

PSC NO: 12 GAS
COMPANY: THE BROOKLYN UNION GAS COMPANY
INITIAL EFFECTIVE DATE: 10/01/10
STAMPS:

LEAF: 381.1
REVISION: 0
SUPERSEDING REVISION:

SERVICE CLASSIFICATION No. 18 – Continued

F. SPECIAL PROVISIONS – continued

- 7.1 Whenever the Company becomes aware that the Customer's equipment is incapable of switching over to an alternate fuel and/or that the Customer does not have a reasonable amount of fuel on hand considering the time of the heating season, the Company shall notify the Customer within forty-eight (48) hours that the violation must be corrected within ten (10) calendar days. It shall be the responsibility of the Customer to contact the Company and provide proof that the violation has been corrected. However, this will not apply if the Customer stipulates in writing that the Customer is willing and able to shut down during periods of interruption.

With regard to the inadequate fuel situation and/or equipment failure, Customers who have not supplied the Company with such proof shall be subject to 130% of their otherwise applicable variable transportation rate ("non-compliance charge"). Such non-compliance charge shall be in lieu of their otherwise applicable variable rate and shall be effective for the billing period during which non-compliance becomes known, and for any subsequent periods until the Customer provides the Company with satisfactory proof that the violation has been corrected, and is subject to all applicable utility taxes and surcharges. Customers subject to this higher variable rate continue to be subject to the terms and conditions of this service classification. If a non-compliance charge is assessed in the same period that an "Additional Charge" is assessed, the non-compliance bill will not include consumption charged under the "Additional Charge."

Issued by: Andrew F. Sloey, Chief Financial Officer, Brooklyn, NY