Received: 12/11/2003 Status: CANCELLED Effective Date: 04/01/2004

PSC NO. 4 GAS

LEAF: 166.10

ORANGE AND ROCKLAND UTILITIES, INC. REVISION: 2

INITIAL EFFECTIVE DATE: April 1, 2004 SUPERSEDING REVISION: 1

## SERVICE CLASSIFICATION NO. 11 (Cont'd.)

## **SPECIAL PROVISIONS:** (Cont'd.)

## (C) (Cont'd.)

performing pursuant to Special Provision A of this Service Classification to the extent of such curtailment. If at such time the Seller is delivering gas to customers on other systems, the volume excused from performance on the Company's system will be no more than a proportionate amount of the Seller's affected deliveries curtailed by the Force Majeure event. The Seller is responsible for supplying complete information and any verifiable proof requested by the Company related to any such Force Majeure exclusion. Volumes curtailed pursuant to this Special Provision must be made up by Seller as soon as possible at a delivery rate to be established by the Company. Any curtailed volumes which are not made-up within thirty (30 days) will be charged the rates specified in Special Provision A (1).

(D) Seller warrants that, at the time of delivery of gas to the Company, it will have good title to deliver all gas volumes made available.

## (E) Operational Flow Orders:

The Company shall have the right to issue Operational Flow Orders ("OFOs") to alleviate conditions which threaten the integrity of the Company's system and to maintain operations required to provide efficient and reliable firm service.

The Company shall provide, via telephone and facsimile, notice to all OFO recipients of upcoming system events such as anticipated weather patterns and operational problems which may necessitate the issuance of an OFO.

Notice of all OFOs will be issued via telephone to be followed by a facsimile to the affected OFO recipient. The OFO will set forth (a) the time and date of issuance (b) the time by which a recipient must be in compliance with the OFO (c) the anticipated duration of an OFO, and (d) any other terms the Company may reasonably require to ensure the effectiveness of the OFO.

The issuance of an OFO will require a Seller to either increase or decrease volumes of gas but in no event will require a Seller to deliver a volume greater than the Seller's MAX ADCQ. The issuance of OFOs will correspond with the tariff provisions of the interstate pipelines utilized for delivery by the OFO recipient.

If Seller fails to comply with an OFO issued by the Company, a penalty of \$25 per dekatherm shall be assessed on all volumes delivered in violation of the OFO.