

P.S.C No. 9 Electricity
Village of Freeport
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VILLAGE OF FREEPORT SCHEDULE FOR ELECTIC SERVICE

Applicable in:

VILLAGE OF FREEPORT, NASSAU COUNTY, NEW YORK

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

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GENERAL INFORMATION

I. TERRITORY TO WHICH SCHEDULE APPLIES:

The Incorporated Village of Freeport, Nassau County, New York

II. DEFINITIONS OF TERMS:

A. Access Controller: A party known to the Village 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 Village.

B. Actual Reading: A meter reading obtained by a Village employee from either the meter or a remote registration device attached thereto.

C. Applicant, Residential: Any person who requests electric service at a premise 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) (2).

D. Applicant, Non-Residential: A person, corporation, or other entity, who has requested electric service as a non-residential Customer, as defined in 16 NYCRR §13.1 (a) (2)

E. Arrears: Charges for which payment has not been made more than 20 calendar days after payment was due.

F. Backbill: That portion of any bill, other than a levelized bill, which represents charges not previously billed for a 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% or more the bill that would have been rendered under the Village's standard estimation program is presumed to be a backbill.

G. Building, Residential: A structure enclosed with exterior walls or fire walls, erected and framed of component parts and designed for permanent residential occupancy.

H. Building, Multiple-Occupancy: A structure, including row houses, enclosed within exterior walls or fire walls, built, erected and framed of component parts, and designed to contain four or more individual dwelling units for permanent residential occupancy.

I. Business Day: Any Monday through Friday when the Village Office is open.

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II. DEFINITIONS OF TERMS: (Continued)

J. Village: The entity which, by individual tariff, concurs in this tariff.

K. Village Deficiency: Any action or inaction by the Village or one of its authorized agents that does not substantially conform to the requirements of 16 NYCRR, the Village's rules and regulations, tariffs, or written business procedures.

L. Cost: Shall include all labor, material and other charges applicable thereto plus a reasonable percentage for engineering, supervision, purchasing and other overhead.

M. Customer, Residential: 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 Village's effective tariff specifies a residential rate. For purposes of the Home Energy Fair Practices Act, a *residential Customer* or *current residential Customer* includes any person who pursuant to an application for service made by such person, or by a third party on behalf, is supplied directly by the Village 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).

N. Customer, New: A Customer, who was not the last previous Customer at the premises to be served, regardless of whether such Customer was or is still a Customer of the Village at a different location.

O. Customer, Non-Residential: A person, corporation, or other entity, supplied by the Village with electric service under the Village's tariff and pursuant to an accepted application for service, and who is not a residential Customer as defined in 16 NYCRR §11.

P. Customer, Short-Term or Temporary: A Customer who requested service for a period of time up to two years.

Q. Customer, Demand: A Customer that is billed for demand charges.

R. Customer, Seasonal: A Customer who applies for and receives Village service periodically each year, intermittently during the year or at other irregular intervals.

S. Deferred Payment Agreement (Non-Residential): A written agreement for the payment of outstanding charges over a specified period of time. It must be signed in duplicate by a Village representative and the Customer and each must receive a copy, before it becomes enforceable by either party, as defined in 16 NYCRR §13.5.

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II. DEFINITIONS OF TERMS: (Continued)

T. Deferred Payment Agreement (Residential): A written agreement for the payment of outstanding charges over a specific period of time, signed by both the Village and the Customer or applicant as defined in 16 NYCRR §11.10.

U. Levelized Payment Plan: A billing plan designed to reduce fluctuations in a Customer's bill payments due to varying, but predictable, patterns of consumption.

V. Line: A system of poles or ducts, wires or cables, transformers, fixtures and accessory equipment used for the distribution of electricity to the public, and may be located in a street, highway, alley or on private right-of-way.

W. Net Energy Metering: Measures the reverse flow of electricity so as to register the difference between the electricity supplied by the Village and the electricity provided to the Village by Customer owned generating equipment.

X. Net Energy: The difference between the amount of energy supplied and the energy received.

Y.. Payment: Considered to be made on the date when it is received by the Village or one of its authorized agents.

Z.. Payment, Late: Any payment made more than 20 calendar days after the payment was due. Payment is due whenever specified by the Village on its bill, provided such date does not occur before personal service of the bill or three calendar days after mailing of the bill.

AA.. Public Right-of-Way: The territorial limits of any street, avenue, road or way (other than a limited access thoroughfare) that is for any highway purpose under the jurisdiction of the State of New York or the legislative body of any county, city, town or village and is open to public use.

AB. Public Service Commission: The agency of the State of New York having regulatory jurisdiction over the Village.

AC. Service Classification: A statement of given conditions and prices for electric service of a given character to a definite class of Customers.

AD. Service Entrance: That part of the wiring from the point of attachment or termination of the service lateral to and including the main service switch on the Customer premises.

AE. Service Lateral: A system of wires or cables, fixtures, and sometimes poles, or the equivalent ducts, conduits and cables (when placed underground) used to conduct electricity from the line by which Customer is to be served to the point of attachment on the Customer's building, or Customer's meter pole in the case of overhead construction, or to the meter box in Customer's building in case of underground construction.

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II. DEFINITIONS OF TERMS: (Continued)

AF. Subdivision: A tract of land divided into lots for the construction of new buildings or the land on which new multiple-occupancy buildings are to be constructed, either of which has been approved or was required to be approved by appropriate governmental authority having jurisdiction over land use as defined by 16 NYCRR §98.1.

AG. Tampered Equipment: Any service related equipment or wiring that has been subjected to unauthorized interference so as to reduce the accuracy or eliminate the measurement of the Village's service or an unauthorized connection occurring after the Village has physically disconnected service.

AH. Underground Residential Distribution (URD): The total underground installation of a complete electric distribution system in any residential development of four or more dwelling or building units, or to any other residential complex for which the Customer desires or is mandated by a local governmental entity as a condition of approval.

AI. Village refers to the Electric Department of the Inc. Village of Freeport.

III. HOW SERVICE MAY BE OBTAINED:

Any applicant whose premises may be served from suitable existing distribution lines of the Village without line or service extensions can obtain electric service by applying to the office of the Village or with any of its duly authorized representatives, and by complying with all other requirements of this Schedule.

A. Application for Service - Residential: These provisions are intended to reflect the requirements of 16 NYCRR §11.3.

1. A residential service application may be oral or written. An oral application for service shall be deemed complete when the applicant provides his or her name, address, telephone number and address of prior account (if any) or prior account number (if any).
2. The Village may establish non-discriminatory procedures to require an applicant to provide reasonable proof of the applicant's identity. Service may be denied to applicants who fail to provide reasonable proof of identity.

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III. HOW SERVICE MAY BE OBTAINED: (Continued)

3. The Village may require a new residential applicant to complete a written application, if:
 - a. there are arrears at the premises to be served and service was terminated for non-payment or is subject to a final notice of termination; or
 - b. there is evidence of meter tampering or theft of service; or
 - c. the meter has advanced and there is no Customer of record; or,
 - d. the application is made by a third party on behalf of the person(s) who would receive service.

4. Whenever a written application for residential service is required, the Village shall 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 served. A written application containing the required information shall be deemed completed when received by the Village.

5. Former Indebtedness Paid - Residential: If a former Customer who is indebted to the Village attempts by some agency, relationship or otherwise, to obtain service, the Village shall not be obligated to provide service unless:
 - a. the applicant makes full payment for residential service provided to any such prior account in his or her name.
 - b. the applicant agrees to make payments under a deferred payment plan of any amounts due for residential service provided to any prior account in his or her name; or
 - c. the applicant has pending a billing dispute with respect to any amounts due for residential service provided to any prior account in his or her name and has paid any amounts required to be paid; or
 - d. 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 Village receives from an official of the county Social Services Department, 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
 - e. the Public Service Commission, or its authorized designee, directs the provision of service.

- 5.1. 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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III. HOW SERVICE MAY BE OBTAINED: (Continued)

6. The Village shall not be obligated to provide seasonal or short-term service to an applicant who fails to post a lawfully required deposit.
7. The Village shall be obligated to provide service to any residential applicant who meets the requirements of these residential application procedures within five days of receipt of a completed oral or written application for service or at such later time as specified by the residential applicant except as provided by 16 NYCRR §11.3.
8. The Village 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. The written notice of denial shall: (a) state the reason(s) for denial; (b) specify what must be done to qualify for service; and (c) advise the applicant of the right to an investigation and review of the denial by the Commission.

B. Application for Service - Non-Residential:

1. These provisions are intended to reflect the requirements of 16 NYCRR §13.2.
2. An application for non-residential service may be made by any non-residential applicant at any office of the Village. The Village may require that such application be in writing.
3. Former Indebtedness Paid - Non-Residential: The Village will require a nonresidential applicant to make full payment for all amounts due and payable which are neither the subject of a pending billing dispute nor an existing deferred payment arrangement 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;
 - b. other tariff fees, charges or penalties;
 - c. reasonable chargeable material and installation costs relating to temporary or permanent extensions or services as required by Leaf No. 17 and authorized under 16 NYCRR Part 98, provided these costs are itemized and given to the applicant in writing;
 - d. special services billable under the Village's tariff provided these costs are itemized and given to the applicant in writing; and
 - e. security deposit if requested by the Village in accordance with 16 NYCRR §13.7.
4. The Village may require the submission of appropriate types of documents to substantiate the information provided in the application.
5. The application shall contain a section for determining the non-residential applicant's service classification as provided for in 16 NYCRR §13.2(b) (2).

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III. HOW SERVICE MAY BE OBTAINED: (Continued)

B. Application for Service - Non-Residential:

6. The application shall contain a notice that the non-residential applicant may request an inspection of the meter to ensure its accuracy; provided, however, that such notice is not required if the Village has a written policy of not back billing previously unbilled service which resulted from the faulty operation of the meter.

7. The Village shall be obligated to either provide or deny service to any non-residential applicant as soon as reasonably possible, but no later than 10 calendar days after receipt of a completed application, or such later time as specified by the nonresidential applicant, except as provided by 16 NYCRR §13.2.

8. The Village shall advise any non-residential 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.

9. Any denial of an application shall be in writing and shall either be delivered personally to the non-residential applicant or sent to the non-residential applicant's current business address or any alternate mailing address. The written notice of denial shall:

- (a) state the reason(s) for denial; (b) specify what must be done to qualify for service; and
- (c) advise the non-residential applicant of its right to an investigation and review of the denial by the Commission.

C. General Application Procedure:

An application or agreement for service shall not be modified or affected by any promise or representation, oral or written, by any unauthorized agent or employee of the Village. Applications for service shall not be transferable or assignable.

D. Minimum Insulation Standards for Residential Construction of Buildings:

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 Part 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 Village Service. Copies of the minimum standards are available at the Village office.

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

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III. HOW SERVICE MAY BE OBTAINED: (Continued)

Village of Freeport
Certificate of Compliance
Dwelling Converting to Electric Space Heat

1. I _____ am aware that the Minimum Insulation Standards for
(Owner)
Dwelling 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
(Location)
those requirements, or that I have obtained a 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 representations contained in this certificate are true and accurate.

(Signature of Owner) (Address)

2. I have inspected the building at _____ owned by _____
(Address) (Owner)

and certify that it meets the requirements of the Minimum Insulation Standard 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 Village Representative

E. Certificate of Electrical Compliance:

In the case of a new installation the application for service must be accompanied by a certificate of completion as issued by an Inspection Agency approved by the Village, and such certificate must indicate that the premise's in question fully complies with the regulations prescribed by the State of New York. In the event that any changes or additions to said wiring or equipment are made, the Village may require the Customer to obtain at their own expense any further certificate or certificates that may be necessary. The installation must also comply with the Rules and Regulations for Electrical Installations as published by the Village in a booklet entitled *Electric Rules and Regulation* and with the Village Ordinance, *Chapter 8 Electricity* all as specified and in effect at the time such installation or changes are made.

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IV. CONSUMER DEPOSITS:

A. Residential Customers:

1. These provisions are intended to reflect the requirements of 16 NYCRR §11.12.
2. The Village may require a consumer deposit from seasonal or short-term Residential Customers.
3. The Village may also require a deposit from a residential Customer as a condition of receiving utility service if such Customers are delinquent in payment of his or her utility bills. A current Customer is delinquent for the purpose of a deposit if such Customer:
 - a. 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 fifty days after the bill is due provided that the Village requests such deposit within two months of such failure to pay; or
 - b. had utility service terminated for nonpayment during the preceding six months.
4. The Village may require deposits as a condition of receiving utility service from new residential Customers who fail to provide reasonable proof of identity pursuant to Leaf No. 7 of this Tariff provided a hearing has been held pursuant to Public Service Law Section 36 (2) and required findings have been made by the Commission.
5. Customers included in this section shall be provided a written notice, at least 20 days before a deposit is assessed, that the failure to make a timely payment will permit the Village to require a deposit from such Customer.
6. If a deposit is required from a current residential Customer who is delinquent by virtue of his or her failure to make a reasonable payment of arrears, the Village shall permit such Customer to pay the deposit in installments over a period not to exceed 12 months.
7. 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 heating Customers, where deposit 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.

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IV. CONSUMER DEPOSITS: (Continued)

A. Residential Customers:

8. The Village 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 Village for nonpayment of bills within the preceding six months.

9. The Village shall extend service to any new Applicant for service who has initiated a complaint on a deposit requested by the Village and shall continue to supply during the resolution of the complaint, provided that such applicant keeps current on bills for service rendered and pays a reasonable amount as a deposit if the complaint challenges only the amount requested.

10. Deposit Calculation: In any case where a Customer deposit is authorized by this section, the Village may require a new or current residential Customer to deposit a reasonable amount of money not greater than twice the average monthly bill for a calendar year, except in the case of electric space heating Customers, where deposits may not exceed twice the estimated average monthly bill for the heating season.

11. Interest:

- a. The Village shall allow every Customer from whom a deposit is required, interest on the amount deposited at a rate prescribed annually by the commission in light of the current economic conditions and current charges paid for moneys borrowed by the Village, taking into account the expenses incurred in obtaining, handling, returning or crediting the sum deposited.
- b. Such 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, the interest shall be credited to the customer on the first billing for utility services rendered after the end of such period.

12. Deposit return: If any Customer is not delinquent in the payment of bills, as defined in this section, during the one-year period from the payment of the deposit, the deposit shall be returned promptly without prejudice to the Village's right to require a future deposit in the event that the Customer thereafter becomes delinquent.

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IV. CONSUMER DEPOSITS: (Continued)

B. Non-Residential Customers:

1. These provisions are intended to reflect the requirements of 16 NYCRR §13.7.
2. The Village may only require the payment of a security deposit from:
 - a. a new Customer; or
 - b. an existing Customer: (1) who is delinquent; (2) whose financial condition is such that it is likely that the Customer may default in the future provided, however, that the Village must have reliable evidence of such condition; (3) who has filed for reorganization or bankruptcy; or (4) who has been rendered a backbill within the last twelve months for previously unbilled charges for service that came through tampered equipment.
3. The Village shall offer an existing Customer, from whom a deposit is required, the opportunity to pay the deposit in three installments, 50 percent down and two monthly payments of the balance.
4. A request for a deposit or deposit increase shall be in writing and shall advise the Customer:
 - a. why the deposit is being requested;
 - b. how the amount of the deposit was calculated;
 - c. that the deposit is subject to later upward or downward revision based on the Customer's subsequent billing history;
 - d. that the Customer may request that the Village review the account in order to assure that the deposit is not excessive;
 - e. the circumstances under which the deposit will be refunded;
 - f. that the Customer will receive annual notice of the interest credited to the account;
 - g. about the available deposit alternatives; and
 - h. 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.
5. The Utility 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.
6. Deposit Calculation: 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.
7. 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.

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IV. CONSUMER DEPOSITS: (Continued)

B. Non-Residential Customers:

8. In the case of a new 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:

- a. the billing history of the Customer;
- b. information provided in the application by the Customer about the expected load and use of service;
- c. information contained in a load study of the premises prepared by the Village; and
- d. the billing history of the previous Customer, provided there have been no significant changes in the load.

9. Deposit Review: The Village shall, at the first anniversary of the receipt of the deposit and at least biannually thereafter, review the billing history of every Customer who has a deposit with the Village, to assure that the amount of the deposit conforms to the limitations contained in this section. This requirement does not limit the right of the Village to review a deposit at any time.

- a. If a deposit review shows that the deposit held falls short of the amount that the Village may lawfully require by 25 percent or more, the Village may require the payment of a corresponding additional deposit amount from the Customer.
- b. If a deposit review shows that the deposit held exceeds the amount that the Village may lawfully require by 25 percent or more, the Village shall refund the excess deposit to the Customer in accordance with this section.

10. 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 Village shall refund any portion of the deposit in excess of the amount the Village may lawfully require in accordance with this section.

11. The Village shall accept deposit alternatives, which provide a level of security equivalent to cash, such as irrevocable bank letters of credit and surety bonds. The Village 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.

12. Interest: The Village shall allow to each depositor simple interest at a rate per annum prescribed by the Commission on the amount deposited. Interest shall be paid 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 billing for utility service rendered after the end of such period. 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.

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IV. CONSUMER DEPOSITS: (Continued)

B. Non-Residential Customers:

13. Deposit Return: The Village shall return a deposit or a portion thereof plus the applicable interest, in accordance with this section as soon as reasonably possible, but no more than 30 calendar days after:

- a. the day the account is closed;
- b. 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 Village to request a deposit under this section; or
- c. a review pursuant to this section shows that a deposit reduction is warranted.

14. A deposit or portion thereof plus the applicable interest that is subject to return:

- a. shall be credited to the account it secured in the amount of any outstanding charges;
- b. may be credited to the account it secured in the amount of the next projected cycle bill, if applicable; and
- c. may be credited to any other account of the Customer not secured by a deposit, in the amount of the arrears on that account.

15. If a balance remains after the Village has credited the Customer's account(s) in this section, a refund check shall be issued to the Customer.

V. DISCONTINUANCE OF SERVICE

A. Residential Customers:

1. The provisions contained in this section are intended to reflect the requirements of 16 NYCRR §11.4.

2. Notice of Discontinuance - Time: The Village may discontinue service 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 Customer to be notified has specified to the Village 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.

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Inc. Village of Freeport, Freeport, New York

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V. DISCONTINUANCE OF SERVICE: (Continued)

A. Residential Customers:

3. Notice of Discontinuance - Format: Every notice indicating discontinuance of service will: clearly indicate in non-technical language:
 - a. the reason for service discontinuance;
 - b. 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;
 - c. 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
 - d. the availability of Village procedures for handling complaints prior to discontinuance, including the address and telephone number of the office of the Village the Customer may contact in reference to his or her account; and
 - e. the earliest date on which discontinuance may be attempted.
4. 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 VILLAGE WHEN PAYING THIS BILL.**
5. Include a summary to Residential Customers, as prepared or approved by the Public Service Commission, stating the protection available to them together with a notice that any Customer eligible for such protection should contact the Village.
6. Verification of Delinquent Account Prior to Discontinuance: The Village will not discontinue service for nonpayment of bills rendered or for failure to post a required deposit unless:
 - a. it has verified that a payment has not been received at any office of the Village 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.
7. Rapid Posting of Payments in Response to Notices of Discontinuance: The Village 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 Village 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.

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V. DISCONTINUANCE OF SERVICE: (Continued)

A. Residential Customers:

8. Payment to Village Personnel: If a Residential Customer offers payment of the full amount that forms the basis for a scheduled termination at the time of termination, the Village's representative shall be obliged to accept such payment and shall not terminate service. Whenever such payment is made, the Village representative shall provide the Customer a receipt showing the date, account, name, address and amount received.

9. Days and Times When Discontinuance of Service is Not Permitted: The Village shall not discontinue service to any residential Customer for non-payment of bills or for failure to post a required deposit on a Friday, Saturday, and Sunday, public holiday, day immediately preceding a public holiday, day on which the main business office of the Village is not open for business, or during a two-week period compassing Christmas and New Year's Day. For purposes of this section, the term "public holiday" refers to those holidays enumerated in the General Construction Law. Residential disconnection shall be made only between the hours of 8:00 a.m. and 4:00 p.m.

10. Voluntary Third Party Notice Prior to Discontinuance of Service: The Village 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.

11. 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 Village shall not be required to issue additional notice prior to discontinuance.

12. Discontinuance of Service to Entire Multiple Dwellings: The Village 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 and Commission regulations 16 NYCRR §11.7 have been given, provided that where any of the notices required hereunder are mailed in a postpaid wrapper there shall be no discontinuance of service until at least 18 days after the mailing of such notices.

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V. DISCONTINUANCE OF SERVICE: (Continued)

A. Residential Customers:

13. Special Notification to Social Services Official

- a. After the Village has sent a final notice of termination to a Residential Customer who it knows is receiving public assistance, supplemental security income benefits or additional State payments pursuant to the Social Services Law and for whom the Village has not received a guarantee of future payment from the local social services commissioner, it shall, not more than five days nor less than three days before the intended termination, notify an appropriate official of the local social services district that payment for utility services have not been made.
- b. Such notification shall state that the Customer has been sent a final notice of termination specify the amount of arrears and state the earliest date on which termination may occur.
- c. In the case of a Customer for whom the Village has received a guarantee of future payment from the local social services commissioner, the Village shall send a notice of nonpayment stating that payment has not been made and indicating the amount of the arrears to the recipient and to the local social services commissioner at the time the account would otherwise be subject to a final notice of termination.
- d. If the notification required by subparagraph (1) of this section is made orally, the Village shall within one business day mail a written notification to such social services official.
- e. The Village shall, after consultation with an appropriate official in the social services district of each county served by the Village in whole or in part, compile and maintain a list of social services officials who are to receive such notification.
- f. The Village may notify an appropriate social services official that a Customer it knows is receiving public assistance, supplemental security income benefits or additional State payments has failed to make timely payment for utility service, whenever it believes special circumstances affecting such Customer should be brought to the immediate attention of the social services official. Such notification shall describe the special circumstances observed, specify the amount of arrears, and state the scheduled date of termination, if one has been set.

14. Discontinuance of Service to Two-Family Dwellings: The Village shall not discontinue service to two-family dwelling that is known by the Village to contain residential units where service is provided by a single meter, unless the notices specified in the Public Service Law and Commission Regulation 16 NYCRR §11.8 have been given.

15. Applicability: This section applies to the discontinuance of service to entire multiple dwellings. During the cold weather period beginning November 1 of each year and ending April 15 of the following year, the written notice required in 16 NYCRR §11.7(a) (1) through (3) Subsections (J) and (L) shall be provided not less than 30 days before the intended termination.

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V. DISCONTINUANCE OF SERVICE: (Continued)

A. Residential Customers:

16. Emergency Discontinuance: In accordance with 16 NYCRR§11.18, the Village may disconnect service when an emergency may threaten the health or safety of a person, a surrounding area or the Village's distribution system. The Village shall act promptly to assure restoration.

17. Termination of Residential Service – Special Procedures: Special emergency procedures, required by 16 NYCRR§11.5, 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 termination during cold weather. Copies of the Village's special procedures are on file with the Public Service Commission and are available to the public upon request at the Village offices where application for service may be made.

B. Non-Residential Customers:

1. Termination of Service:

a. The provisions in this section are intended to reflect the requirements of 16 NYCRR§13.3.

b. Conditions for Termination: Except in the case of tampered equipment as provided by Leaf No. 33.1, the Village 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:

1. 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; or
2. fails to pay amounts due under a deferred payment agreement; or
3. fails to pay a security deposit in accordance with Leaf Nos. 12 to 16 or
4. 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 Village's property, so long as the requirements of Leaf Nos. 38 to 39 have been met, and the Customer has not advised the Village that the Customer does not and who does have control over access; or
5. fails to comply with a provision of the Village's tariff which permits the Village to refuse to supply service or to terminate service.

c. The Village 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 Village:

1. 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;

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V. DISCONTINUANCE OF SERVICE: (Continued)

B. Non-Residential Customers:

2. has rendered a written unmetered service bill in accordance with 16 NYCRR §13.11(e);
3. has made reasonable efforts to provide to a person in charge of the premises;
 - a. the written unmetered service bill; and
 - b. oral notice of the conditions, if any, under which the Village 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;
4. has not received the required payment.

2. Final Notice of Termination:

- a. A final notice of termination shall state:
 1. the reason(s) for termination, including the total amount required to be paid, if any, and the manner in which termination may be avoided;
 2. the earliest date on which termination may occur;
 3. the address and phone number of the office of the Village that the Customer may contact in reference to Customer's account;
 4. that the Village procedures are available for considering Customer complaints prior to discontinuance;
 5. that Commission procedures are available for considering Customer complaints when a Customer is not satisfied with the Village's handling of the complaint, including the address and phone number of the appropriate Commission office;
 6. that it is a termination notice which should be brought to the attention of the Village when the bill is paid;
 7. 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
 8. that at the time the Village 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.
- b. A final notice of termination may contain any additional information not inconsistent with this rule.
- c. 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 Leaf Nos. 38 through 39 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:

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V: DISCONTINUANCE OF SERVICE: (Continued)

B. Non-Residential Customers:

1. 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;
2. when the charge that the Customer has failed to pay is the installment amount due in accordance with a deferred payment agreement; or
3. when the Village has accepted a written waiver of the Customer's right not to be sent a termination notice in accordance with the provisions of Leaf No.15 (9).

d. A final notice of termination shall not be sent while a complaint is pending before the Village 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 Village from sending such notice for non-payment of undisputed charges or for reasons not at issue in the complaint.

3. When Discontinuance is Not Permitted

- a. The Village shall not terminate service for the reasons set forth in this section:
 1. for five calendar days after a final notice of termination has been personally served upon the Customer; or
 2. for eight calendar days after a final notice of termination has been mailed to the Customer at the location where service is rendered or to any alternative address for mailing purposes previously provided to the Village.
- b. The Village shall not terminate service under this rule on:
 1. Saturday or Sunday;
 2. Public Holiday as defined in the General Construction Law;
 3. a day on which the business offices of the Village are closed for business; or
 4. a day on which the Public Service Commission is closed.
- c. On days when termination may occur, the Village 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 b. 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 Village is prepared to accept a check for any payment required to avoid termination.
- d. The Village 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 and shall have complied with the procedure established pursuant to this section.
- e. Consistent with this rule, the Village shall strive to physically terminate service whenever a final notice of termination is sent.

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V. DISCONTINUANCE OF SERVICE: (Continued)

B. Non-Residential Customers:

f. The Village 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 Village 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 Leaf Nos. 21 through 22.

g. The Village shall not terminate service while a complaint is pending before the Village or the Commission and for eight calendar days after resolution by the Village 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 Village from termination for non-payment of undisputed charges or for reasons not at issue in the complaint.

4. Disconnection Without Notice:

a. Emergency Disconnections: The Village may only suspend, curtail or disconnect service to a building, unit or piece of equipment, without the notice required in this section when:

1. an emergency may threaten the health or safety of a person, a surrounding area, or the Village's generation, 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 Village to do so.

b. Notice: The Village shall, to the extent reasonably 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 Village 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 Village has the lawful right to terminate service for another reason pursuant to this section

5. Rapid Posting of Payments: The Village 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 Village or its collection agents:

- a. are posted to the Customer's account on the day payment is received; or
- b. are processed in some manner so that termination will not occur.

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V. DISCONTINUANCE OF SERVICE: (Continued)

B. Non-Residential Customers:

6. Payment at the Time of Termination:

- a. 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 Village or the Commission with regard to the charge demanded, the Village's field representative shall make a reasonable effort to verify this information with the Village office representative and shall not terminate service for non-payment of any verified disputed amount.
- b. If a Customer offers payment of the full amount that forms the basis for a scheduled termination at the time of termination, the Village representative shall accept such payment and not terminate service.
- c. If an eligible Customer signs a deferred payment agreement in accordance with Leaf Nos. 27 through 31 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 Village representative shall accept such down payment and not terminate service. If the Village 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 down payment, the Village representative shall accept such down payment and not terminate service; provided, however, that the Village may terminate service without further notice if the Customer fails to sign the agreement within the specified time.

7. Whenever payment is made at the time of termination, the Village'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 Village representative.

8. Dishonored Checks:

- a. Receipt of a subsequently dishonored negotiable instrument in response to a notice of termination or tendered to the Village representative, shall not constitute payment of a Customer's account and the Village shall not be required to issue additional notice prior to termination.
- b. If a Customer has, within the last 24 months, paid for service with a check that was dishonored, the Village has the right to accept only cash, certified check, or money order as payment under this section.

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V. DISCONTINUANCE OF SERVICE: (Continued)

B. Non-Residential Customers:

9. Applicability: Nothing in this rule shall affect the Village's right to suspend, curtail or disconnect service:

- a. when there is no Customer and service is being provided through tampered equipment;
- b. when there is no Customer and the Village 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;
- c. when there is no Customer and the Village 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 Village 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
- d. as permitted under 16 NYCRR §13.13 - Disconnection Without Notice. Nothing in this rule shall affect the Village'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.

VI. RECONNECTION/COMPLAINTS – RESIDENTIAL:

A. Reconnection of Service:

1. The provisions in this section are intended to reflect the requirements of 16 NYCRR §11.9.
2. The Village shall reconnect terminated residential service within 24 hours, unless prevented by circumstances beyond the Village's control or unless the customer requests otherwise, in the following situations:
 - a. The Village receives the full amount of arrears for which service was terminated; or
 - b. The Village and the customer reach agreement on a deferred payment plan and the payment of a downpayment, if required, under that plan; or
 - c. Upon the direction of the Commission or its designee; or
 - d. Upon the receipt by the Village of a commitment of a direct payment or written guarantee of payment from the social services official of the social services district in which the customer resides; or
 - e. Where the Village 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.

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VI. RECONNECTION/COMPLAINTS – RESIDENTIAL: (Continued)

3. The Village shall reconnect service, unless prevented by circumstances beyond its control, to any disconnected residential customer not more than 24 hours after the above conditions of this Rule have been satisfied. Whenever circumstances beyond the Village's control prevent reconnecting of service within 24 hours, service shall be reconnected within 24 hours after those circumstances cease to exist.

4. Where any Village is required under these rules to reconnect service within 24 hours and fails or neglects to do so without good cause as determined by the Commission or its designee, the Utility will be penalized according to 16 NYCRR §11.9(c).

B. Complaint Procedures:

1. Any complaint filed with the Village 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 Part 143.

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

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

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VI. RECONNECTION/COMPLAINTS – NON-RESIDENTIAL:

A. Obligation to Reconnect:

1. These provisions are intended to reflect the requirements of 16 NYCRR §13.4.
2. The Village shall reconnect service that has been terminated solely for nonpayment of bills for any tariff charge or a security deposit within 24 hours of the Customer's request for reconnection, receipt by the Village of the lawful reconnection charge, any other charges, fees or penalties due, legal fees, court costs, and disbursements, if applicable, and either:
 - a. 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
 - b. the signing of a deferred payment agreement and the receipt of a downpayment, if required under the agreement.
3. The Village 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.

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VI. RECONNECTION/COMPLAINTS – NON-RESIDENTIAL: (Continued)

4. The Village 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 Village, either receipt by the Village of adequate notice and documentation, or a field verification by the Village, 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.
5. The Village 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 this section.
6. The Village 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 amount and has paid the required down payment.

B. Inability to Reconnect:

Whenever circumstances beyond the Village's control prevent reconnection of service within 24 hours of any of the events specified in this section, service shall be reconnected within 24 hours after those circumstances cease to exist.

C. Complaint Handling Procedures:

1. Complaints to the Village:

- a. Complaints to the Village 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.
- b. Upon receiving a complaint, the Village shall refrain from sending a final notice of termination, or from terminating service as set forth in the section.
- c. If the report of the investigation is made orally, the Village shall provide the Customer with the report in writing upon request.
- d. At the time the Village communicates its final response to a Customer's complaint, it shall, if the complaint resolution is wholly or partially in the Village's favor, inform the Customer of the Commission's complaint handling procedures, including the Commission address and telephone number.

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VI. RECONNECTION/COMPLAINTS – NON-RESIDENTIAL: (Continued)

2. Complaints to the Commission:

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

3. Copies of the Village's complaint handling procedures and form of notice are on file with the Commission and are available to the public upon request at the Village's business office.

VII. DEFERRED PAYMENT AGREEMENT:

A. Residential Customers:

Generally the Village 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.

1. 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.
2. 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 of service, and when a Customer has broken an agreement that was for a shorter period than the standard agreement.
3. Negotiating Agreements: Before making a written offer, the Village will make a reasonable effort to contact eligible Customers or applicants in order to negotiate agreement terms that is fair and equitable considering the Customer's financial circumstances. The Village 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 Village also may postpone a scheduled termination for up to 10 days for the purpose of negotiating an agreement.

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VII. DEFERRED PAYMENT AGREEMENT: (Continued)

A. Residential Customers:

4. The Standard Agreement: If the Village and the Customer or applicant is unable to agree upon specific terms, the Village will offer an agreement with the following terms:
 - a. a down payment 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
 - b. monthly installments up to the cost of one-half of one month's average use or one-tenth of the balance, whichever is greater.

5. Entering the Agreement: The copy of the written agreement must be signed by the Customer and returned to the Village 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 Village 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 Village will attempt to make contact, by telephone or in person (at the Village's option), with the Customer and then may terminate service.

6. 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 Village will amend the terms of the agreement to reflect such changes.

7. Broken Agreements: If a Customer fails to make timely payments of installments in accordance with a payment agreement, the Village will send a reminder notice before sending a final notice of termination. If a Customer fails to pay an installment by the 20th day after payment was due and has not negotiated a new agreement, the Village will demand full payment and send a final notice of termination in accordance with 16 NYCRR §11.4 and §11.10 and Leaf Nos. 16 through 25 of this tariff.

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VII. DEFERRED PAYMENT AGREEMENT: (Continued)

B. Non-Residential Customers:

1. These provisions are intended to reflect the requirements of 16 NYCRR §13.5.
2. Village's Obligations:
 - a. The Village shall provide a written notice offering a deferred payment agreement to an eligible non-residential Customer at the following times:
 1. 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
 2. 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 Village shall not be required to offer an agreement when the Customer knew, or reasonably should have known, that the original billing was incorrect.
3. If the Village and a Customer agree to terms of a deferred payment agreement in a telephone conversation, the Village shall send the Customer two fully completed copies of the agreement, signed by the Village, for the Customer to sign and return.
4. Eligibility: Any non-residential Customer is eligible for a deferred payment agreement except the following:
 - a. a Customer who owes any amounts under a prior deferred payment agreement;
 - b. a Customer who failed to make timely payments under a prior deferred payment agreement in effect during the previous 12 months;
 - c. a Customer that is a publicly held Village, or a subsidiary thereof;
 - d. a Customer who during the previous 12 months had a combined total consumption for all its accounts with the Village in excess of 20 kW, or who registered any single demand on any account in excess of 40 kW;
 - e. a Customer who the Village can demonstrate has the resources to pay the bill, provided that the Village notifies the Customer of its reasons and of the Customer's right to contest this determination through the Commission's complaint procedures; or
 - f. a seasonal, short-term or temporary Customer.
5. The Commission or its authorized designee may order the Village to offer a deferred payment agreement in accordance with this rule to a Customer whom it finds this rule intended to protect, then an agreement is necessary for a fair and equitable resolution of an individual complaint.

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VII. DEFERRED PAYMENT AGREEMENT: (Continued)

B. Non-Residential Customers:

6. Contents of Offer:

- a. 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.
- b. An offer pursuant to this section shall also state the date by which the Customer must contact the Village in order to avoid termination, and explain that the Village has the right to a larger down payment if the deferred payment agreement is not entered into until after a field visit to physically terminate service has been made.

7. Terms of Agreement:

- a. A deferred payment agreement shall obligate the Customer to make timely payments of all current charges.
- b. A deferred payment agreement offered pursuant to this section may require the Customer:
 1. to make a down payment 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
 2. in the event a field visits to physically terminate service has been made, to make a down payment 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
 3. 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
 4. to pay late payment charges during the period of the agreement; and
 5. to pay a security deposit in three installments, 50 percent down and two monthly payments of the balance, if previously requested in accordance with Leaf Nos. 12 through 16.

8. A deferred payment agreement offered pursuant to this section 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.

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VII. DEFERRED PAYMENT AGREEMENT: (Continued)

B. Non-Residential Customers:

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

10. Broken Agreements:

- a. The first time a Customer fails to make timely payment in accordance with a deferred payment agreement, the Village shall give the Customer a reasonable opportunity to keep the agreement in force by paying any amounts due under the agreement.
- b. Except as provided in this section, if a Customer fails to comply with the terms of a deferred payment agreement, the Village may demand full payment of the total outstanding charges and send a final termination notice in accordance with Leaf Nos. 12 through 16.

VIII. NOTICE REQUIREMENTS:

The Village shall provide customers with annual notices of rights and other periodic notices as required under 16 NYCRR Parts 11.7 and 13.12.

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IX. INSPECTION AND EXAMINATION OF VILLAGE APPARATUS:

A. Residential Customers:

1. A duly authorized agent of the village may enter any dwelling, building or other location supplied with service by the Village for the purposes of inspecting and examining the meters, pipes, fittings, wires and other apparatus for regulating, supplying and/or ascertaining the quantity supplied on a nonholiday workday between 8 a.m. and 6 p.m., or at such other reasonable times as requested by a customer. At such time, the agent shall exhibit a photo-identification badge and written authority signed by the mayor or clerk of the Village.
2. The provisions of subdivision 1 of this section shall not apply to the inspection and examination of any such equipment where an emergency may threaten the health and safety of a person, the surrounding area, or the Villages distribution system.
3. Inspection and examination of any such equipment may be conducted between the hours of 8 a.m. and 9 p.m. on any day where there is evidence of meter tampering or theft of service.
4. An agent of the Village, otherwise duly authorized to inspect and examine apparatus, may not enter locked premises without the permission of the person lawfully in control on the premises, nor use any manner or force to carry out inspection and examination, except when an emergency may threaten the health or safety of a person, the surrounding area, or the Villages distribution system, or where authorized by a court order.

B. Non-Residential Customers:

- 1 Right to Inspect: A duly authorized officer or agent of the Village may enter, at all reasonable times, any building or other location supplied with service by the Village for the inspection and examination of meters, wires, and works for supplying or regulating the supply of electricity and or ascertaining the quantity of electricity supplied, provided such agent exhibits a photo-identification badge and written authority as provided in Section 65(9) of the Public Service Law.
2. Duty to Inspect: Except to the extent prevented by circumstance beyond its control, the Village shall conduct a field inspection as soon as reasonably possible and within 60 calendar days of the following:
 - a. A request contained in a service application pursuant to 16 NYCRR 13.2(b) (6);
 - b. a reasonable Customer request;
 - c. the issuance of a field inspection order in accordance with an automatic Village bill review program;
 - d. notification from any reasonable source that service may not be correctly metered; directive by the Commission or its authorized designee.
3. Penalty: A Customer who, at any time, directly or indirectly prevents or hinders a duly authorized officer or agent of the Village 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.

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IX. INSPECTION AND EXAMINATION OF VILLAGE APPARATUS: (Continued)

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

X. METER READING, BILLING AND COLLECTIONS:

A. Uncollectible Payment Handling Charge: If the Village receives a check or other negotiable financial instrument in payment for any bill, charge, or deposit, and the instrument is not collectible, for any reason, the Village will:

1. Charge the Customer a twenty dollar (\$20.00) handling charge, which includes any amount the Village paid to its banks for handling the instrument.
2. Charge the uncollectible payment amount back to the Customer's account and
3. Treat the Customer's account as though no payment was ever received.

B. Reconnection Charge: In case the Village shall remove the meter or otherwise disconnect the service for non-payment of bills for electric service furnished to a Customer, before such meter shall again be installed and/or service otherwise restored, the Customer shall be required to pay the Village all bills due for service previously furnished and, if required, a satisfactory deposit to insure payment of bills, and in addition hereto, a reconnection charge of \$31.00 for restoration of service during normal working hours or \$36.00 for restoration of service outside of normal working hours.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

C. Late Payment Charge:

1. Residential late payment charge: Pursuant to the requirements of 16 NYCRR§11.15, the Village may impose a one-time or continuing late payment charge, not in excess of 1.5% per month on the unpaid balance of any bill for service including any interest thereon. A late payment charge shall not be applied on the arrears portion of balances restructured under a current Deferred Payment Agreement.

2. Non-residential late payment charge: The Village may impose a continuing late payment charge on:

- a. the balance of any bill for service, including levelized bills and any unpaid late payment charge amounts applied to previous bills, which bill is not paid within 20 calendar days of the date payment was due;
- b. the amount billed for service used that was previously unbilled because the service was being provided through tampered equipment, and the utility can demonstrate either that the condition began since the customer initiated service or that the customer actually knew or reasonably should have known the original billing was incorrect; and
- c. the balance due under a deferred payment plan.

D. Tampering, Interference, Illegal Highway Signs: Equipment

1. Tampering: The Village reserves the right to discontinue service to the Customer in any and all cases in which the facts established with reasonable certainty that the meter or service laterals, or any part of the same have been tampered with in any manner which affects the proper operation of the same or the registering on the meter of the full amount of electricity passing through such wires or consumed. In any such case where the Village has disconnected service, it will not again restore service until:

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

D. Tampering, Interference, Illegal Highway Signs: Equipment

- a. Payment has been made by the Customer of the bill rendered for the estimated consumption of electricity not recorded on the meter; and
- b. The Customer has installed at his expense an approved meter mounting box or socket, readily accessible to Village representatives from the outside of the Customer's building and when requested by the Village, the Customer has also installed at his expense, approved type of conductors from the weather head on the Customer's service pipe to the protective case.

2. Interference: The Village reserves the right to discontinue service where the electricity is used by the customer with equipment which results in objectionable effect upon or interference with the operation of facilities of the Village, or its customers or of another public service company, unless the customer discontinues the use of such equipment or installs corrective equipment to overcome the objectionable effect or interference.

3. Illegal Highway Signs: Service to illuminated outdoor advertising signs, displays or devices shall be discontinued by the Village within 15 days after receipt of a written notification and request for discontinuance of service, signed by an authorized official of the New York State Department of Transportation, that such signs, displays or devices have been declared illegal under Section 88(8) of the New York State Highway Law, providing such discontinuance will not have any adverse effect on electric service supplied for any other purpose. The written notification shall state:

- a. That the necessary finding has been made and the required 30-day notice has been given in accordance with Section 88(8) of the Highway Law;
- b. That the 30-day statutory notice has not been stayed, modified or revoked;
- c. The anticipated removal date of the illegal sign, display or device by the Department of Transportation; and
- d. That the Department of Transportation will reimburse the Village for the full costs and expenses of terminating service to the illegal sign, display or device.

E. Type of Meters: Metering of all electric energy will be done by meters owned by the Village.

F. Multiple Metering: The Village will install upon the Customer's request as many as such Customer shall desire provided that the circuit or circuits connected to each meter are kept separate from all other metered circuits. Service so rendered through each meter so installed shall be subject to separate application and minimum charge. All rate provisions of the Service Classification applicable shall be applied to the service supplied through each meter, except when the Village, because of conditions on its lines, prefers to serve the Customer through more than one meter, or when conditions prevent centralized metering through one meter.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

G. Rent-inclusion and Submetering:

1. Non-Residential Buildings: A Customer may purchase electricity for resale under that service classification which would be applicable if such electricity were not for resale, and said Customer may resell electricity so 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:

- a. Master metered, new or renovated non-residential buildings; and
- b. Commercial occupants of cooperatives, condominiums, campgrounds, recreational trailer parks or recreational marinas whose occupants were purchasing individually metered electric service on May 21, 1980.

2. Residential Buildings: Submetering, remetering, or resale of electric service shall not be permitted except as provided for in this section.

3. 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 16NYCRR 96.2(b) (1) through (8) for Master Metered Units and (1) through (7) for New or Renovated Units.

4. Master metered Cooperatives and Condominiums:

- a. 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 Village's rate for directly metered service is provided, that grievance procedures are established, and that savings will be for conservation efforts; and
- b. 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 16NYCRR 96.2(b) (1)through (7).

5. Directly Metered Cooperatives and Condominiums:

- a. Permitted where all tenants are shareholders (1) upon certification that 70% of shareholders favor submetering; and (2) provided that conditions set forth in this section are met; and
- b. Where one or more tenants are non-shareholders, submetering shall be permitted upon certification that all non-shareholder tenants have approved a plan that meets conditions set forth in this section or, where one or more non-shareholders refuse to agree, submetering shall be permitted only upon approval of an application meeting the conditions set forth in 16 NYCRR 96.2 (b) (1) through (7).

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

6. New or Renovated Cooperatives and Condominiums, Where all Tenants Will Be Shareholders:

- a. Permitted upon Commission approval of (1) application containing verification that the building will be a condominium or cooperative; and (2) certification that the requirements as to rate cap, grievance procedures, and tenant protections are met, as provided in 16 NYCRR 96.2(f); and
- b. 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 this section.

7. Submetering shall be permitted in Master Metered and New or Renovated Campgrounds, Recreational Trailer Parks and Marinas.

8. On and after January 1, 1977, residential dwelling units shall be separately metered. Electric service will not be provided to rent-inclusive buildings in which the internal wiring has not been installed prior to January 1, 1977.

9. Large Power Customer Metering: Where primary service is furnished at primary voltage, the Village may install Metering equipment on the secondary side of the transformer or transformer bank and determine the equivalent primary demands and energy by multiplying the readings by 1.02.

10. Meter Reading and Billing Period: The rates and charges in this schedule will be rendered on a monthly basis. The Village will endeavor to read meters at regular monthly intervals; but whenever for any reason the meter reading period is more than 33 or less than 27 days, bills will be pro-rated on a basis of a 30-day month.

H. Meter Reading and Estimated Bills:

1. Meter Reading - Residential:

Meter reading for residential customers shall be governed by 16 NYCRR §11.13.

2. Meter Reading - Non-Residential:

The provisions in this section are intended to reflect the requirements of 16NYCRR §13.8.

- a. The Village shall make a reading attempt, to obtain an actual reading for every Customer's account, on the regularly scheduled basis.
- b. 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.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

H. Meter Reading and Estimated Bills:

- c. Where circumstances beyond the Village's control prevent the Village from making a regularly scheduled reading attempt and where the two previous consecutive cycle bills were not based on an actual reading the Village shall make a second similar follow-up reading attempt as soon as possible and within seven calendar days after the scheduled reading date.
- d. Where the Village 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 Village shall make another reading attempt as soon as possible and within seven calendar days after its last attempt.
- e. Where the Village has billed a Customer's account based on the readings of a remote registration device for six consecutive months, the Village shall, at the time of every subsequent reading attempt and, until successful, try to gain access to and read the meter.
- f. Where the Village 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 Village shall, within seven calendar days after the last attempt, either make another reading attempt or an appointment with the Customer to read the meter.
- g. Unless a Customer does not have access to the meter or the Customer will be unable to obtain a reliable meter reading, the Village 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.

3. Estimated Bills - Residential Customers:

The provisions in this subsection are intended to reflect the provisions of 16 NYCRR §11.3.

- a. 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 the Village to read a meter or measuring device, the usage of service by such customer may be estimated by the Village on the basis of available data and the customer billed accordingly.
- b. Estimated bills may be routinely sent to the customer for a period of four months or two billing periods, whichever is greater.
- c. If no actual reading is obtained after the aforementioned period, the Village shall take reasonable actions to obtain an actual meter reading. Such actions may include, but are not limited to:

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

H. Meter Reading and Estimated Bills:

- (1) making an appointment with the customer and/or such person who controls access to the meter, for the reading, at a time which may not be during regular Village business hours; or
- (2) offering the customer and/or such person who controls access to the meter, the opportunity to phone in meter readings; or
- (3) providing to the customer and/or such person who controls access to the meter, cards on which they may record the reading and mail it to the Village.

4. Estimated Bills – Non-Residential Customers:

The Village may render an estimated bill for a regular cycle billing period only when:

- a. the Village has failed to obtain access to the meter(s);
- b. circumstances beyond the control of the Village 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 Village advising the Customer in writing of the specific circumstances and the Customer's obligation to have the circumstances corrected;
- c. the Village 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 Village initiating corrective action before the rendering of the next cycle bill,
- d. circumstances beyond the control of the Village prevented the meter reader from making a premises visit;
- e. 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 Village initiating corrective action before rendering of the next cycle bill;
- f. an estimated reading has been prescribed or authorized by the Commission for a particular billing cycle;
- g. an estimated reading is the approved billing method in accordance with the Village's tariff for the billing; or
- h. an unmetered condition was in existence during the period.
- i. 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 Customer's usage and, if applicable, demand usage.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

I. No Access Procedure:

1. Residential Customers:

- a. The provisions in this section are intended to reflect the requirements of 16 NYCRR §11.10.
- b. 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 Village shall send a notice to the customer or to the person who controls access to the meter, offering a special appointment for a meter reading both during and outside of business hours.
- c. Where the customer resides in a multiple dwelling (as defined in the Multiple Dwelling Law or Multiple Residence Law), or in a two-family dwelling that is known by the Village 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.
- d. If the Villages's records do not contain the address of the person who controls access to the meter, the Village shall request that the customer furnish such information if available.
- e. If the Village receives no response after bills representing eight months or four billing periods of estimated bills, whichever is greater, the Village 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 not to exceed twenty-five (\$25) dollars will be added to the next bill rendered to the person who controls and refuses to provide access to the meter.
- f. If the person who controls access fails to arrange an appointment in response to a second request and the Village is unable to obtain an actual meter reading, the Village may add a charge not to exceed twenty-five (\$25) dollars to the next bill of the recipient of the notice. If the Village intends to obtain a court order to gain access to the meter, it shall inform the recipient of the notice by certified letter.
- g. 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 will be paid by the person who controls access to the meter.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

I. No Access Procedure:

1. Residential Customers:

h. For seasonal and/or short term customers, an actual meter reading shall be taken upon termination of service.

i. Where the Village 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 (\$100) dollars, whichever is greater, the Village shall notify the customer in writing that they have 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.

2. Non-Residential Customers:

The Village shall begin providing no access notices in accordance with this section, commencing with:

- a. the second consecutive bill estimated in the case of accounts billed for demand;
- b. the fourth consecutive bill estimated in the case of accounts not billed for demand; or
- c. the tenth consecutive bill estimated based on a remote registration device or customer reading.

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.

The series of no access notices shall be as follows:

- a. 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 Village 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 Village 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 Village has not been provided access to the Customer's meter as required.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

I. No Access Procedure:

2. Non-Residential Customers:

- b. The second notice shall advise the access controller of the no access charge that has been added to the 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 obtain a court order to gain access to the Customer's meter will follow. The notice shall advise the access controller that the Village will arrange a special appointment for a reading of the Customer's meter if the access controller calls a specified number.
- c. 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 Village is seeking to obtain a court order to gain access to the customer's meter.
- d. The no access charge shall be \$100.
- e. 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.
- f. The Village may, at its discretion, suspend temporarily the issuance of no access notices and or penalties under this subdivision of accounts not billed for demand charges if the access controller contacts the Village and provides a legitimate reason for postponing the provision of access; provide, however, that such suspension may not exceed 90 calendar days.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

J. Backbilling - Residential Customers:

1. The provisions in this section are intended to reflect the requirements of 16 NYCRR §11.14.
2. The Village shall not charge a customer for service rendered more than six months prior to the mailing of the first bill for service to the residential customer unless the failure of the Village to bill at an earlier time was not due to the neglect of the Village or was due to the culpable conduct of the customer. If the customer remains liable for any such service and the delay in billing was not due to the culpable conduct of the customer, the Village shall explain the reason for the late billing and shall notify the customer in writing that payments may be made under an installment payment plan tailored to the customer's financial circumstances. Any such installment plan may provide for a down payment of no more than one half of the amount due from the customer, or three months' average billing for that customer, whichever is less.
3. The Village will not adjust upward a bill previously rendered to a residential customer after 12 months from the time the service to which the adjustment pertains was provided unless the requirements set forth in 16 NYCRR § 11.14 (b) have been met.
4. The Village, when issuing a billing adjustment of \$100 or more under subparagraph (2) or (3) of this section, shall notify the customer in writing that he or she has the right to pay the adjusted bill in regular monthly installments, tailored to the customer's financial circumstances, over a reasonable period that shall not be less than three months. An adjustment to increase previously rendered bills more than 12 months after the time service was provided, pursuant to subparagraphs (2) and (3) of this section, shall be made within 4 months of the final resolution of the billing dispute.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

J. Backbilling - Residential Customers:

5. If the Village adjusts any charge for service rendered 12 or more months prior to the date of issuance, it shall include with the bill a notice giving the reason for the adjustment.

6. The Village will not render a bill for previously unbilled service or adjust upward a bill previously rendered to a residential customer after the expiration of 24 months from the time the service to which the new billing or adjustment pertains was provided unless the culpable conduct of the customer caused or contributed to the failure of the Village to render a timely or accurate billing.

J. Backbilling - Non-residential Customers:

1. Notice:

- a. 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 Village did not limit the backbill.
- b. Every backbill shall contain or be accompanied by all required information applicable under 16 NYCRR 13.11 Contents of Bill.
- c. 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.
- d. A backbill shall be accompanied by an offer of a deferred payment agreement, if applicable.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

J. Backbilling – Non-Residential Customers:

2. Limitations of Backbill Rendering:

- a. The Village shall not render a backbill more than six months after the Village actually became aware of the circumstance, error or condition that caused the under billing, unless a court extends the time to render a backbill.
- b. The Village shall not upwardly revise a backbill unless the first backbill explicitly stated the Village reserved the right to do so, the revised backbill is rendered within 12 months after the Village actually became aware of the circumstance, error, or condition that caused the under billing, and,
 1. the Customer knew or reasonably should have know that the original billing or the first backbill was incorrect; or
 2. new information shows that the first backbill was incorrect.
- c. The Village shall render a downwardly revised backbill as soon as reasonably possible and within two months after the Village becomes aware that the first backbill was excessive.
- d. The Village shall not render a backbill for any under billing when the reason for the under billing is apparent from the Customer's service application, or could have been revealed in a service application and the Village failed to obtain and retain one.

3. Limitations of Backbill Period:

- a. When the failure to bill as an earlier time was due to utility deficiency, the Village shall not bill a Customer for service rendered more that 12 months before the Village actually became aware of the circumstance, error, or condition that caused the underbilling, unless the Village can demonstrate that the Customer knew or reasonably should have known that the original billing was incorrect.
- b. The Village shall not bill a Customer for service rendered more than 24 months before the Village reasonably should have known that the original billing was incorrect.

4. Rebilling of Estimated Demands:

- a. The Village 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 requirements in this section.
- b. All revised demands shall be based on the best available information including the Customer's present and historical energy consumption and load factor.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

J. Backbilling – Non-Residential Customers:

c. No revised demand shall exceed 95 percent of the subsequent actual demand, unless the Village 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.

d. The Village shall downwardly revise any estimated demand that exceeds the subsequent actual demand, within 30 calendar days after such actual demand was obtained.

e. The Village may only upwardly revise an estimated demand within 60 calendar days after the subsequent actual demand was obtained.

K. Quarterly Payment Plan:

As required by Public Service Law, Section 38, the Village shall offer any residential Customer, 62 years of age or older, a plan for payment on a quarterly basis of charges for service rendered, provided that such Customer's average annual billing is not more than \$150.00.

L. Levelized Payment Plan - Residential Customers:

1. The provisions in this section are intended to reflect the provisions of 16 NYCRR §11.11.

2. The Village shall offer residential customers a voluntary budget billing or levelized payment plan, for the payment of charges. The plan shall be designed to reduce fluctuations in customer's bills due to seasonal patterns of consumption. Any such plan shall also be offered to customers who are condominium associations or cooperative housing corporations.

3. Unless otherwise authorized by the Commission, each such plan shall be based on the customer's recent 12 month experience, adjusted for known charges. If 12 months of billing data are not available for the premises then the Village shall estimate future consumption over the next 12 month period. Each such plan shall provide that bills clearly identify consumption and state the amounts that would be due without levelized or budget billing; such information need not be supplied on interim bills for customers billed on a bimonthly basis. Each such plan shall provide that bills be subject to regular review for conformity with actual billings.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

M. Levelized Payment Plan - Non-residential Customers

1. Obligation to Offer:

The Village 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 at least one in each 12 month period.

2. Eligibility:

The Village shall offer a levelized payment plan to all non-residential Customers except:

- a. Customers that have less than 12 months of billing history at the premises;
- b. seasonal, short-term or temporary Customers;
- c. Customers who have arrears;
- d. 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
- e. Customers whose pattern of consumption is not sufficiently predictable to be estimated on an annual basis with any reasonable degree of certainty.

3. Removal from Levelized Payment Plan:

A Customer may request that the Village remove the Customer from the levelized payment plan and reinstate regular billing at any time in which case the Village 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. The Village may only remove a Customer from the levelized payment plan if the Customer becomes ineligible under this section and the Village has given the Customer 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.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

N. Interest on Customer Overpayments:

1. The Village shall provide interest on Customer overpayments in accordance with 16 NYCRR 145.
2. A Customer overpayment is defined as payment by the Customer to the Village in excess of the correct charge for electric service supplied to the Customer which was caused by erroneous billing by the Village.
3. The rate of interest on Customer overpayments shall be the greater of the unadjusted interest rate specified by the Commission on consumer deposits or the applicable late payment rate, if any, for the service classification of the Customer. Interest shall be paid from the date when the Customer overpayment was made, adjusted for any changes in the deposit rate or late payment rate, and compounded monthly, until the date when the overpayment was refunded. The Village shall be required to pay interest on any Customer refunds that occurred on or after March 20, 1984, except where Customer overpayments are refunded within 30 days of overpayment.

O. Contents of Bills:

1. Residential Customers -The Village shall provide, in clear and understandable form and language: the name, address and account number of the customer, dates of the present and previous meter readings, whether estimated or actual, amount consumed between present and previous readings, amount owed for the latest period, the date by which payments for the latest period may be paid without penalty, the penalty charge for late paid bills, credits from past bills and any amounts owed and unpaid from previous bills, and such other requirements as set forth in 16 NYCRR §11.16.
2. Non-residential Customers - Customer bills shall state the charges for service(s) performed, materials furnished or other charges made by the Village 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.

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X. METER READING, BILLING AND COLLECTIONS: (Continued)

P. Shared Meters:

In accordance with 16 NYCRR Sections 11.30 through 11.39, and Section 52 of the Public Service Law, then 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 Village 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 Village's office.

Q. Electronic Bill Presentment and Payment:

1. Any Customer may elect to receive bills in electronic format only. Upon written request from its Customers, the Village will stop mailing paper bills and provide a secure email containing all information contained on the actual paper bill. For the purposes of due dates and penalty calculations, an Electronic bill is treated as a paper bill, as explained on Leaf No. 6. A Customer that elects to receive an electronic bill will still receive all disconnect notices and other required notification via regular first class mail. A Customer may elect to receive both electronic and paper notification of Utility bills and notifications.
2. A Customer may elect to receive paper bills and to pay the bill electronically. Upon written notification that the Customer will be paying electronically, the Village will continue to mail a paper bill but discontinue including a return envelope.

XI. EXTENSION OF LINES AND FACILITIES:

A. Overhead:

Village shall 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 of the State of New York, or on a private right of way when Village elects to use such a route in lieu of construction within such limits.

Upon application of the owner or occupant of any property abutting on any such street, avenue, road or way within 500 feet for single phase service or 300 feet for three phase service of any overhead line of Village appropriate to the service requested, Village 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 for permits to do the work required.

Whenever an owner or occupant of any property abutting on any street, avenue, road or way is herein defined, upon which there is no electric line appropriate to the service requested within a distance of 500 feet for single phase service or 300 feet for three phase service from said property, makes an application for service, Village shall furnish, place and construct such lines to serve said property, provided,

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XI. EXTENSION OF LINES AND FACILITIES: (Continued)

1. that said applicant shall first have assured the Village that they will be a reasonably permanent Customer, and

2. that they shall first have executed an agreement, the terms of which shall provide substantially as follows:

a. Applicant shall agree to pay to Village the rates charged to Customers served under paragraph 2 above, and, in addition, a surcharge 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 500 feet for single phase overhead extensions or in the case of three phase service in excess of 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 extension, said surcharge shall be so adjusted as to yield to Village not more than said surcharge in any 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 500 feet for single phase overhead extensions, or in the case of three phase 300 feet of extension, and a service, are to be allowed without surcharge for each Customer connected thereto.

c. Whenever the number of Customers along a public way, on a single phase extension multiplied by 500 feet or three phase extension multiplied by 300 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 extension, said cost to be as hereinbefore defined, or when five years have elapsed since commencement of service from the electric extension, all surcharges shall cease; and no surcharge shall be imposed if the total estimated revenue in each of two consecutive calendar years shall exceed one-fourth of said cost as defined in this paragraph; and

d. That they shall first have furnished reasonable security as to performance of their agreement if so required by Village.

e. A successor to a Customer connected to an overhead line extension constructed under the foregoing provisions shall, as a condition of receiving service, agree to pay to the Village, in addition to the service classification rates and charges, the amount of surcharge allocable to him under such surcharge provisions.

3. The applicant shall furnish any necessary rights-of-way as required by this section.

4 An overhead service lateral up to 100 feet in length will be provided on private property for each Customer without charge. Where a longer lateral or an intermediate support is required, the Customer will be charged the actual cost of the additional length. The Customer shall furnish or obtain all rights-of-way or rights-of-way easements required by the Village between the Village line and the point of attachment at the Customer's building or meter pole.

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XI. EXTENSION OF LINES AND FACILITIES: (Continued)

B. Underground:

1. Definitions: The following words and terms, when used in this rule, shall have the meaning indicated:

- a. Applicant: The developer, builder or other person, partnership, association, corporation or governmental agency applying for construction of electric distribution lines for a residential building.
- b. Residential Building: A structure enclosed within exterior walls or fire walls built, erected and framed of component structural parts and designed for permanent residential occupancy.
- c. Multiple Occupancy Building: A structure, including row houses, enclosed within exterior walls or fire walls, built, erected and framed of component structural parts, and designed to contain four or more individual dwelling units for permanent residential occupancy.
- d. Subdivision: A tract of land divided into lots for the construction of new buildings or the land on which new multiple-occupancy buildings are to be constructed, the development of either of which has been approved by governmental authorities having jurisdiction over land use.
- e. Distribution Line: An electric line used to distribute electric energy, which will be used to provide service to more than one Customer.
- f. Supply Line: A part of a distribution line that is installed between an existing electric distribution system and an underground distribution line within a residential subdivision.
- g. Service Line: An electric line used to connect a distribution line to an individual Customer's meter or point of attachment. At Village's discretion, a service line may be connected to two or more meters at a single premise.
- h. Commission: The Public Service Commission.

2. Village will install, own, operate and maintain Underground Residential Distribution systems to qualifying residential, commercial, or industrial complexes subject to the conditions and procedures contained in this section.

3. Underground Extension to Serve Fewer Than Five New Residential Buildings:

- a. If underground installation of distribution and service lines necessary to provide permanent electric service to one through four new residential buildings is required by a governmental authority having jurisdiction to do so, Village will install, at its own cost, up to 100 feet of distribution line (including supply) and underground service line per dwelling unit within the territorial limits of any street, avenue, road or way that is for any highway purpose under the jurisdiction of any city, town, village, county or the State of New York, or within the territorial limits of any way which the municipality or other governmental authority having power to do so has agreed to accept as dedicated street upon completion of construction.

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XI. EXTENSION OF LINES AND FACILITIES: (Continued)

3. Underground Extension to Serve Fewer Than Five New Residential Buildings:

The facilities to be provided without charge shall be measured from Village's existing distribution facilities (from the connection point on the riser pole for overhead to underground service connection) to the applicant's building. If more than 100 feet of distribution line (including supply line) and underground service per unit, along a public way or one, which is to be accepted as a dedicated street upon completion of construction, are necessary, the applicant will pay in advance to Village the total cost for the distribution line over 100 trench feet per dwelling unit. If less than 100 feet of distribution line (including supply) and underground service line along a public way or one, which is to be accepted as a dedicated street upon completion of construction, are necessary per dwelling unit, Village will reimburse the applicant for the reasonable cost of installing distribution line beyond public way or way which is to be accepted as a dedicated street upon completion of construction, and or a service lateral of sufficient length to provide a combined amount of up to 100 feet of distribution (including supply) line and service lateral, including any portion thereof on private property, up to the applicant's building. The applicant will be responsible for all trenching and backfilling, but Village will reimburse the applicant for the reasonable cost of the first 100 feet of trenching and backfilling or, if other utilities share the trench, for Village proportionate share for the cost of the first 100 feet of trenching and backfilling.

b. If no governmental requirement for underground installation applies, but an applicant nevertheless requests underground installation of distribution and service lines necessary to provide permanent electric service to one through four new residential buildings, Village, at its discretion, may either install such facilities upon payment by the applicant of the incremental cost of such facilities over the dollar value of overhead allowances, which the applicant would have received, or may permit the applicant to install such facilities, in which case Village shall reimburse the applicant for the dollar value of overhead allowance which the applicant would have received.

4. Underground Installations for New Subdivisions:

a. Distribution and service lines necessary to furnish permanent electric service to one or more new multiple-occupancy buildings or within a subdivision in which it is planned to build five or more new residential buildings shall be installed underground in the following circumstances:

1. if the subdivision will require no more than 200 trench feet of facilities per dwelling unit planned within the subdivision; or
2. if the developer of the subdivision applies for underground service; or
3. if underground service is required by governmental authority having jurisdiction to do so.

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XI. EXTENSION OF LINES AND FACILITIES UNDERGROUND: (Continued)

4. Underground Installation for New Subdivisions:

b. if the distribution (including supply) line requirement to the buildings within the new subdivision is no more than 200 trench feet per dwelling unit 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 within the territorial limits of any way which the municipality or other governmental authority having the power to do so has agreed to accept as a dedicated street upon completion of the construction, the distribution lines shall be installed at the expense of Village. The facilities to be provided without charge shall be measured from Village's distribution facilities (from the connection point on the riser pole for overhead to underground service connection). If the distribution (including supply) line requirement exceeds 100 feet per dwelling unit along a public way or one which is to be accepted as a dedicated street upon completion of construction, but underground installation is nevertheless required pursuant to a governmental requirement or a developer's request, the applicant shall pay in advance to the Village the total cost for the distribution line over 100 trench feet per dwelling unit in such subdivision, as estimated by Village based upon Village's experienced average cost for underground line extensions in residential subdivisions as filed with the Commission annually. The average footage per dwelling unit shall be determined by dividing the total footage of distribution line required by applicant's subdivision, by the number of dwelling units to be served at the time the underground distribution system is installed. If less than 100 feet of distribution (including supply) line along a public right-of-way or one which is to be accepted as a dedicated street upon completion of construction are necessary per dwelling unit, Village will reimburse the applicant for the reasonable cost of installing distribution line beyond the public right-of-way, which is to be a dedicated street upon completion of construction and/or a service lateral of sufficient length to provide a combined amount of up to 100 feet of distribution (including supply) line and service lateral, including any portion thereof on private property, up to the applicant's building. The applicant will be responsible for all trenching and backfilling or, if other utilities share the trench, for Village's proportionate share of the cost of the first 100 feet of trenching and backfilling.

c. If applicant was required to pay a charge under (b.) above; and if after the underground distribution system is completed; additional dwelling units are constructed and take service from the distribution lines, Village will recalculate charges under (b.) as if the additional dwelling unit(s) had been constructed at the time of Village's original construction within the subdivision and make an appropriate refund of charges under b. without interest. Any portion of the charge remaining unrefunded five years from the date the Village is first ready to render service from the underground distribution lines shall be retained by the Village; provided, however, that where the applicant will sell vacant lots and they are not primarily engaged in the construction of dwelling units in a subdivision, the refund period will be 10 years.

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XI. EXTENSION OF LINES AND FACILITIES UNDERGROUND: (Continued)

4. Underground Installation for New Subdivisions:

d. Service to a subdivision may be supplied overhead under the following circumstances notwithstanding the provisions above, unless a governmental authority having jurisdiction to do so has required that facilities be installed underground:

1. if Village can provide service to the entire subdivision by extending its facilities no more than 600 feet in a cul-de-sac where a portion of the street within the subdivision is served by overhead facilities within or at the entrance of the cul-de-sac; or
2. if Village can provide service to the entire subdivision by connecting an area between existing overhead facilities for a distance of 1,200 feet, or less; or
3. if Village can provide service to the entire subdivision by installing service laterals to new applicants from existing overhead lines; or
4. if the developer of the subdivision is not primarily engaged in the construction of dwelling units within the subdivision, and either five years have elapsed from the sale of first lot within the subdivision to the first application for service and Village has no indication that there will be other new applicants in the subdivision within six months, or five years have elapsed from time of final approval of the subdivision or section thereof and less than 25 percent of the lots have been sold in the subdivision and every section thereof except where 10 percent or more of the lots in the subdivision and any section thereof has been sold within the last two years.

5. Grounds for Petitioning the Commission: If either applicant or Village believes that installation of underground lines within a subdivision will be more environmentally undesirable than the installation of overhead lines (the petition shall compare the environmental effects to the subdivision of overhead as opposed to underground construction and discuss any other relevant factors, and shall, in those instances where visual values would be diminished by underground construction, indicate factors bearing on probable retention of significant flora, including Village's practice with respect to trimming trees in the vicinity of the overhead facilities).

6. Furnishing of Rights-of-Way by Applicants for Overhead or Underground Line Extensions:

- a. An applicant for line extension shall execute and deliver to Village free from cost permanent easements or rights-of-way in so far as the extension or subsequent addition thereto affect the property owned by the applicant for the placing and maintaining of the extended line.
- b. Village shall not be obligated to commence construction of an extension of its electric system until the applicant had obtained and delivered to Village satisfactory permanent easements or rights-of-way agreements or has agreed to pay a surcharge of such cost as may be incurred by Village if at the applicant's request it obtains such easements or rights-of way.
- c. Right-of-way costs covered herein are not part of the cost of extensions as defined in this section.

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XII. SERVICE CONNECTIONS, ENTRANCE AND CUSTOMER'S EQUIPMENT:

A. Temporary Service: Where temporary service is desired, the actual cost of installing and removing the temporary service facilities will be paid by the Customer. All power consumption will be paid for according to the applicable service classification.

B. Breakdown Service: Customer requesting breakdown, standby or auxiliary service not otherwise described in this tariff may request such service in writing.

C. Inspection: The Customer must furnish satisfactory evidence as to the safe condition of the Customer's wiring and equipment before energizing the service to a new or renovated installation or if the service has been disconnected for a period greater than 12 months. This may be in the form of an approval, or certificate from the New York Board of Fire Underwriters or other inspection organizations acceptable to Village. Application for inspection should be made before any work is started.

D. Increase in Service Requirements: The Customer shall give the Village reasonable advance notice of intention to materially increase their load so that adequate service facilities may be provided.

E. Tree Trimming: Should primary or secondary overhead services to a Customer extend over said Customer's property, Customer shall grant permission, where necessary, to trim trees in order to afford proper clearance for the Village's facilities.

F. Meter and Service Entrance:

1. The Customer shall provide a safe convenient location for the meter and a service entrance in conformity with standard practice. The location or service entrance and meter or meters shall be designated by the Village. The Village will furnish and install the meter or meters to measure the electricity used by the Customer.

2. The Village will use reasonable care and diligence in making its service connection to buildings but shall not be held liable for any defacing or injury caused to the building due to either installing or maintaining the wire supports.

G. Damage to Meter: Damage to electric meters, instrument transformers, switches, or other Village owned equipment, which can be attributed to carelessness or neglect on the part of the Customer, will be repaired by the Village and the cost of such repairs charged to the Customer.

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XII. SERVICE CONNECTIONS, ENTRANCE AND CUSTOMERS' EQUIPMENT: (Continued)

H. Service Switches and Meter Seals:

1. The meter boxes, instrument transformer cabinets, meters and service switches used in supplying of electric energy to each Customer will be sealed by the Village. Tampering with or removal of these seals by persons other than authorized Village employees is a misdemeanor and the Village will prosecute any person or persons who violate this law.
2. The Village reserves the right to discontinue electric service to any person or persons who knowingly tampers with or permits other persons to tamper with the service, seals and/or electric meters of the Village.
3. Any equipment of the Village installed on Customer's premises will remain Village property and may be removed if service is discontinued. The Customer shall exercise reasonable care to protect the equipment from damage.

I. Customers' Wiring and Equipment: The Customer must, at his expense, equip his premises with such wiring, switches and fixtures as may be necessary for the proper utilization of the Village's electric service. The Village publishes a booklet entitled "Electric Code" indicating the manner and method by which electric installations must be made on Customers' premises for service supplied by the Village. Copies of this booklet may be obtained on request by mail or at the Village Office. The Customer shall furnish and install all wiring and equipment from the meter to the service entrance connection, as defined in Leaf 49 (D) and shall furnish and install the equipment listed below:

1. Service Entrance.
2. Meter box and panel.
3. Meter sockets and meter test switches.
4. Cabinets or enclosures for enclosing metering transformers and meters.
5. Metering transformers (high tension service only).

Single phase, three horsepower motors and larger, and all three phase motors, where necessary, shall be of a type that shall not require starting current deemed unreasonable by the Village, or shall have starting devices to restrict the starting current within the limits considered reasonable by the Village, or both. All motors whose capacity exceeds one-half horsepower must be connected to 240 volt or higher voltage service.

Where the character of the service desired or the capacity of load requires the installation by the Village of such equipment requiring installation in a vault or enclosure, the Customer shall provide at his expense, upon request of the Village and without rental charges therefore, a suitable vault or enclosure, overall dimension, specifications and type of construction for vault or enclosure will be furnished by the Village upon request. The Customer must submit construction drawings for vault or enclosure and installation of Village equipment for approval before starting construction work.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
Initial Effective Date: 05/15/2010

Leaf: 51
Revision: 0
Superseding Revision:

XII. SERVICE CONNECTIONS, ENTRANCE AND CUSTOMERS' EQUIPMENT: (Continued)

J. Primary Service: Where the Customer is served primary service, 2400 volts or higher, he must furnish at his own expense.

1. Any necessary transformers, service, protective equipment and other associated apparatus, (except Village-owned meters) in connection therewith, which must be of a type and make approved by the Village.
2. All necessary buildings, foundations and enclosures for housing transformers and metering apparatus in accordance with the standard specifications of the Village.
3. All necessary wiring to distribute current throughout the premises.
4. No untransformed current shall be used in connection with the Village service, without written notice to and assent by the Village.

K. Liability of Village:

1. Service: The Village will endeavor at all times to provide a regular and uninterrupted supply of service, but in case the 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 Village will not be liable therefore.
2. Injuries and Damages: The Village 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 Village structures, equipment, wires, appliances or devices on the Customer's premises, except injuries or damages resulting from the negligence of the Village.
3. Customers' Equipment: Neither by inspection or non-rejection nor in any other way does the Village give any warranty, expressed or implied as to the adequacy, safety or other characteristics of any structures, equipment, wires, appliances or devices owned, installed or maintained by the Customer or leased by the Customer from third parties.

L. Access to Customers' Premises: The duly authorized employees, or representatives, of the Village shall have the right of free access at all reasonable times to read, inspect, and test repair, replace or remove its meters and other property located on Customers' premises and to inspect and test wiring and equipment owned by Customers and receiving its supply of energy from the Village system. Village employees or representatives authorized to enter upon Customers' premises will be provided with identification. Customers are warned not to admit strangers without proper identification claiming to represent the Village.

M. Revisions: In the event of any changes or revisions of Village schedules, lawfully made, Customers taking service under the schedule so revised shall thereafter take and pay for service in accordance with provisions of the revised, superseding, or substituted schedule so established. Unless otherwise expressly stated therein, the revised, superseding, or substituted schedule shall apply to the service commencing with the first scheduled meter reading after effective date set forth therein.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
Initial Effective Date: 05/15/2010

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Revision: 0
Superseding Revision:

XII. SERVICE CONNECTIONS, ENTRANCE AND CUSTOMERS' EQUIPMENT: (Continued)

N. Meter Testing: Meters will be tested at any time by Village upon written request from a Customer. Meters also will be tested at any time upon application to the Commission by a Customer, provided, however, that the cost of making such test shall be borne by the Village or the Customer, as the case may be, as provided in the Public Service Law of New York or the rules and regulations established by the Commission with respect to testing of meters.

1. Village will at the Customer's request perform one meter test within any 12 month period, without charge to the Customer.
2. If the Customer requests an additional test of the meter, and the test determines that the meter is insufficiently accurate for billing purposes, all costs will be borne by the Village.
3. Otherwise, the Customer will be charged for the test at the following schedule:
 - a. Residential and non-demand meters: Complaint test charge Fifty Dollars (\$50.00)
 - b. Commercial Demand meters: Complaint test charge Sixty Dollars (\$60.00)

XIII. ADJUSTMENT OF RATES AND CHARGES:

A. Applicable to: Billings under all Service Classifications.

B. Statement of Fuel and Purchased Power Adjustment: A statement will be filed with the Public Service Commission apart from this rate schedule three business days prior to any change in the Fuel Adjustment Rate per kWh. This statement, also available at the Village of Freeport's Municipal Office, will indicate the Base Cost of Fuel and Purchased Power, the Average Cost of Fuel and Purchased Power, and the Rate Adjustment per kWh resulting from changes in the average Cost of Fuel and Purchased Power. The statement shall further show FAC Reconciliation and any other refunds that may be ordered by the Commission. A Statement of Off-System Sales Adjustment will be filed as discussed on Leaf 54 (D).

C. Definition of Terms:

1. Average Cost of Fuel and Purchased Power, in cents per kWh for the month, is derived by dividing the monthly Cost of Fuel and Purchased Power by the corresponding monthly Energy Requirements.
2. Cost of Fuel and Purchased Power to the Village's Customers is comprised of:
 - a. The cost of Fossil Fuel used by the Village in generation for its Customers, including, various grades of petroleum products refined from oil and natural gas, and the transportation and storage of natural gas to the Village's point of receipt. The fuel costs incurred in generation for the Village's Customers shall be exclusive of the fuel cost associated with Off-System Sales energy. The cost shall also include an amount equal to the sum of the Operation and Maintenance Expense Unit Rate and Extraordinary Maintenance Fund Unit Rate times the MWh of generation for retail Customers by the Village's LM6000 as adjusted for station usage.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

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Village of Freeport
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Revision: 0
Superseding Revision:

XIII. ADJUSTMENT OF RATES AND CHARGES: (Continued)

C. Definition of Terms:

- b. The cost of Purchased Power shall equal the sum of the cost of Firm Energy Purchased, Economy Energy Purchased and Other Energy Purchased for its Customers.
- c. The cost of Firm Energy is the cost of capacity and energy purchased from the New York Power Authority under firm contract, and the cost of transmission under various FERC and state regulated transmission rates, and cost of the New York Independent System Operator ("NYISO") Services.
- d. The cost of Economy Energy purchased is either that energy purchased in compliance with Contract No. 139 with the Long Island Power Authority or that energy purchased from the New York Power Authority, other suppliers, or the NYISO definition or that energy purchased from any source at the total charge equal to or less than the Utility's avoided fuel cost.
- e. The fuel cost of Other Energy Purchased, and the total cost expressed in cents per kWh of power and energy purchased from any source, for its Customers, estimated if not known, plus any necessary adjustment correcting estimated fuel costs of purchased energy of previous months. The Village shall be allowed to reconcile its FAC monthly, as defined in Section H. (1). The Village will also be able to perform an annual reconciliation for each fiscal year, as defined in Section H. (2).
- f. NYISO Services shall include all costs associated with the NYISO and/or any subsequent organization with similar functions, including, but not limited to, ancillary services, capacity and energy, shall be recovered through the fuel cost adjustment. Any future adjustments or rebilling by the NYISO shall also be included.

3. Generated Energy shall include the output of Village generating units at Power Plant #1 and Power Plant #2, less station usage as measured at the low side of the generator step-up transformers and less generated energy for Off-System Sales.

4. Off-System Sales are defined as energy sales generated by Village's LM6000 bid into the New York Independent System Operator and adjusted as defined in Section D.

5. Energy Requirements is the total Generated Energy and Purchased Power minus the Off-System Sales energy sold and, when applicable, minus transmitting losses, and adjusted for Station Service for the LM6000.

6. Base Cost of Fuel and Purchased Power is defined as the Cost of Fuel and Purchased Power per kWh which is included in the energy charges portion of the tariff rate. The Base Cost of Fuel at the Energy Requirements level is 3.000 cents per kWh. The billed Base Cost of Fuel is 3.126 cents per kWh.

7. FAC Difference is the variation of the average Cost of Fuel and Purchased Power above or below the Base Cost of Fuel. The rates for electricity are adjusted for each 0.001 cents per kWh variation.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

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Village of Freeport
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Revision: 0
Superseding Revision:

XIII. ADJUSTMENT OF RATES AND CHARGES: (Continued)

C. Definition of Terms:

8. Factor of Adjustment is the ratio of the Energy Requirements to the Customer sales for the same fiscal year. Such Customer sales shall be exclusive of Off-System Sales energy. The Factor of Adjustment is 1.0420 as established in Case 06-E-0911

9. Fuel Adjustment Rate is the rate adjustment per kWh derived by multiplying the FAC Difference by Factor of Adjustment.

10. LM6000 Station Service expense is defined as the cost of power needed to supply electrical energy to the LM6000 start-up and operation.

D. Off-System Sales Adjustment:

1. The electricity generated by Village's LM6000 generating station is bid into the NYISO and all of the sales are classified as off-system sales. Net revenues from off-system sales are defined as revenues from off-system energy sales less:

- a. fuel and delivery costs;
- b. payments to the extraordinary maintenance deferral account;
- c. LM6000 O&M expenses;
- d. Capacity and energy sales to LIPA pursuant to the Village of Freeport/LIPA Power Purchase Agreement;
- e. and LM6000 station service expense.

Net revenues from energy produced in excess of its own Customers' needs shall be placed into the rate modifier account, a deferral account, to be refunded to Customers through a credit on monthly bills. The deferral mechanism for the net revenues shall be calculated monthly for each fiscal year (from March 1st through February 28th) and the accumulated net revenues shall be refunded to Customers on a monthly basis over a 12-month period beginning in May following each fiscal year by applying a rate modifier credit to Customers' bills each month.

2. The rate modifier credit shall be an equal percentage reduction to base rate revenue for each Customer and shall be calculated yearly by dividing the prior year's rate modifier by the prior year's base revenues. Village shall file with the Commission a "Statement of Off-System Sales Adjustment" (Statement), which will show the rate modifier credit factor being applied to Customers' bills on or before April 15th of each calendar year for changes to the rate modifier credit effective in the month of May and at least 15 days before changes to the rate modifier credit effective in a month other than May.

3. Off-System Sales shall be sales to third parties who are not retail Customers of the Village.

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Village of Freeport
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XIII. ADJUSTMENT OF RATES AND CHARGES: (Continued)

D. Off-System Sales Adjustment:

4. Accumulated net revenues in the deferral account would accrue interest monthly so Customers would be reimbursed for the fact that the Village would have use of those funds until refunded to Customers. Monies in this deferral account shall accrue interest at the actual interest rate paid on the account. However, if the Village uses any portion of these deferred funds for other purposes, interest will be paid at the other Customer capital rate as determined by the Commission.

5. The Village will reconcile any under or over-collections relating to refunds made to Customers and once the annual dollars have been paid out, the refunds will cease for that year. Over or under refunds to Customers shall be transferred to the rate modifier account in the following year.

E. Extraordinary Maintenance Fund Unit Rate: Extraordinary Maintenance Fund Unit Rate shall be \$5.443 per MWh. The amounts allocated in the Extraordinary Maintenance Fund may be used exclusively to pay for major and minor overhauls, major component replacement and extraordinary expenses to Village's LM6000 generating station. The qualifying costs shall include, at a minimum: Hot Section, Major Overhaul, Compressor Section (Sprint related costs), SCR Overhaul, Combustor Change and Generator Overhaul. Monies in this extraordinary maintenance fund shall accrue interest monthly at the actual interest rate earned on that account.

F. Operation and Maintenance Expense Unit Rate:

1. Village shall collect O&M expenses of \$2.482 per MWh for Village's share of energy produced by its LM6000 generating station. The revenues collected by this charge shall be available to Village to meet its daily operational needs.

G. Long Island Capacity Sales:

1. The net credits from Rest-of-State (ROS) capacity sales and demand purchases currently included in the FAC shall continue to be included in the FAC as a credit, as available \$840,000 of revenues from excess Long Island Capacity (LIC) and any other capacity sales (OCS) not included in the FAC have been reflected in base rates.

2. Village is allowed to reconcile monthly these excess capacity sales revenues as follows: If Village sells more than \$70,000 of LIC and OCS in any month, it will flow the excess revenue into the next month's FAC; if Village sells less than \$70,000 of LIC and OCS in any month, it may meet that shortfall by collecting the shortfall from the next month's FAC.

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Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport

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Issued in compliance pursuant to Commission Order dated 12/19/17 in C. 09-M-0311

Leaf: 56

Revision: 3

Superseding Revision: 2

XIII. ADJUSTMENT OF RATES AND CHARGES: (Continued)

H. Fuel Reconciliation:

1. Village shall be permitted to perform monthly fuel reconciliation beginning in the rate year. Village shall implement the fuel reconciliation by quantifying the prior months over or under collection of fuel and purchased power and any differences between fuel expense and fuel collections in the prior month will be charged (credited) to Customers in the current month. The first month of fuel expenses that will be reconciled will be July 2007 to be recovered in September 2007's Statement of Fuel Adjustment. This process will continue on a monthly basis.
2. From July 1, 2007 through February 28, 2008 and, thereafter, for each fiscal year, Village will review the fuel expense included in the FAC to ensure that the prior period reconciliation captured all cash fuel expenses within that year. Over or under recoveries to Customers shall be recovered in the next monthly period to reflect any adjustments.

Issued by: Al Livingston, Jr., Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
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Issued in compliance with Commission Order Issued February 22, 2017 in Case 16-E-0693.

Leaf: 56.1
Revision: 1
Superseding Revision: 0

XIII. ADJUSTMENT OF RATES AND CHARGES: (Continued)

J. Large-Scale Renewable Energy Program and Clean Energy Standard:

1. Renewable Energy Standard (RES):
 - a. On August 1, 2016 the Commission issued an “Order Adopting a Clean Energy Standard” (CES) including a requirement for utilities to purchase renewable energy credits (REC’s).
 - b. On November 17, 2016 an agreement was approved by the Commission requiring the New York State Energy Research and Development Authority (NYSERDA) to act on behalf of Load Serving Entity’s (LSEs) to procure eligible RECs.
 - c. The Village is defined as a LSE required to purchase the necessary credits from NYSERDA.
 - d. The compliance period is January 1 to December 31 of each year, beginning in 2017.
 - e. Payment to NYSERDA shall be in uniform monthly amounts, beginning in January of 2017.
 - f. Payments to NYSERDA shall be included in the monthly “Statement of Fuel and Purchased Power Adjustment” (FAC) calculations as a line item on the Village’s “Monthly FAC Worksheet” and in the event insufficient RECs are available for purchase alternative compliance payments (ACPs) shall be included in the FAC.
 - g. On or before June 1, 2018, and each year of the CES program thereafter, NYSERDA will perform reconciliation and notify the Village of any adjustments. This adjustment will be passed on to the Customer through the Monthly FAC Worksheet.
 - h. Annually, NYSERDA will perform reconciliations and adjust the monthly charge which will be passed through to the Customer as either a charge or credit to the Monthly FAC Worksheet.
2. Zero-Emissions Credit Requirement Program (ZECR)
 - a. On August 1, 2016 the Commission issued an “Order Adopting a Clean Energy Standard” (CES) which established a “Zero-Emissions Credit Requirement Program” (ZECR) to support continued operation of upstate nuclear power plants.
 - b. On November 17, 2016 an agreement was approved by the Commission requiring the NYSERDA to act on behalf of LSEs to procure qualifying ZECR eligible credits.

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Inc. Village of Freeport, Freeport, New York

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Village of Freeport

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Leaf: 56.2

Revision: 1

Superseding Revision: 0

XIII. ADJUSTMENT OF RATES AND CHARGES: (Continued)

J. Large-Scale Renewable Energy Program and Clean Energy Standard:

2. Zero-Emissions Credit Requirement Program (ZECR)

c. The Village is defined as an LSE required to purchase the necessary credits from NYSERDA.

d. The compliance period is April 1 to March 31 of each year, beginning in 2017, and divides the ZECR purchase obligation into six two-year periods, the last ending on March 31, 2029.

e. Payments to NYSERDA shall be included in the monthly "Statement of Fuel and Purchased Power Adjustment" (FAC) calculations as a line item on the Village's "Monthly FAC Worksheet".

f. On or before June 1, 2018, and each year of the CES program thereafter, NYSERDA will perform reconciliation and notify Village of any adjustments. This adjustment will be passed through to the Customer through the Monthly FAC Worksheet.

Issued by: Al Livingston, Jr., Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
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Leaf: 57
Revision: 3
Superseding Revision: 2

SERVICE CLASSIFICATION NO. 1 – RESIDENTIAL SERVICE

APPLICABLE TO USE OF SERVICE

Single-phase residential purpose usage in an individual residence; in an individual flat or individual apartment in a multiple-family dwelling; for residential purposes in a rooming house where not more than four (4) rooms are available for rent; use exclusively in connection with religious purposes by corporations or associations organized and conducted in good faith for religious purposes, and including the operation by such corporation or association of a school, notwithstanding that secular subjects are taught at such school; for single-phase service 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 twenty-four hour per day basis that the residence provides living accommodations for fourteen or fewer residents; and use for any post or hall owned or leased by a not-for-profit organization that is a veteran's organization.

CHARACTER OF SERVICE

Continuous, 60 cycle, alternating current; at approximately 120/208 or 120/240 volts, single phase or three phase; depending upon the characteristics of the load and the circuit from which service is to be supplied.

RATE

1. Customer Charge, Per Meter, Per Month - \$7.53

2. Energy:

Winter Period - Includes billing period between November 1 and May 31

First	250 kWh	9.594 cents/kWh
Next	750 kWh	9.594 cents/kWh
Over	1,000 kWh	9.594 cents/kWh

Summer Period - Includes billing period between June 1 and October 31

First	250 kWh	9.594 cents/kWh
Next	750 kWh	10.856 cents/kWh
Over	1,000 kWh	11.515 cents/kWh

FUEL ADJUSTMENT

The charges set forth herein shall be subject to a fuel and Purchased Power adjustment and Off-System Sales adjustment per kWh for all energy supplied hereunder as explained on Leaf 52 through 56.2.

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Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
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Leaf: 58
Revision: 4
Superseding Revision: 3

Issued in compliance pursuant to Secretary Notice dated 11/30/18 in Case. 18-M-0679

SERVICE CLASSIFICATION NO. 1 – RESIDENTIAL SERVICE (CONT'D)

MINIMUM CHARGE

\$ 7.53 Per meter, per month.

TERMS OF PAYMENT

Bills are due when personally served or three days after mailing. Bills shall be subject to a late payment charge in accordance with Leaf No. 33, if payment is not made by the date specified on the bill which date shall be not less than 20 days from the due date.

TERMS

Terminable by the Customer on three (3) days' written notice to the Village after one month's service and by the Village in a manner provided by law and the rules and regulations of the Village. Upon request The Village will perform a physical meter reading within 48 hours, unless such date falls on a Village holiday. The Village will have no obligation to perform the meter reading if access to the meter is extremely difficult and beyond the control of the utility to remedy.

SPECIAL PROVISIONS

1. Any Customer who desires service for multiple dwelling (two or more of families in one house or where more than two rooms are rented) or for premises partially used for business, or professional and partially used for residential purposes may secure service only under Service Classification No. 2.
2. Special provisions 3 through 5 will not be open to new Customers effective August 1, 2014.
3. Where water heating is done solely by an electric water heater meeting Village specifications and upon submittal of a signed application from the Customer, the rate for consumption between 500 kWh and 1,000 kWh per meter per month will be 8.521 cents per kWh during the Winter period and 9.478 cents per kWh during the Summer period.
4. Where space heating of the entire building is done solely by electricity (fireplace excluded), and upon submittal of a signed application from the Customer, the rate for consumption in excess of 1,000 kWh per meter per month during the Winter period will be 8.521 cents per kWh. This provision is limited to installations where the size and design of heating equipment and the insulation of the building meet Village specifications.
5. In all electric residential installations where Special Provisions 3 and 4 above apply, the rate the rate for consumption in excess of 500 kWh per meter per month will be 8.521 cents per kWh during the Winter period and the rate for consumption between 500 kWh and 1,000 kWh per meter per month will be 8.836 cents per kWh during the Summer period.
6. A reduced rate for low income residential Customers for which the Village receives direct payment from the New York State Department of Social Services are eligible for a \$2.00 credit from the otherwise applicable Customer charge. This credit will be reflected in a separate line item on the Customer's bill.

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Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
Initial Effective Date: 11/01/2011

Leaf: 58.1
Revision: 1
Superseding Revision: 0

SERVICE CLASSIFICATION NO. 1 - RESIDENTIAL SERVICE (CONT'D)

NET METERING

Applicable to any Customer taking service under Service Classification No.1 who owns or operates solar or wind electric generating equipment located and used at Customer's residence with a rated capacity of not more than ten kilowatts (10 kW). Service will be provided to eligible customers under this tariff on a first come, first served basis, through the Village secondary distribution system until the total rated generating capacity of the individual facilities is equal 300 kW, the equivalent of ½ of 1% of the Village's system load.

REQUIREMENTS FOR INTERCONNECTION

1. The generating equipment must be designed, installed, interconnected, tested and operated in accordance with applicable government, industry and Village requirements and must comply with the *New York State Standardized Interconnection Requirements* which are available on the Commission website, Distributed Generation Information.
2. All electrical connections must be completed by a Village Licensed Electrical Contractor and comply with Leaf No. 49 and Leaf No. 50 Sections A through I. and an Electrical Inspection Certificate must be filed prior to interconnection.
3. The Village may elect to install a dedicated transformer or transformers if necessary to protect the safety or adequacy of electric service provided to other Customers. Upon written explanation of the decision to require a dedicated transformer, the Customer taking service under this Classification shall pay all costs of installing such transformer.
4. System design output shall not exceed 100% of the prior 12 months metered energy consumption.

METERING

The Village will employ single meter net energy metering to measure and charge for the net energy supplied to the Customer. The charge for the net energy supplied during a billing period shall be at the applicable service rate.

CHARGES AND CREDITS

1. Charges to a Customer:
 - a. The Customer will pay the rates and charges for the Customer's applicable Service Classification for net energy supplied.
2. Credits to a Customer:
 - a. If a Customer produces more energy than consumed during an individual billing cycle a kWh credit will be carried forward until consumed or the end of the calendar year as described below.
 - b. If a Customer produces more energy than consumed during any calendar year;
 1. Following the first billing cycle that ends on or after the last day of each calendar year the Village will issue a credit to the customer.
 2. The credit will be calculated by multiplying the kWh credit balance times the average of the Average Cost of Fuel from the Village's monthly Statements of Fuel Adjustment Cost filed during the past 12 months, adjusted by the Factor of Adjustment.
 3. The kWh credit balance shall be reset to zero once payment is made.

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Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport

Leaf: 59
Revision: 2
Superseding Revision: 1

Initial Effective Date: 08/01/2014

Filed pursuant to Commission Order in Case 14-E-0035 issued July 25, 2014

SERVICE CLASSIFICATION NO. 2 – GENERAL SERVICE

APPLICABLE TO USE OF SERVICE

Commercial, business, schools, and industrial power and light installations, multiple dwellings (two or more families in one house or where more than two rooms are rented), and any service for premises partially used for business or professional and partially used for residential purposes. When an applicant's consumption exceeds 1,500 kWh in each of two consecutive months, or when applicant's demand exceeds 5 kW, said applicant will be subject to the demand rate in addition to the energy rate.

CHARACTER OF SERVICE

Continuous, 60 cycle alternating current, at the following approximate voltages: radial secondary service 120/208 or 120/240 single or three phase; network system 120/208 single or three phase; radial-primary service 2400/4160, 7620/13200 three phase; depending upon the magnitude and characteristics of the load and the circuit from which service is to be supplied.

RATE

1. Customer Charge, Per Meter, Per Month for Demand Rate Customers - \$37.60

2. Customer Charge, Per Meter, Per Month for Non-Demand Customers - \$9.77

3. Demand Rate: Demand-metered Customers

Winter Period - Includes billing period between November 1 and May 31

First 5.0 kW of Demand \$8.65 /kW

Over 5.0 kW of Demand \$8.65 /kW

Summer Period - Includes billing period between June 1 and October 31

First 5.0 kW of Demand \$8.65 /kW

Over 5.0 kW of Demand \$9.10 /kW

4. Energy Rate: Non-Demand Customers, all kWh

Winter Period - Includes billing period between November 1 and May 31

10.452 cents/kWh

Summer Period - Includes billing period between June 1 and October 31

11.067 cents/kWh

5. Energy Rate: Demand Customers, all kWh

Winter Period Includes billing period between November 1 and May 31

6.140 cents/kWh

Summer Period. Includes billing period between June 1 and October 31

6.503 cents/kWh

PRIMARY DISCOUNT

A discount of five percent (5%), exclusive of the fuel adjustment charge, will be allowed Primary Service customers.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport

Initial Effective Date: 01/09/2018

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Leaf: 60

Revision: 4

Superseding Revision: 3

SERVICE CLASSIFICATION NO. 2 – GENERAL SERVICE (CONT'D)

FUEL ADJUSTMENT

The charges set forth herein shall be subject to a fuel and Purchased Power adjustment and Off-System Sales adjustment per kWh for all energy supplied hereunder as explained on Leaf No.'s 52 through 56.2.

MINIMUM CHARGE

Non-Demand Customers	\$ 9.77 Per Meter, Per Month
Demand Rate Customers	\$37.60 Per Meter, Per Month

DETERMINATION OF DEMAND

1. The demand will be determined by a demand meter when an individual Customer requires a transformer capacity of 10 KVA or over, when the total connected load is equivalent to 15 kW or more, when the Customer's consumption has exceeded 1,500 kWh in each or two consecutive months, or when it is estimated that a Customer's demand has exceeded or may exceed 5.0 kW in any future billing period
2. When demand is so determined by measurement, the billing demand shall be the highest 15-minute integrated demand established in the billing period, adjusted for power factor corrections, if applicable, but shall not be less than seventy-five percent (75%) of the highest billing demand established during any billing month between June 1 and October 31 in the preceding twelve (12) months. The demand as determined shall be taken to the next higher ½ kW.
3. When the demand exceeds 250KW, or when the connected load exceeds 250KW, the power factor will be measured. In such case, when the Customer's average monthly power factor is less than 85%, the demand will be increased in the ratio of 85% to the actual power factor.
4. The power factor shall be computed from the monthly index as indicated by the watt-hour meter and the index as indicated by a reactive volt-ampere hour meter.

TERMS OF PAYMENT

Bills are due when personally served or three days after mailing. Bills shall be subject to a late payment charge in accordance with Leaf 33 if payment is not made by the date specified on the bill which date shall be not less than 20 days from the due date.

TERM

Terminable by the Customer on three (3) days' written notice to the Village after one month's service and by the Village in the manner provided by law and the rules and regulations of the Village at locations where no demand meter is installed. At all locations where the Village has been required to provide demand meters, transformers or transformer banks, the Customer is required to give thirty (30) days' written notice before termination of service.

Issued by: Al Livingston, Jr., Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
Initial Effective Date: 05/15/2010

Leaf: 61
Revision: 0
Superseding Revision:

SERVICE CLASSIFICATION NO. 2 – GENERAL SERVICE (CONT'D)

SPECIAL PROVISIONS

1. Where the Customer's equipment includes devices which have a highly fluctuating or large and instantaneous demand such as X-ray apparatus, welders, and other like equipment, and the Customer has not provided corrective equipment to reduce the inrush current to an amount acceptable to the Village, the demand of such devices shall be taken as the sum of the maximum instantaneous capacities as determined by the nameplates or by test of those pieces of apparatus which are so connected that they may be operated at one time.
2. When the billing demand of such customer is determined by a demand meter, the demand of such highly fluctuating demand devices, determined as described above shall be added to the demand as shown by the demand meter. The sum of these two demands will be the billing demand.
3. Customer, in taking three-phase electric energy, shall maintain as nearly as is reasonably possible, equal currents in each of the three-phase conductors at the point of taking. If at any time the current in any phase conductor shall exceed the average of the currents in all the three-phase conductors by more than ten (10) percent, the amount to be paid by the Customer for the period within which the unbalance occurred, may be increased by a percentage equal to that of the unbalance.
4. Transformers, service, and all accessory equipment shall be furnished by primary service Customer, at his expense as defined on Leaf 51.
5. Whenever the metered demand has been 5KW or less and the energy consumption has been 1500 KWH or less per month for twelve (12) consecutive monthly billing periods, the Demand Rate will not be applicable and the customer will be subject only to the Energy Rate, until such time as a new demand is established.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport
Initial Effective Date: 11/01/2011

Leaf: 61.1
Revision: 1
Superseding Revision: 0

SERVICE CLASSIFICATION NO. 2 - GENERAL SERVICE (CONT'D)

NET METERING

Applicable to any Customer taking service under Service Classification No.2 who owns or operates Solar or wind generating equipment located and used at Customer's premise with a rated capacity of not more than fifty kilowatts (50 kW). Service will be provided to eligible customers under this tariff on a first come, first served basis, through the Village secondary distribution system until the total rated generating capacity of the individual facilities is equal to 300 kW, the equivalent of ½ of 1% of the Village's system load.

REQUIREMENTS FOR INTERCONNECTION

1. The generating equipment must be designed, installed, interconnected, tested and operated in accordance with applicable government, industry and Village requirements and must comply with the *New York State Standardized Interconnection Requirements* which are available on the Commission website, Distributed Generation Information.
2. All electrical connections must be completed by a Village Licensed Electrical Contractor and comply with Leaf No. 49 and Leaf No. 50 Sections A through I and an Electrical Inspection Certificate must be filed prior to interconnection.
3. The Village may elect to install a dedicated transformer or transformers if necessary to protect the safety or adequacy of electric service provided to other Customers. Upon written explanation of the decision to require a dedicated transformer, the Customer taking service under this classification shall pay all costs of installing such transformer.
4. System design output shall not exceed 100% of the prior 12 months metered energy consumption

METERING

The Village will employ single meter net energy metering to measure and charge for the net energy supplied to the Customer. The charge for the net energy supplied during a billing period shall be at the applicable service rate.

CHARGES AND CREDITS

1. Charges to a Customer:
 - a. The Customer will pay the rates and charges of the Customer's applicable Service Classification for net energy supplied.
2. Credits to a Customer:
 - a. If a customer produces more energy than consumed during an individual billing cycle a kWh credit will be carried forward until consumed or the end of the calendar year as described below.
 - b. If a customer produces more energy than consumed during any calendar year;
 1. Following the first billing cycle that ends on or after the last day of each calendar year, the Village will issue a credit to the customer.
 2. The credit will be calculated by multiplying the kWh credit balance times the average of the Average Cost of Fuel from the Village's monthly Statements of Fuel Adjustment Cost filed during the past 12 months, adjusted by the Factor of Adjustment.
3. The kWh credit balance shall be reset to zero once payment is made.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport

Leaf: 62
Revision: 2
Superseding Revision: 1

Initial Effective Date: 08/01/2014

Filed pursuant to Commission Order in Case 14-E-0035 issued July 25, 2014

SERVICE CLASSIFICATION NO. 3 – OUTDOOR AREA LIGHTING

APPLICABLE TO USE OF SERVICE

Outdoor lighting of areas other than public streets, highways and roadways, for individuals, private organizations and institutional establishments where suitable electric service lines are available.

CHARACTER OF SERVICE

Unmetered service for limited period, dusk to dawn, of approximately 4,210 hours per year. Village will own, operate and maintain all facilities installed by it. Lamps and fixtures will be located as designated by Customer but will be located so as to be available to Village service vehicles.

RATE

The charge for service for each calendar month shall be the sum of the following:

Charges per Lamp per Month - Metal Halide

20,000 Lumens, 250 Watts	\$22.04
36,000 Lumens, 400 Watts	\$27.48

Charge per Lamp per Month - High Pressure Sodium

25,000 Lumens, 250 Watts	\$22.12
40,000 Lumens, 400 Watts	\$27.75

FACILITIES CHARGE

When suitable poles are available in Village's existing distribution system, no charge will be made for the pole. When additional pole or poles with necessary attachments is required for installation of the lamps requested by the Customer, the Village will install, operate and maintain such pole and attachments and the Customer shall pay \$9.68 per month in addition to charges per lamp per month. Customer shall pay a one-time, non-refundable installation fee of \$200.00 per pole.

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity

Leaf: 63

Village of Freeport

Revision: 3

Initial Effective Date: 01/09/2018

Superseding Revision: 2

Issued in compliance with Commission Order dated 12/19/17 in Case. 09-M-0311.

SERVICE CLASSIFICATION NO. 3 – OUTDOOR AREA LIGHTING (CONT'D)**FUEL ADJUSTMENT**

The charges set forth herein shall be subject to a fuel and Purchased Power adjustment and Off-System Sales adjustment per kWh for all energy supplied hereunder as explained on Leaf No's 52 through 56.2. The amount of kilowatt hours used shall be calculated by the number of lights multiplied by the Watts divided by One Thousand (1000) as stated in Rate multiplied by the Monthly Burning Hours as listed below for the month prior to billing date.

<u>Month</u>	<u>Burning Hours</u>
January	437
February	367
March	366
April	314
May	288
June	262
July	278
August	309
September	337
October	391
November	414
December	447
February Leap Year	379

MINIMUM CHARGE

The minimum monthly charge shall be the total charge computed under this section.

TERMS OF PAYMENT

Bills are due when personally served or three days after mailing. Bills shall be subject to a late payment charge in accordance with Leaf No. 33, if payment is not made by the date specified on the bill which date shall be not less than 20 days from the due date.

Terms

Service shall be terminable by the customer on seven (7) days written notice to the Village after two (2) years from the start of service. Customer will be billed on a pro-rated basis for service rendered from the first day of the billing period, for which termination has been requested to date of termination.

SPECIAL PROVISIONS

1. Written application for service as presented in P.S.C. No.9 Electricity, Leaf No. 64 is required.
2. Lamp replacement and repair will be made during normally scheduled work hours.
3. The Village will not be required to relocate any of its existing facilities to render service under this Service Classification.

Issued by: Al Livingston, Jr., Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York

P.S.C. No. 9 Electricity
Village of Freeport

Leaf: 64

Revision: 2

Initial Effective Date: 08/01/2014

Superseding Revision: 1

Filed pursuant to Commission Order in Case 14-E-0035 issued July 25, 2014

FREEPORT ELECTRIC
APPLICATION AND CONTRACT FOR OUTDOOR AREA LIGHTING
SERVICE CLASSIFICATION No. 3

Account Name:		Account Number (s)		
Doing Business As (If Other than Account Name)				
Service Address Number	Street	Freeport	N.Y.	11520
Telephone Numbers: Home: _____ Work: _____				
If you prefer to have the bills as well as other information mailed to an address other than the service address, please provide your mailing address here:				
Mailing Address Number	Street	Town	State	Zip
Taxpayer Identification No.		A copy of your tax exempt certificate required if applicable		
Tax Exempt Status	<input type="checkbox"/> Taxable	<input type="checkbox"/> Non-Taxable	<input type="checkbox"/> Partial Tax Exempt	
Type of Business:				
Premises used for: <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Warehouse <input type="checkbox"/> Factory <input type="checkbox"/> Other				
The applicant agrees to pay the applicable rates and charges for the electric outdoor lighting service herein requested and will be bound by and comply with the governing laws and rules and regulations of the company applicable thereto. The applicant agrees that this service shall continue for a minimum of two (2) years from the date of commencement of service.				
Signature of applicant or Authorized Agent		Date Signed		
Print Name and Title		Date Signed		
Signature of Village Representative		Date Signed		
Type of Fixture	Lumens (Approx.)	Monthly Cost Per Fixture	# Installed	Total Cost per Month
Metal Halide				
250 W	20,000	\$22.04		
400 W	36,000	\$27.48		
High Pressure Sodium				
250 W	25,000	\$22.12		
400 W	40,000	\$27.75		
Pole Setting* (If Needed)	\$200 Installation Fee/Pole + \$9.68/Month			
Grand Total:				
See sketch on reverse side				
Affix Corporate Seal:				
Please do not write in this area				
Account Number			Category Code	
Deposit Amount	Receipt Number		Date Paid	

Issued by: Anthony Fiore, Superintendent of Electric Utilities
Inc. Village of Freeport, Freeport, New York