

PSC NO: 9 GAS

LEAF: 316.3

COMPANY: **CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**

REVISION: 1

INITIAL EFFECTIVE DATE: 11/01/04

SUPERSEDING REVISION: 0

STAMPS: Issued in compliance with order in Case 04-G-0948 dated 10/22/2004

SERVICE CLASSIFICATION NO. 9 – Continued**TRANSPORTATION SERVICE - Continued****Miscellaneous Provisions – Continued**

the second violation occurs (unless the Company has received written notification that the Customer has chosen instead to have its gas service terminated at that time). Customers transferred to Firm service due to having committed two violations will not be permitted to return to Interruptible or Off-Peak Firm service for the remainder of the current Winter Period plus the next twelve succeeding months. For periods thereafter, the Customer may reapply for Interruptible or Off-Peak Firm service not less than 90 days prior to the proposed commencement date, except that the Customer may not request a commencement date that falls within the period from November 1 through March 31.

A Customer's failure to interrupt its use of gas due to inoperable dual-fuel facilities (excluding, for purposes of this paragraph, associated Customer-installed phone lines) counts as a violation towards the above-described two-violation rule with one exception for each Winter Period. On one occasion during each Winter Period, a Customer's failure to interrupt the use of gas due to documented inoperable dual-fuel facilities will not be counted as a violation provided that the Customer (i) notifies the Company within one hour of the failure of its equipment; (ii) repairs and makes operable its dual-fuel equipment within forty-eight (48) hours of the equipment's failure; and (iii) provides the Company with an affidavit or other sufficient documentation that it has repaired and made operable its dual-fuel equipment and immediately complies with the earlier of the ongoing interruption or a separate planned interruption. The Company will extend the one-time 48-hour repair deadline to a period not to exceed seven (7) days provided the Customer demonstrates to the Company's satisfaction that such extension was necessary due to the unavailability of a part and its installation during such 48-hour repair period. All three conditions must be satisfied for this exception to the two-violation rule to apply. During the 48-hour repair period, or, if applicable, the extended 7-day repair period, the Customer will be subject to applicable unauthorized use charges, an alternate fuel or energy non-compliance charge, minimum charges and imbalance charges as set forth in this Service Classification, the Company's Sales and Transportation Operating Procedures, or this Rate Schedule (excluding the non-compliance charge set forth in (D) (3) above for inoperable dual-fuel facilities provided the Customer makes operable its dual fuel facilities within the applicable repair period).

Service Classification No. 9 - Continued on Leaf No. 316.4)**Issued By: ~~Joan S. Freilich, Executive Vice President & Chief Financial Officer, 4 Irving Place, New York, N.Y. 10003~~**

(Name of Officer, Title, Address)