extensions as defined in General Information under item 3 "installation of Overhead Lines and Services."

Form of Application:

Fishers Island, N.Y. \_\_\_\_\_  
(dated)

The undersigned hereby requests The Fishers Island Electric Corporation to furnish electric service to the premises \_\_\_\_\_

\_\_\_\_\_ and agrees to use such service subject to the Rules and Regulations and at the rates on file with The New York State Public Service Commission a copy of which is available at The Fishers Island Electric Corporation office for inspection during business hours.

The premises above mentioned to be served at the rates in force and effect applicable to

Service Classification No.

\_\_\_\_\_  
Signature

The Fishers Island Electric Corporation  
By: \_\_\_\_\_

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 44  
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## GENERAL INFORMATION

(11) Resale:

A. Non-Residential Buildings:

A customer may purchase electricity for resale under any service classification of this rate schedule that would be available if such electricity were not for resale and said customer may resell the electricity purchased to tenants on an individually metered basis, subject to approval by the Public Service Commission, in response to individual proposals concerning electric service furnished to:

- (1) Master-metered, new or renovated non-residential buildings; and
- (2) Commercial tenants or occupants of cooperatives, condominiums, campgrounds, recreational trailer parks, or recreational marinas whose occupants were purchasing directly metered electric service on May 21, 1980.

B. Residential Buildings:

Submetering, remetering, or resale of electric service shall not be permitted except as provided in subparagraphs (a) through (e) of this Rule.

- (a) Master Metered, New or Renovated Rental Units Owned or Operated by Private or Government Entities: Permitted upon Commission approval of application containing the information required by 16 NYCRR 96.2(b) (1) through (8) for Master Metered Units and (1) through (7) for New or Renovated Units.
- (b) Master Metered Cooperatives and Condominiums: (1) Permitted upon certification that a majority of its shareholders, where all tenants are shareholders, and all non-shareholders, where one or more tenants are non-shareholders, favor submetering, that a rate cap equivalent to the Company's rate for directly metered service is provided, that grievance procedures are established, and that savings will be used for conservation efforts; and (2) Where one or more non-shareholder tenants refuse to agree, submetering shall be permitted only upon Commission approval of an application meeting the conditions set forth in 16 NYCRR 96.2(b) (1) through (7).

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(11) Resale:

B. Residential Buildings: (Cont'd.)

- (c) Directly Metered Cooperatives and Condominiums: (1) Permitted where all tenants are shareholders (a) upon certification that 70% of shareholders favor submetering; and (b) provided that conditions set forth in paragraph (b) (1) of this Rule are met; and (2) Where one or more tenants are non-shareholders, submetering tenants have approved a plan that meets conditions set forth in paragraph (b) (1) of this Rule or, where one or more non-share-holders refuse to agree, submetering shall be permitted only upon Commission approval of an application meeting the conditions set forth in 16 NYCRR 96.2 (b) (1) through (7).
- (d) New or Renovated Cooperatives and Condominiums, Where All Tenants Will Be Shareholders: Permitted (1) upon Commission approval of (a) application containing verification that the building will be a condominium or cooperative; and (b) certification that the requirements as to rate cap, grievance procedures, and tenant protections are met, as provided in 16 NYCRR 96.2(f); and (2) upon certification that, in the event of transfer of control to the appropriate Cooperative or Condominium Board, the Board will submeter electricity according to plan set forth in paragraph (b) (1) of this Rule.
- (e) Submetering shall be permitted in Master Metered and New or Renovated Campgrounds, Recreational Trailer Parks and Marinas.

The practice of "rent-inclusion", where tenant pays for electricity on an averaged basis included in the monthly rental, will be prohibited in residential buildings in which the internal wiring is not installed prior to January 1, 1977.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

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## GENERAL INFORMATION

(12) Change in Location of Existing Service Facilities:

Any change requested by the customer in the point of service termination or location of the service lateral, provided such change is approved by the Company, will be made at the expense of the customer. The Company may require payment in advance of the estimated cost of such change.

(13) Temporary Service:

Temporary service is non-recurring service intended to be used for a short time only and not continue in use. Temporary service may include the installation of an extension, service lateral, the hanging of additional transformers, setting meters and other extra work by the Company. For temporary service the entire cost of making the connection and removing same is to be paid by the customer. Payment may be required in advance. Temporary service will be furnished under the applicable service classification without term limitation.

(14) Service Charge:

There will be a charge of \$22.00 for connection and/or disconnection of service during regular working hours. If such connection or disconnection is made outside of working hours or on Sundays or holidays the payment shall be \$31.00.

(15) Sealed Meters:

In the event a Company seal on a meter is broken by other than an authorized Company representative, the charges set forth in the Applicable Service Classification will be billed as follows: The demand charge, where and element of the rate, and the use, indicated on the meter, will be billed at the monthly rate and be subject to the minimum charges set forth in the Applicable Service Classification on the same basis as though service had been reconnected by the Company on the date the seal was broken.

For the purpose of this rule, the seal shall be deemed to have been broken on the day following the last date on which the meter was known to have been sealed.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

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## GENERAL INFORMATION

### (16) Meter Reading, Billing, Collection, and Estimated Bills:

#### A. Meter Reading and Billing:

- (1) Unless otherwise provided in the applicable Service Classification, the rates and charges in this schedule are on a monthly basis and shall be based on the usage during the monthly period determined directly from meter readings or by estimate as provided in this rule, and the minimum charge set forth in the applicable Service Classification shall be payable with respect to each monthly period or portion thereof for which the Customer has had service connected.
- (2) For seasonal and/or short-term customers, an actual meter reading shall be taken upon termination of service.

#### B. Estimated Bills – Residential Customers:

- (1) Should any meter or measuring device used under an agreement for service for any reason fail to register for any period of time the full usage of service by a customer, or if the actual usage of service cannot be obtained because of inability of Company to read a meter or measuring device, the usage of service by such customer may be estimated by Company on the basis of available data and the customer billed accordingly.
- (2) Where the Company has submitted an estimated bill or bills to a residential customer that understate the actual amount of money owed by such customer for the period when estimated bills were rendered by more than 50 percent or one hundred dollars (\$100), whichever is greater, the Company shall notify the customer in writing that he or she has the right to pay the difference between the estimated charges and the actual charges in regular monthly installments over a reasonable period that shall not be less than three months.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

### (16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

#### C. No Access Procedure – Residential Customers:

- (1) Estimated bills may be routinely sent to the customer for a period of four months or two billing periods, whichever is greater.
- (2) If no actual reading is obtained after the aforementioned period, the Company shall take reasonable actions to obtain an actual meter reading. Such actions may include but are not limited to:
  - (a) Making an appointment with the customer and/or such other person, who controls access to the meter, for the reading at a time to include times other than during normal business hours; or
  - (b) Offering the customer and/or such other person, who controls access to the meter, the opportunity to phone in meter readings; or
  - (c) Providing the customer and/or such other person, who controls access to the meter, cards on which he or she may record the reading and mail it to the Company.
- (3) If no actual reading is obtained after bills representing six months or three billing periods of estimated bills, whichever is greater, have been rendered, the Company shall send a notice to the customer or to the person who controls access to the meter, offering a special appointment for ammeter reading both during and outside of business hours.
- (4) Where the customer resides in a multiple dwelling (as defined in the Multiple Dwelling Law or Multiple Residences Law), or in a two-family dwelling that is known by the Company to contain residential units where service is provided through a single meter or meters, and the meter is not in the apartment, the notice shall be sent to the customer and such other person who controls access to the meter.
- (5) If the Company's records do not contain the address of the person who controls access to the meter, the Company shall request that the customer furnish such information if available.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

C. No Access Procedure – Residential Customers: (Cont'd.)

- (6) If the Company receives no response after bills representing eight months or four billing periods of estimated bills, whichever is greater, the Company may send a notice advising the customer and/or such other person who controls access to the meter that, if no appointment is made, a charge of twenty-five dollars (\$25) will be added to the next bill rendered to the person who controls and refuses to provide access to meter.
- (7) If the person who controls access fails to arrange an appointment in response to a second request and the Company is unable to obtain an actual meter reading, the Company may add a charge of twenty-five dollars (\$25) to the next bill of the recipient of the notice. If the Company intends to obtain a court order to gain access to the meter, it shall inform the recipient of the notice by certified or registered letter. The letter shall inform the recipient that the purpose of obtaining such a court order is to replace a meter, or, if physically feasible, to relocate the meter or install a remote reading device. The letter shall state that the court costs and the costs of the remote meter device or meter relocations will be paid by the person who controls access to the meter.

D. Meter Reading – Non-Residential Customers:

- (1) The Company shall make a reading attempt, to obtain an actual reading for every customer's account, on the regularly scheduled basis.
- (2) A reading attempt requires that a meter reader visit the premises between 8:00 a.m. and 5:00 p.m. on a business day, and follow any routine access instructions.
- (3) Where circumstances beyond the Company's control prevent the Company from making a regularly scheduled reading attempt and where the two previous consecutive cycle bills were not based on an actual reading, the Company shall make a second similar follow-up reading attempt as soon as possible and within seven calendar days after the scheduled reading date.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

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## GENERAL INFORMATION

(16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

D. Meter Reading – Non-Residential Customers: (Cont'd.)

- (4) Where the Company did not obtain an actual reading from the meter(s) of a demand account at the time of a regularly scheduled or follow-up reading attempt, the Company shall make another reading attempt as soon as possible and within seven calendar days after its last attempt.
- (5) Where the Company has billed a customer's account based on the readings of a remote registration device for six consecutive months, the Company shall, at the time of every subsequent reading attempt and, until successful, try to gain access to and read the meter.
- (6) Where the Company has billed a customer's account based on customer readings for six consecutive months, and did not obtain an actual reading at the time of the next regularly scheduled or follow-up reading attempt thereafter, the Company shall, within seven calendar days after the last attempt, either make another reading attempt or an appointment with the customer to read the meter.
- (7) Unless a customer does not have access to the meter or the customer will be unable to obtain a reliable meter reading, the Company shall, at the time of any unsuccessful reading attempt, leave at the premises or mail to the customer a meter reading card for the non-demand meter.

E. Estimated Bills – Non-Residential Customers:

- (1) The Company may render an estimated bill for a regular cycle billing period only when:
  - (i) the Company has failed to obtain access to the meter(s);
  - (ii) circumstances beyond the control of the Company made obtaining an actual reading of the meter(s) extremely difficult, despite having access to the meter area; provided, however, that estimated bills for this reason may be rendered no more than twice consecutively without the Company advising the customer in writing of the specific circumstances and the customer's obligation to have the circumstances corrected;

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

E. Estimated Bills – Non-Residential Customers: (Cont'd.)

- (iii) the Company has good cause for believing that an actual or customer reading obtained is likely to be erroneous; provided, however, that estimated bills for this reason may be rendered no more than twice consecutively without the Company initiating corrective action before the rendering of the next cycle bill;
  - (iv) circumstances beyond the control of the Company prevented the meter reader from making a premises visit;
  - (v) an actual reading was lost or destroyed; provided, however, that an estimated bill for this reason shall be rendered no more than once without the Company initiating corrective action before the rendering of the next cycle bill;
  - (vi) an estimated reading has been prescribed or authorized by the Commission for a particular billing cycle;
  - (vii) an estimated reading is the approved billing method in accordance with the Company's tariff for the billing; or
  - (viii) an unmetered condition was in existence during the period.
- (2) Every estimated bill shall be calculated in accordance with an established formula or methodology which shall take into account the best available relevant factors for determining the customer's usage and, if applicable, demand usage.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
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## GENERAL INFORMATION

(16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

F. No Access Procedure - Non-Residential Customers:

- (1) The Company shall begin providing no access notices commencing with:
  - (i) the second consecutive bill estimated pursuant to either subparagraph (E)(1)(i) or (ii) of this section in the case of accounts billed for demand;
  - (ii) the fourth consecutive bill estimated pursuant to subparagraph (E)(1)(i) or (ii) of this section in the case of accounts not billed for demand; or
  - (iii) the tenth consecutive bill estimated pursuant to subparagraph (E)(1)(i) or (ii) based on a remote registration device or a customer reading.
- (2) The no access notices and charges described in this subdivision shall be directed only to the access controller. In any case where the access controller is not the customer of the subject account, a copy of these no access notices shall also be sent to the customer at the same time.
- (3) The series of no access notices shall be as follows:
  - (i) The first notice shall advise the access controller that unless access to the customer's meter is provided on the next meter reading date or a special appointment to read the meter is made and kept by the access controller prior to that date, a no access charge will be added to the access controller's next bill and to every bill thereafter until access to the customer's meter is provided, but that no charge will be imposed if an appointment is arranged and kept. The notice shall advise the access controller that the Company will arrange a special appointment for a reading of the customer's meter if the access controller calls a specified telephone number. Where the access controller is not the customer of the subject account, the notice shall begin by stating that the Company records indicate that the recipient is the party who controls access to the meter of the customer, specifically identified as to address, part supplied, and account number, and that the Company has not been provided access to the customer's meter as required.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 53  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

F. No Access Procedure - Non-Residential Customers: (Cont'd.)

- (ii) The second notice shall advise the access controller of the no access controller's bill and that unless access to the customer's meter is provided on the next meter reading date or a special appointment to read the meter is made and kept by the access controller prior to that date, another charge will be added to the access controller's next bill. The notice shall further explain that if the access controller's service can be physically terminated without obtaining access, steps to terminate service will follow, and that in the event that the access controller's service cannot be physically terminated, steps to terminate service will follow, and that in the event that the access controller's service cannot be physically terminated, steps to obtain a court order to gain access to the customer's meter will follow. The notice shall advise the access controller that the Company will arrange a special appointment for a reading of the customer's meter if the access controller calls a specified number.
  - (iii) The third and each successive notice shall advise the access controller of the no access charge that has been added to the access controller's bill and, if the access controller's service can be terminated without obtaining access, shall be accompanied by a final notice of termination for non-access. In any case where the access controller's service cannot be physically terminated without obtaining access, the notice shall advise the access controller that the Company is seeking to obtain a court order to gain access to the customer's meter.
- (4) The no access charge shall not exceed \$100.
- (5) No more than \$100 per building or premises shall be added to any single bill of the access controller even though more than one meter is located there.
- (6) The Company may, at its discretion, suspend temporarily the issuance of no access notices and/or penalties under this subdivision to accounts not billed or demand charges if the access controller contacts the Company and provides a legitimate reason for postponing the legitimate reason for postponing the provision of access; provided, however, that such suspension may not exceed 90 calendar days.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 54  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

#### G. Backbilling - Non-Residential Customers:

##### (a) Notice:

- (1) Every backbill shall contain a written explanation of the reason for the backbill that shall be sufficiently detailed to apprise the customer of the circumstances, error or condition that caused the underbilling, and, if the backbill covers more than a 24 month period, a statement setting forth the reason(s) the Company did not limit the backbill under subdivision © of this section.
- (2) Every backbill shall contain or be accompanied by all required information applicable under 16 NYCRR 13.11 – Contents of Bill.
- (3) Every backbill covering more than a one month period, other than a catch-up backbill, shall contain a notice that the customer may obtain upon request a detailed billing statement showing how the charges were calculated. All catch-up backbills shall clearly indicate how the backbill was calculated, whether as if the service were used during the current cycle, or as if redistributed back to the last actual reading.
- (4) A backbill shall be accompanied by an offer of a deferred payment agreement in accordance with Rule (6.4) if applicable.

##### (b) Limitations on Backbill Rendering:

- (1) The Company shall not render a backbill more than six months after the Company actually became aware of the circumstance, error or condition that caused the underbilling, unless a court extends the time to render a backbill.
- (2) The Company shall not upwardly revise a backbill unless the first backbill explicitly stated that the Company reserved the right to do so, the revised backbill is rendered with 12 months after the Company actually became aware of the circumstance, error, or condition that caused the underbilling, and

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 55  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### (16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

#### G. Backbilling - Non-Residential Customers:

- (i) the customer knew or reasonable should have known that the original billing or the first backbill was incorrect; or
  - (ii) new information shows that the first backbill was incorrect.
- (3) The Company shall render a downwardly revised backbill as soon as reasonably possible and within two months after the Company becomes aware that the first backbill was excessive.
- (4) The Company shall not render a backbill for any underbilling when the reason for the underbilling is apparent from the customer's service application, or could have been revealed in a service application and the Company failed to obtain and retain one.
- (c) Limitations on Backbilling Period:
  - (1) When the failure to bill at an earlier time was due to utility deficiency, the Company shall not bill a customer for service rendered more than 12 months before the Company actually became aware of the circumstance, error, or condition that caused the underbilling, unless the Company can demonstrate that the customer knew or reasonably should have known that the original billing was incorrect.
  - (2) The Company shall not bill a customer for service rendered more than 24 months before the Company actually became aware of the circumstance, error, or condition that caused the underbilling, unless the Company can demonstrate that the customer knew or reasonably should have known that the original billing was incorrect.
- (d) Rebilling of Estimated Demands:
  - (1) The Company shall not upwardly revise an estimated demand unless it can demonstrate that, for the period during which the demand was estimated, it complied with the meter reading requirements and the no access procedures of Rule (16)D. and F. above.
  - (2) All revised demands shall be based on the best available information including the customer's present and historical energy consumption and load factor.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 56  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(16) Meter Reading, Billing, Collection, and Estimated Bills: (Cont'd.)

G. Backbilling - Non-Residential Customers:

(d) Rebilling of Estimated Demands: (Cont'd.)

- (3) No revised demand shall exceed 95 percent of the subsequent actual demand, unless the Company has, along with the estimated demand bill, offered a special appointment to read the meter, and the customer failed to arrange and keep such appointment, in which case the estimated demand may be revised up to the level of the subsequent actual demand.
- (4) The Company shall downwardly revise any estimated demand that exceeds the subsequent actual demand, within 30 calendar days after such actual demand was obtained.
- (5) The Company may only upwardly revise an estimated demand within 60 calendar days after the subsequent actual demand was obtained.

H. Levelized Payment Plan – Non-Residential Customers:

(a) Obligation to Offer:

The Company shall provide a written notice offering a voluntary levelized payment plan designed to reduce fluctuations in payments caused by seasonal patterns of consumption to its eligible customers once in each 12 month period.

(b) Eligibility:

The Company shall offer a levelized payment plan to all non-residential customers except:

- (1) customers who have less than 12 months of billing history at the premises;
- (2) seasonal, short-term or temporary customers;
- (3) customers who have arrears;
- (4) customers who, for any reason, ceased being billed on a previous levelized payment plan before the end of the plan year in the past 24 months; or
- (5) customers whose pattern of consumption is not sufficiently predictable to be estimated on an annual basis with any reasonable degree of certainty.

PSC NO: 2 Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: 10/01/11

Leaf No. 57  
Revision: 1  
Superseding Revision: 0

## GENERAL INFORMATION

### (16) Meter Reading, Billing, Collection, and Estimated Bills (Cont'd.)

#### H. Levelized Payment Plan – Non-Residential Customers:

##### (c) Removal from Levelized Payment Plan:

- (1) A customer may request that the Company remove the customer from the levelized payment plan and reinstate regular billing at any time in which case the Company may immediately render a final levelized settlement bill, and shall do so no later than by the time of the next cycle bill that is rendered more than 10 business days after the request.
- (2) The Company may only remove a customer from the levelized payment plan if the customer becomes ineligible under subdivision (b) of this section and the customer has been given an opportunity to become current in payment if delinquency is the cause of the customer's ineligibility, provided further that such opportunity need only be given once in any 12 month period.

#### I. Adjustment of Rates According to Changes in the Cost of Fuel:

##### (a) Purchased Power Adjustment:

All customers receiving service under this Schedule are subject to Purchased Power Adjustment Charges (PPAC).

##### (b) Present Purchased Power Cost (PPC):

The Present Purchased Power Cost shall equal the total cost of all power and transmission costs billed to Fishers Island Electric Corporation in the current billing period, plus the applicable amount of Annual Reconciliation as calculated in Rule I (f) below, divided by the total kWh purchases in that month.

##### (c) Base Purchased Power Cost (BPPC):

The Base Purchased Power Cost for computation of the PPAC shall be \$.11451 per kWh.

##### (d) Factor of Adjustment (FOA):

The Factor of Adjustment of 1.1659 adjusts the PPAC for line losses. The Factor of Adjustment shall be determined in each rate case.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Effective Date: January 12, 2022

Leaf No. 58  
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Superseding 4

(Issued in compliance with Commission Order in Case 19-E-0525, Issued and Effective  
September 18, 2020)

## GENERAL INFORMATION

### ~~(6)~~ Meter Reading, Billing, Collection, and Estimated Bills (Cont'd.)

#### I. Adjustment of Rates According to Changes in the Cost of Fuel: (Cont'd.)

##### (a) Calculation of Purchase Power Adjustment Charge:

###### (1) SC Nos. 1 and 5 (SC1 & 5 PPAC)

The PPAC for SC Nos. 1 and 5 shall equal:  
 $\frac{1}{2} * (PPC - BPPC) * FOA$

###### (2) SC Nos. 2 and 7

The PPAC for SC Nos. 2 and 7 shall equal:

$$\frac{(\text{Total monthly SC sales}) * (PPC - BPPC) * FOA - (\text{SC 1 and 5 sales}) * (\text{SC 1 \& 5 PPAC})}{\text{Total SC 2 \& 7 sales}}$$

##### (b) Annual Reconciliation

After the end of each fiscal year, beginning with fiscal year 2010 and ending September 2020, the Company will perform a reconciliation to determine whether there was an under-collection or over-collection of purchased power expense during the preceding fiscal year. The calculation is as follows:

Total Purchased Power Cost – (kWh sold x Base Cost of Purchased Power x Factor of Adjustment)

The result will then be compared to the actual PPAC revenues recovered during that period to determine whether a PPA Reconciliation surcharge or refund is applicable. Until the revenue requirement is recalculated in the Company's first rate case following the effective date of this tariff, \$125,245 will be added to the resulting surcharge or refund. The resulting total surcharge or refund will be included as a line item in the following month(s) calculation(s) of PPAC in order to adjust revenues to more accurately reflect actual expenses. The total surcharge or refund amount will be collected over the 12 months subsequent to the reconciliation. The amount of under-collection or over-collection surcharged or refunded each month will be in accordance with the percentage of delivered sales to total annual delivered sales for the corresponding month in the reconciled fiscal year.

##### (c) Purchased Power Adjustment Rate Statement:

A statement showing the Purchased Power Adjustment per kWh shall be filed with the Commission not less than 3 business days prior to the date on which it is proposed to be effective.

PSC NO: 2 Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: 02/01/2018

Leaf No. 59  
Revision: 3  
Superseding Revision: 2

(Issued in Compliance with Commission Order issued December 19, 2017 in Case 09-M-0311)

## GENERAL INFORMATION

### (16) Meter Reading, Billing, Collection, and Estimated Bills (Cont'd.)

#### J. Interest on Customer Overpayments:

The Company shall provide interest on customer overpayments in accordance with 16 NYCRR 145.

A customer overpayment is defined as payment by the customer to the Company in excess of the correct charge for electric service supplied to the customer which was caused by erroneous billing by the Company.

The rate of interest on customer overpayments shall be the greater of the unadjusted customer deposit rate specified by the Commission or the applicable late payment rate, if any, for the service classification under which the customer was billed. Interest shall be paid from the date when the customer overpayment was made, adjusted for any changes in the deposit rate of late payment rate and compounded monthly, until the date when the overpayment was refunded.

The Company shall be required to pay interest on any customer refunds that occurred on or after March 20, 1984, except where customer overpayments are funded within 30 days after such overpayment is received by the Company.

#### K. Contents of Bills:

Customer bills shall state the charges for service(s) performed, materials furnished or other charges made by the Company and will be itemized on the applicable bill form unless by reason of size limitation itemization is not possible. In those cases, totals will be utilized and a separate listing of charges making up such totals will be sent with this bill. Bills shall contain information required under 16 NYCRR 13.11.

Issued by: John C. Finan, President, Fishers Island, New York 06390

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 60  
Revision: 0  
Superseding Revision:

### GENERAL INFORMATION

(17) Minimum Insulation Standards For the Provision of Electric Service:

Electric service will not be provided to a new dwelling, or to an existing dwelling for the purpose of converting to electric space heating, unless the dwelling is in compliance with Parts 103 and 233 of Title 16 of the Official Compilation of Codes, Rules and Regulations of the State of New York – Minimum Insulation Standards for the Provision of Gas & Electric Utility Service. Copies of the minimum standards are available at the Company office.

An applicant for expanded electric service to an existing dwelling for the purpose of supplying electric heat must provide to the Company a Certificate of Compliance in one of the forms prescribed below:

The Fishers Island Electric Corporation  
Certificate of Compliance  
Dwelling Converting to Electric Space Heat

1. I \_\_\_\_\_ am aware that the Minimum Insulation Standards  
(Owner)

for Dwellings Converting to Electric Space Heat require my house to have storm doors, storm windows and at least R-19 (usually six inches) roof insulation. I certify that my building at \_\_\_\_\_ meets those requirements, or that I have obtained a  
(Location)

waiver; and I understand that should my building be found not in compliance, a 25 percent surcharge on my utility bill may be imposed or electric service may be discontinued.

The undersigned attests that all statements and representatives contained in this certificate are true and accurate.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Address

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 61  
Revision: 0  
Superseding Revision:

### GENERAL INFORMATION

(17) Minimum Insulation Standards For the Provision of Electric Service: (Cont'd.)

2. I have inspected the building at \_\_\_\_\_  
(Location)

owned by \_\_\_\_\_ and certify that it meets the  
(Owner)

Requirements of the Minimum Insulation Standards for Dwellings Converting  
To Electric Space Heat.

The undersigned certifies that a properly executed copy of this certificate  
will be delivered to the owner and further attests that all statements and representations  
contained in this certificate are true and accurate.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Contractor or  
Company Representative

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 62  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(18) Forms:1. Form of Application for Non-Residential Service:

## THE FISHERS ISLAND ELECTRIC CORPORATION

Application for Electric Service – Non-ResidentialGeneral Information:

Along with this application is a brochure which describes your rights and responsibilities as a non-residential customer.

(To be completed by customer)

Date Filed: \_\_\_\_\_

Name of Customer \_\_\_\_\_ ☐ Owner  
☐ Occupant

Service Location \_\_\_\_\_

Telephone No. (\_\_\_\_)\_\_\_\_\_ Alternate Telephone No. (\_\_\_\_)\_\_\_\_\_

Mailing Address \_\_\_\_\_

Type of Business \_\_\_\_\_

Official in Charge \_\_\_\_\_  
(Name) (Title)

Person Controlling Access to Meter(s): \_\_\_\_\_

Telephone No. (\_\_\_\_)\_\_\_\_\_

The Company requires the submission of the following documents to substantiate the information provided in the service application:

( ) deed ( ) lease ( ) business certificate\* ( ) other

\*

The questions in this section are designed to assist the utility in placing you on the proper and the most beneficial service classification. The utility may rely on this information in classifying your service.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 63  
Revision: 0  
Superseding Revision:

### GENERAL INFORMATION

(18) Forms: (Cont'd.)

1. Form of Application for Non-Residential Service: (Cont'd.)

Specific nature of business: \_\_\_\_\_

Voltage requested: \_\_\_\_\_

Connected Load: (List all equipment in kW or HP, lighting, motor,  
Electric heat, etc. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DOES THE APPLICANT REQUEST AN INSPECTION OF THE METER(S)?

\_\_\_\_\_ [ ] Yes \_\_\_\_\_ [ ] No

DOES THIS ACCOUNT PROVIDE SERVICE FOR ANY TYPE OF  
RESIDENTIAL UNIT? \_\_\_\_\_ [ ] Yes \_\_\_\_\_ [ ] No

If yes, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 64  
Revision: 0  
Superseding Revision:

### GENERAL INFORMATION

(18) Forms: (Cont'd.)

1. Form of Application for Non-Residential Service: (Cont'd.)

Rate and Applicable Charges for Service : (To be completed by Company)

Service Classification \_\_\_\_\_ Account No. \_\_\_\_\_

Amount of Deposit \$ \_\_\_\_\_ Deposit No. \_\_\_\_\_

Extension Minimum \$ \_\_\_\_\_ Percent Tax Exempt \_\_\_\_\_

Estimated Usage \_\_\_\_\_

The Fishers Island Electric Corporation is hereby requested to furnish the undersigned with electric service at the above address; such service is to be supplied by the Company under its tariff rates, rules and regulations on file with the New York State Public Service Commission, as may be revised from time to time and to be paid for by the undersigned in accordance with the applicable rate.

Response date: \_\_\_\_\_ Date of responsibility: \_\_\_\_\_

Company Name: \_\_\_\_\_

Customer Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Accepted by: \_\_\_\_\_

Date: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 65  
Revision: 0  
Superseding Revision:

### GENERAL INFORMATION

(18) Forms: (Cont'd)

#### 2. Deferred Payment Agreement Form:

##### NON-RESIDENTIAL CUSTOMER PAYMENT AGREEMENT

Account Name: \_\_\_\_\_

Account Number: \_\_\_\_\_

Service Address: \_\_\_\_\_

Date: \_\_\_\_\_

#### PRINCIPLES OF THIS AGREEMENT

This confirms an agreement by \_\_\_\_\_ to make  
(customer)

Installment payments to The Fishers Island Electric Corporation for amounts in arrears. It also confirms that The Fishers Island Electric Corporation will not discontinue service to the account at the address listed above as long as payments are received on time.

#### HOW MUCH IS TO BE PAID

The amounts covered by this agreement are as follows:

Charges billed for Electric Service

as of \_\_\_\_\_ \$ \_\_\_\_\_

Miscellaneous fees: (Specify – Collection,  
Reconnection, Meter Recovery) \_\_\_\_\_ \$ \_\_\_\_\_

TOTAL..... \$ \_\_\_\_\_

#### HOW PAYMENT IS TO BE MADE

The customer agrees to pay:

A downpayment of \$ \_\_\_\_\_ by \_\_\_\_\_  
(month, day, year)

Installments of \$ \_\_\_\_\_ by the \_\_\_\_\_ day of each month  
From \_\_\_\_\_ to \_\_\_\_\_  
(month, year) (month, year)

The balance of \$ \_\_\_\_\_ is to be received by \_\_\_\_\_  
(month, day, year)

Current bills issued after \_\_\_\_\_ are to be paid on receipt.  
(month, day, year)

Note: Each payment must be in the office of the Company by the above-mentioned dates.

Issued by: Robert E. Wall, President, Fishers Island, New York 06390

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 66  
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Superseding Revision:

## GENERAL INFORMATION

(18) Forms: (Cont'd.)

### 2. Deferred Payment Agreement Form: (Cont'd.)

#### DEPOSIT TERMS

\_\_\_\_ Deposit not applicable or is waived.

The amount of the security deposit requested is \$ \_\_\_\_\_. The customer agrees to pay 50% of the requested deposit as a downpayment and the balance in two installments.

Downpayment \$ \_\_\_\_\_ to be paid on \_\_\_\_\_  
(month, day, year)

First installment \$ \_\_\_\_\_ to be paid on \_\_\_\_\_  
(month, day, year)

Final installment \$ \_\_\_\_\_ to be paid on \_\_\_\_\_  
(month, day, year)

#### WHAT HAPPENS IF PAYMENTS ARE LATE

If installment and regular bill payments are not paid on time, this agreement will be voided and all amounts become due immediately. The Company will send you notice of this fact and a final termination notice; service will be disconnected within the allotted amount of time.

#### PUBLIC SERVICE COMMISSION ASSISTANCE

The customer may obtain the assistance of the New York Public Service Commission to assure that this agreement complies with rules of 16 NYCRR 13.5.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

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Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(18) Forms: (Cont'd.)

### 2. Deferred Payment Agreement Form: (Cont'd.)

#### ACCEPTANCE OF AGREEMENT

The terms of this agreement are accepted by:

Customer's Name \_\_\_\_\_  
(Print or Type)

Customer's Signature \_\_\_\_\_ Date \_\_\_\_\_

As representative of \_\_\_\_\_  
(Name of Company of Firm)

Utility Representative \_\_\_\_\_ Title \_\_\_\_\_

Representative's Signature \_\_\_\_\_ Date \_\_\_\_\_

NOTE: If the customer has any questions during the duration of the agreement, the utility representative may be contacted at \_\_\_\_\_.

\_\_\_\_\_  
This agreement is not valid until signed by all parties and returned to The Fishers Island Electric Corporation.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 68  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(18) Forms: (Cont'd.)

3. Deposit Alternative Notice Form – Non-Residential:

## THE FISHERS ISLAND ELECTRIC CORPORATION

Request for Waiver of Security Deposit – Deposit Alternative

Date: \_\_\_\_\_

Customer's Name: \_\_\_\_\_

Service Address: \_\_\_\_\_  
\_\_\_\_\_Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Account Number: \_\_\_\_\_

In consideration of The Fishers Island Electric Corporation's agreement to  
provide electric service to \_\_\_\_\_ at the above service  
(Customer's Name)

Address and in lieu of a security deposit. I/We do hereby guarantee payment of all  
Future bills for said service paid upon receipt.

I the Customer waive my right to be sent a Final Termination Notice normally  
provided after 20 days have elapsed since payment was due. I understand that my  
service can be terminated by The Fishers Island Electric Corporation if I/we fail to  
pay any bill upon receipt. The Company will send me a disconnect notice 5 days (8  
days if mailed) before actual termination of my service.

Once terminated, service will not be reinstated until payment in full of the  
following: (1) all amounts in arrears for service rendered, (2) the entire requested  
deposit, (3) service reconnection fees, and (4) any other billed tariff changes.

The Fishers Island Electric  
Corporation

\_\_\_\_\_  
Business Name/Applicant

\_\_\_\_\_  
Signed: Date

\_\_\_\_\_  
Signed Date

\_\_\_\_\_  
Approved by: Title

\_\_\_\_\_  
Title of person signing

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 69  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(18) Forms: (Cont'd.)

4. Residential Deferred Payment Agreement Form:

### THE FISHERS ISLAND ELECTRIC CORPORATION

### RESIDENTIAL CUSTOMER PAYMENT AGREEMENT

CUSTOMER'S NAME \_\_\_\_\_ PHONE \_\_\_\_\_

SERVICE ADDRESS \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_ DATE \_\_\_\_\_

#### ABOUT THIS AGREEMENT

This is an agreement by \_\_\_\_\_ to make payments to The Fishers Island Electric Corporation for amounts owed. It is also an agreement by The Fishers Island Electric Corporation that it will provide service to the address listed above as long as you make payments on time.

#### PAYMENT AGREEMENT RULES

This agreement must be fair and must be based on your ability to pay.

If you are unable to pay on these terms, you should not sign this agreement. Instead, call us or come to our office.

If you can show financial need, alternative terms will be arranged. Depending on your circumstances, a downpayment may not be required and installments may be as low as \$10.00 per month.

This agreement can be changed if your ability to pay changes significantly for reasons you cannot control. If a change is needed, please call or come to our office.

If you are a recipient of public assistance or supplemental security income, you may be eligible for help in paying your utility bills. If so, you may wish to call or visit your local Social Services office.

#### HOW MUCH IS TO BE PAID

Total amount you owe The Fishers Island Electric Corporation as of \_\_\_\_\_ is \$ \_\_\_\_\_.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 70  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

(18) Forms: (Cont'd.)

4. Residential Deferred Payment Agreement Form: (Cont'd.)

### HOW PAYMENT IS TO BE MADE

You are to pay the amount owed in the following way:

A downpayment of \$\_\_\_\_\_ is to be received by \_\_\_\_\_.

Installments of \$\_\_\_\_\_ are to be received by the \_\_\_\_\_  
Each \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_.

The balance of \$\_\_\_\_\_ is to be received by \_\_\_\_\_.

Any bill we send you after \_\_\_\_\_ is due when you receive it.

### WHAT HAPPENS IF PAYMENTS ARE NOT MADE

If we do not receive these payments or your regular bill payments on time, we can require you to pay the total amount owed on your account. The Company will send you a notice allowing you 15 days to pay before service is turned off.

### ASSISTANCE

IF YOU ARE UNABLE TO PAY THE TERMS OF THIS AGREEMENT, OR NEED HELP UNDERSTANDING OR MAKING THIS AGREEMENT, CALL US AT (516) 788-7251.

IF FURTHER HELP IS NEEDED, YOU MAY CALL THE NEW YORK STATE PUBLIC SERVICE COMMISSION AT 1-800-342-3377 8:30 A.M. – 4:30 P.M., MONDAY THROUGH FRIDAY.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 71  
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Superseding Revision:

### GENERAL INFORMATION

(18) Forms: (Cont'd.)

4. Residential Deferred Payment Agreement Form: (Cont'd.)

### BUDGET BILLING OPTION

If you are not already enrolled in our budget billing plan which allows you to pay for your service in equal monthly installments, and wish to enroll, check this box and we will start you on a plan immediately. A brochure describing the plan in more detail has been provided to you. Call (516) 788-7251 if you have any questions about the Budget Billing Plan.

YES! I WOULD LIKE BUDGET BILLING \_\_\_\_\_

### ACCEPTANCE OF AGREEMENT

I have read, understand, and accept this agreement.

Customer's Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
NAME (TYPED OR PRINTED)

Company's Signature \_\_\_\_\_ Date \_\_\_\_\_

One copy of this agreement, signed by the customer, with the downpayment, must be received by The Fishers Island Electric Corporation by \_\_\_\_\_ in order to avoid having your service turned off.



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Effective Date: October 1, 2020

Leaf No. 72  
Revision: 3  
Superseding 0

(Issued in compliance with Commission Order in Case 19-E-0525, Issued and Effective  
September 18, 2020)

## SERVICE CLASSIFICATION NO. 1

### Applicable to Use of Service for:

Annual true year round residential service for individual private residences, dwellings and appurtenances: individual flats or apartment in a multiple family dwelling; a rooming house with no more than 4 rooms to rent, combined residential commercial use in a residence where the commercial use is of the home business type and the major use as determined by the load, is of residential nature and also for all electricity utilized exclusively in connection with religious purposes. Applicable also to use exclusively in connection with a community residence as defined in subdivision 28, 28A or 28B of Section 1.03 of the Mental Hygiene law, provided that such residence is operated by a not for profit corporation and if supervisory staff is on site on a 24 hour per day basis, and that the residence provides living accommodations for 14 or fewer residents. This rate is applicable only to the true year round residential customer whose legal domicile is located on Fishers Island, NY. This rate is applicable only to the residential customers whose consumption during the winter months (October through May) was more than during the period of the four summer months (June through September). Included with this rate are Not for Profit organizations holding Internal Revenue Service 501 (c) (3) status.

### Character of Service:

Continuous Alternating Current; 60 cycle 110/220 volt, 3 wire, single phase or 60 cycle 220 volt, 3 wire, 3 phase or 60 cycle 2300/8320 volt, 2 wire single phase or 3 wire, 3 phase.

### Rate: (per month, per meter)

Minimum Charge \$12.13

### Kilowatt-hour Charge:

First 1,000 kilowatt-hours \$0.2186 per kwhr

Over 1,000 kilowatt-hours \$0.2503 per kwhr

### Fuel Adjustment:

The charges set forth herein shall be subject to a fuel adjustment per kilowatt-hour as explained in rule (16)I.

### Minimum Charge:

\$12.13 per month whether electricity is used or not. Payable year round by the month.

### Terms of Payment:

Cash: Bills are due and payable by the 25<sup>th</sup> of the month following the rendering of the bills.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 73  
Revision: 0  
Superseding Revision:

## SERVICE CLASSIFICATION NO. 1

### Term

One year and thereafter until terminated by 48 hours written notice.

### Resale

Submetering may be available under certain conditions set forth in Rule (11).

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Effective Date: October 1, 2020

Leaf No. 74  
Revision: 3  
Superseding 0

(Issued in compliance with Commission Order in Case 19-E-0525, Issued and Effective  
September 18, 2020)

## SERVICE CLASSIFICATION NO. 2

### Applicable to Use of Service for:

Summer residential service for individual private residences, dwellings and appurtenances; individual flats or apartments in a multiple family dwelling; a rooming house with no more than 4 rooms to rent, combined residential commercial use in a residence where the commercial use is of the home business type and the major use as determined by the load, is of residential nature and also for all electricity utilized exclusively in connection with religious purposes. Applicable also to use exclusively in connection with a community residence as defined in subdivision 28, 28A or 28B of Section 1.03 of the Mental Hygiene law, provided that such residence is operated by a not for profit organization and if supervisory staff is on site on a 24 hour per day basis, that the residence provides living accommodations for 14 or fewer residents. This rate is applicable to those residential customers who consume more electricity during the four summer months (June-Sept.), than during the eight winter months (Oct.-May). Each customer's account is reviewed annually after May 31<sup>st</sup> and is adjusted annually based on their consumption.

### Character of Service:

Continuous Alternating Current; 60 cycle 110/220 volt, 3 wire single phase or 60 cycle 220 volt, 3 wire, 3 phase or 60 cycle 2300/8320 volt, 2 wire single phase or 3 wire, 3 phase.

### Rate: (per month)

Minimum Charge	\$37.05 per month
Kilowatt-hour Charge (for all usage)	\$0.4101 per kwh

### Fuel Adjustment:

The charges set forth herein shall be subject to a fuel adjustment per kilowatt-hour, as explained in rule (16)I.

### Minimum Charge:

\$37.05 per month whether electricity is used or not. Payable year round on a monthly basis.

### Terms of Payment:

Cash: Bills are due and payable by the 25<sup>th</sup> of the month following the rendering of the bills.

Issued by: John C. Finan, President, Fishers Island, New York 06390

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 75  
Revision: 0  
Superseding Revision:

## SERVICE CLASSIFICATION NO. 2

### Term

Service may be discontinued on 48 hours written notice, but the minimum charge must be paid.

### Resale

Submetering may be available under certain conditions set forth in Rule (11).

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 76  
Revision: 0  
Superseding Revision:

SERVICE CLASSIFICATION NO. 3

RESERVED FOR FUTURE USE

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 77  
Revision: 0  
Superseding Revision:

SERVICE CLASSIFICATION NO. 4

RESERVED FOR FUTURE USE

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Effective Date: October 1, 2020

Leaf No. 78  
Revision: 3  
Superseding 0

(Issued in compliance with Commission Order in Case 19-E-0525, Issued and Effective  
September 18, 2020)

### SERVICE CLASSIFICATION NO. 5

Applicable to Use of Service for:

Commercial customers for lighting and power. All purposes not specifically provided for under other service classifications.

Character of Service:

Continuous Alternating Current: 60 cycle 110/210 volt, 3 wire, single phase or 60 cycle 220 volt, 3 wire, 3 phase or 60 cycle 2300/8320 volt, 2 wire single phase or 3 wire, 3 phase.

Rate: (Per month)

Minimum Charge	\$18.20 per month
Demand Charge	\$12.69 per kilowatt
Energy Charge (for all usage)	\$0.2078 per kw hr

Fuel Adjustment:

The charges set forth herein shall be subject to a fuel adjustment per kilowatt-hour, as explained in rule (16)I.

Minimum Charge:

\$18.20 per month whether electricity is used or not. Payable year round by the month.

Determination of Demand:

When the customers consumption has exceeded 800 kilowatt hours per month for two consecutive months during the preceding 12 months, a demand meter shall be installed and the demand shall be taken as the highest 30 minute demand recorded during the month, but no less than 75% of the maximum 30 minute demand recorded during the preceding summer months of June, July, August and September.

Terms of Payment:

Cash. Bills are due and payable by the 25<sup>th</sup> of the month following the rendering of the bills.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 79  
Revision: 0  
Superseding Revision:

## SERVICE CLASSIFICATION NO. 5

### Terms of Payment

Cash. Bills are due and payable the tenth of the month following the rendering of bills.

### Term

One year and thereafter until terminated by 48 hours written notice. The customer shall be responsible for any use of service until a final meter reading is obtained which will be within three days after notice is received, unless access to the premises cannot be obtained.

### Resale

Submetering may be available under certain conditions set forth in Rule (11).



PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: July 1, 2009

Leaf No. 80  
Revision: 0  
Superseding Revision:

SERVICE CLASSIFICATION NO. 6

RESERVED FOR FUTURE USE

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Effective Date: October 1, 2020

Leaf No. 81  
Revision: 3  
Superseding 0

(Issued in compliance with Commission Order in Case 19-E-0525, Issued and Effective  
September 18, 2020)

## SERVICE CLASSIFICATION NO. 7

### Applicable to use of Service for:

Seasonal residential service for private residences, dwellings and appurtenances; individual flats or apartments in a multiple family dwelling; a rooming house with no more than 4 rooms to rent, combined residential commercial use in a residence where the commercial use is of the home business type and the major use as determined by the load, is of residential nature and also for all electricity utilized exclusively in connection with religious purposes. Applicable also to use exclusively in connection with a community residence as defined in subdivision 28, 28A or 28B of Section 1.03 of the Mental Hygiene law, provided that such residence is operated by a not for profit corporation and if supervisory staff is on site on a 24 hour per day basis, that the residence provides living accommodations for 14 or fewer residents. This rate is applicable only to those residential customers whose consumption during the winter months (October through May) was more than during the period of the four preceding summer months (June through September).

### Character of Service:

Continuous Alternating Current; 60 cycle 110/220 volt, 3 wire, single phase or 60 cycle 220 volt, 3 wire, 3 phase or 60 cycle 2300/8320 volt, 2 wire single phase or 3 wire, 3 phase.

### Rate: (Per Month)

Minimum Charge	\$26.46 per month
Kilowatt-hour charge (for all usage)	\$0.2977 per kWh

### Fuel Adjustment:

The charges set forth herein shall be subject to a fuel adjustment per kilowatt-hour, as explained in rule (16)I.

### Minimum Charge:

\$26.46 per month whether electricity is used or not. Payable year round on a monthly basis.

### Terms of Payment:

Cash: Bills are due and payable by the 25<sup>th</sup> of the month following the rendering of the bills.

PSC No. 2 Electricity  
The Fishers Island Electric Corporation  
Effective Date: August 1, 2022

Leaf No. 82  
Revision: 0  
Superseding:

### Case 19-E-0525 Commission Order Lineman Reconciliation

The Commission's September 18, 2020 Order states that:

By November 1, 2021, and each November 1<sup>st</sup> thereafter, FIEC shall file a report with the Secretary of the Commission detailing the level of expenses, including labor, benefits and payroll taxes related to the two linemen, which were incurred from October 1<sup>st</sup> through September 30<sup>th</sup> of that year. The Company shall defer, for the benefit of customers, the amount by which these expenses fall below \$379,570 and the deferred amount reaches \$30,000 or more.

For the period Oct 2020 – Sept 2021, Lineman expenses totaled \$294,851, which results in a shortfall of \$84,719.

The monthly bill credit is \$84,719/12 or \$7,060 per month, which will be credited effective August 1, 2022 to customers over a twelve-month period as a monthly billing credit listed on the customer bill as 'Case 19-E-0525 Lineman Credit'. The credit will be in the form of a percentage of the customer's total electric and demand charges of the current month.

Case 19-E-0525 Lineman Credit Calculation:

Total Monthly Credit Due = Monthly Credit + Prior Month's Over or Under

Billing Credit Rate = Total Monthly Credit Due ÷ Total Prior Month Billing Revenue

Customer's Monthly Credit = Billing Credit Rate × Customer's Current Month Billing Revenue

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: January 1, 2023  
Issued in compliance with Commission Order issued September 16, 2022 in Case 21-E-0580

Leaf No. 83  
Revision: 0  
Superseding Revision:

### SYSTEM IMPROVEMENT CHARGE (SIC)

The SIC mechanism will apply to costs associated with the construction of specific reviewed and approved system improvement projects, allowing recovery of carrying costs on those system improvement projects that are placed in service.

As described in the Order Authorizing a System Improvement Charge and Authority to Enter into a Lease in Case 21-E-0580, the use of the SIC mechanism is approved for the following project:

- AMI Meters - \$69,690
- Base Stations - \$32,500
- Handheld Equipment - \$4,275
- Software - \$17,540
- Project Management - \$13,500
- Set-up Fees - \$21,800
- Meter Seals & Tags - \$200
- Installation Labor - \$28,742
- Engineering Study - \$92,640

The formula for the calculation of the SIC surcharge is as follows:

$$\text{SIC Surcharge} = (\text{NRB} \times \text{Pre-Tax ROR} + \text{D} - \text{Savings}) / \text{GF} / \text{AR}$$

Where:

NRB	=	the cost of the specific approved facilities listed above, net of associated (1) Retirements, including cost of removal and any related tax benefits, (2) ADIT and (3) accumulated depreciation reserve
Pre-Tax ROR	=	Current pre-tax rate of return at 6.49% (19-E-0525)
D	=	Annual Depreciation expense on the net additions
Savings	=	Expected Savings in Labor
GF	=	Revenue Requirement Gross up Factor of 70.39% (19-E-0525)
AR	=	Projected Annual Metered Revenues
SIC	=	x.xxx%

SIC implemented upon approval of compliance filing with the Secretary to the Commission.

Issued by: J. Christopher Finan, President, 161 Oriental Ave #604, Fishers Island NY 06390

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: January 1, 2023  
Issued in compliance with Commission Order issued September 16, 2022 in Case 21-E-0580

Leaf No. 84  
Revision: 0  
Superseding Revision:

## NON-AMI MONTHLY METER READING FEE

The non-AMI monthly meter reading fee is charged to customers who choose to opt out of the AMI meter and have a regular manual read meter installed.

Non-AMI Monthly Meter Reading Fee: \$16.70

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: January 1, 2023

Leaf No. 85  
Revision: 0  
Superseding Revision:

Issued in compliance with Commission Order issued September 16, 2022 in Case 21-E-0580

## METER CHANGE FEE

The meter change fee is charged to customers who request that their meter is changed from:

1. An AMI meter to a regular manual read meter.
2. A regular manual read meter to an AMI meter.

Meter Change Fee: \$56.60

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: February 1, 2024

Leaf: 88  
Revision: 0  
Superseding Revision:

## CUSTOMER INSTALLATION AND EQUIPMENT

Wherever a Customer performs work or furnishes or maintains any equipment or facilities, the Customer shall do the same or cause the same to be done at the Customer's expense.

The Company will determine the location—and specify the type and manner of installation and connection—of the service-terminating equipment and of the metering equipment and will furnish this information to the Customer upon request. The Customer shall obtain this information as one of the first steps in planning the electrical installation.

All construction by the Customer from the point of service termination to, and inclusive of, the meter equipment shall be subject to approval by the Company.

The Customer shall furnish, install, and maintain all wiring and equipment, including standpipes, conduits, fittings, wires, cables, fuses, end boxes, service switch, meter equipment (except meters and metering transformers), and meter wiring, beginning with the point of service termination. However in some cases customers are responsible for the cost, installation, and maintenance of customer-owned transformers. The Customer shall furnish, install, and maintain the facilities necessary to accept outdoor meter(s) wherever feasible when service is provided to a new one-, two-, or three-family home or when the service conduit to an existing one-, two- or three-family home must be replaced.

The Customer shall provide, or arrange to be provided with, properly identified, suitable wiring and equipment to assure that all service supplied to the Customer (and only service supplied to the Customer) shall register on the meter(s) or other measuring device(s) used for the measurement and billing of the Customer's service. Where the Customer's service is greater than 400 amperes, and the service is measured by at least one current transformer meter installed, the Customer shall be responsible for proving all connections between the current transformer and the meter pan(s) identified to the Customer's service.

### Adequacy and Safety of Installation:

The Company shall not be required to supply an electric service until the authorities having jurisdiction over the Customer's installation have approved it. The Company further reserves the right to withhold its service, or discontinue its service, whenever such installation or part thereof is deemed by the Company to be unsafe, inadequate, or unsuitable for receiving the Company's service or to interfere with or impair the continuity or quality of the Company's service to the Customer or to others. The final connection for making the service live shall be made only by the Company.

PSC No. 2 - Electricity  
The Fishers Island Electric Corporation  
Initial Effective Date: February 1, 2024

Leaf: 89  
Revision: 0  
Superseding Revision:

#### Customer's Repairs:

All repairs to the Customer's installation and equipment shall be made by the Customer, and the Customer shall maintain the installation and equipment in the condition required by the authorities having jurisdiction and by the Company.

#### Carrier Current Equipment:

If a Customer uses the building wiring for a carrier current system for communication or signaling purposes, the Customer shall install suitable filter equipment or make other provisions approved by the Company to keep the Company's distribution facilities free from carrier currents produced by the equipment.

#### Motors and Miscellaneous Apparatus:

Before installing motors or miscellaneous apparatus, the Customer shall consult the Company regarding the characteristics of the service to be supplied and the way the equipment may be connected. It is important that the characteristics of motors, motor starting equipment, and miscellaneous apparatus, such as welders and X-rays particularly in the matter of inrush currents, shall be such as not to impair the quality of service rendered by the Company to any of its Customers.

Considerable latitude in the amount of inrush current is permissible under certain conditions and the Company will give a written expression of opinion to any Customer as to the acceptability of the Customer's proposed installation in this respect. The Company, however, shall not be understood at any time as giving any assurance or warranty, expressed or implied, that particular conditions may not later require change, unless inrush currents are within limits specified by the Company as acceptable in any case.

For welders, X-rays and other inherently single-phase apparatus requiring inrush current more than the values allowed by the Company, the Customer shall provide rotating equipment for converting from three phase to single phase, or other equipment such as capacitors, to reduce inrush current to a value acceptable to the Company.

If miscellaneous appliances, such as furnaces, heaters and ranges, having 120-volt elements are supplied from 3 or 4 wire services, the elements should be so connected between the line wires and neutral that the operating current unbalance will be a minimum.