

**P.S.C. NO. 3 ELECTRICITY**  
**ORANGE AND ROCKLAND UTILITIES, INC.**  
INITIAL EFFECTIVE DATE: April 1, 2012

LEAF: 122  
REVISION: 0  
SUPERSEDING REVISION:

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## GENERAL INFORMATION

### 10. LIABILITY (Continued)

#### 10.1 COMPANY LIABILITY (Continued)

##### (C) Company Equipment and Use of Service

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

##### (D) Retail Access Program Participants

Other than its duty to deliver electric power supply, the Company shall have no duty or liability to a customer participating in the Retail Access Program, described in Rider I, arising out of or related to a contract or other relationship between such a customer and ESCO.

The Company shall implement its Retail Access Program consistent with the guidelines in its Retail Access Plan and applicable rules of the Commission and shall have no liability to a Retail Access Program participant arising out of or related to switching ESCOs, unless the Company is negligent in switching or failing to switch a customer.

The Company shall have no duty or liability with respect to electric power supply before it is delivered by an ESCO to a point of delivery on the Company's system. After its receipt of electric power supply at the point of delivery, the Company shall have the same duty and liability for delivery service to Retail Access customers as to those receiving electric power supply from the Company.

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Issued By: William Longhi, President, Pearl River, New York