

PSC NO: 1 GAS LEAF: 174  
COMPANY: KEYSpan GAS EAST CORP. DBA BROOKLYN UNION OF L.I. REVISION: 5  
INITIAL EFFECTIVE DATE: 11/01/08 SUPERSEDING REVISION: 3  
STAMPS:

Service Classification No. 12  
Temperature-Controlled Service - Non-Residential (continued)  
(Rate Codes: 330, 331, 332)

Special Provisions (continued):

b. If the Company is unable to determine the precise amount of unauthorized gas taken during the period of interruption from the remote reading device, the Company will estimate the amount of gas used during the unauthorized period. The method of estimation shall be based on either:

- 1) the normal average daily consumption, and if applicable, adjusted for degree days, or
- 2) other reasonable methods.

c. The imposition of an additional charge should not limit any rights of the Company to terminate gas service in accordance with provisions of the Company's Rate Schedule or otherwise.

9. Customer Failure

During each winter season, a customer that does not interrupt gas service when required to do so, including during the first system-wide test of the season will be notified that they have violated the service requirements of the interruptible tariff. Violations occurring other than during the test will result in penalties contained under the "Additional Charge" section of this service classification.

A "warning letter" will be sent to customers after their first violation of the winter season. Failure to comply during the first system-wide test of the season, or any follow-up tests, is considered a violation.

There is an amnesty clause available to customers that experience an equipment failure. Should a customer's equipment fail to switch, it must notify the Company within one hour of the failure, and provide proof within two days that the equipment has been repaired and is operable. If a customer can demonstrate that it was unable to obtain and install the necessary equipment within two days, the customer shall have five more days to remedy the situation. The customer shall also provide proof that it has installed the necessary equipment. If a customer meets this criteria, the violation will be waived. If the customer cannot obtain and/or install the necessary equipment within seven days, the equipment failure will be considered a violation. However, there will be only one waiver of a violation allowed per winter season. Such waiver does not exempt the customer from having to pay any related overrun or unauthorized use charges.

Issued by Nick Stavropoulos, Executive Vice President, Hicksville, NY