

PSC NO: 9 GAS
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INITIAL EFFECTIVE DATE: October 1, 2004

LEAF: 261.1
REVISION: 7
SUPERSEDING REVISION: 6

STAMPS: Issued in compliance with order in Case 03-G-1671 dated September 27, 2004

SERVICE CLASSIFICATION NO. 9 - Continued

Transportation Service - Continued

Definitions - Continued

- (16A) A **Direct Customer** is a transportation Customer with annual requirements in excess of 35,000 therms per year who acts on its own behalf to purchase and arrange to bring natural gas to Con Edison's Citygate for its own consumption and not for resale. A Direct Customer is not subject to Commission oversight with respect to eligibility but must subscribe to Con Edison's SC 20 service and comply with applicable provisions of the UBP and the requirements set forth in the Operating Procedures. A Direct Customer may aggregate and schedule load for itself and other Direct Customers but each Direct Customer would continue to be responsible for meeting balancing and other requirements placed on Direct Customers. Except where the context indicates otherwise, the terms "Seller" and "Marketer" includes Direct Customers.
- (16B) **Billing Agency** is an arrangement between a Customer and a Marketer ("**Billing Agency Agreement**") in which the Customer authorizes a Marketer to act as "**Billing Agent**" for all account activities including, but not limited to: receiving the Customer's bills from Con Edison; consolidating those bills with the Marketer's charges in a single bill format; receiving payments from the Customer; and remitting payments to Con Edison for its services in accordance with the UBP, the Home Energy Fair Practices Act (Public Service Law, Article 2), applicable orders of the Commission, and as otherwise provided in the Billing Services Agreement. A Marketer offering Billing Agency services may perform those services itself or obtain a third party to perform the services, but in either case, the Marketer is considered to be the Customer's Billing Agent.

A Marketer that fails to bill its customers or to transmit Customer payments to Con Edison on a timely basis will be precluded from acting as a Billing Agent.

Con Edison may terminate its Billing Agency Program at any time on reasonable notice and will terminate its Billing Agency Program upon implementation of Public Service Commission-approved EDI transaction sets for bill-ready Marketer consolidated billing.

(Service Classification No. 9 - Continued on Leaf No. 262)

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