

..DID: 4817
..TXT: PSC NO: 1 GAS LEAF: 57
COMPANY: MARKETSPAN GAS CORPORATION DBA BROOKLYN UNION REVISION: 0
INITIAL EFFECTIVE DATE: 12/01/98 SUPERSEDING REVISION:
STAMPS:
CANCELLED effective 06/29/99
RECEIVED: 07/31/98 STATUS: Cancelled EFFECTIVE: 07/01/99

GENERAL INFORMATION

II. Rules and Regulations (continued):

4--Discontinuance of Service and Complaint Procedure (continued):

E. Deferred Payment Agreement (continued):

.2 Non-Residential Customers:

- .2.1 The Company will not disconnect or refuse to restore or provide service to an eligible non-residential customer because of arrears owed on such customer's account unless it offers the eligible customer a deferred payment agreement. The Company will provide an offer of a deferred payment agreement to all eligible non-residential customers not less than five calendar days (eight calendar days if mailed) before the date of a scheduled termination of service for non-payment of arrears, as indicated on a final termination notice, provided the termination notice was based upon arrears exceeding two months average billing; and when the Company renders a backbill which exceeds twice the average monthly bill or \$100.00, whichever is greater, except where the customer knew, or reasonably should have known, that the original billing was incorrect.
- .2.2 All non-residential customers are eligible for a deferred payment agreement except:
 - .2.2.1 A customer who owes any amount under a prior deferred payment agreement;
 - .2.2.2 A customer who failed to make timely payments under a prior deferred payment agreement in effect during the previous twelve months;
 - .2.2.3 A customer that is a publicly held company, or a subsidiary thereof;
 - .2.2.4 A seasonal, short-term or temporary customer;
 - .2.2.5 A customer who during the previous 12 months had a combined total consumption for all its accounts with the Company in excess of 4,000 therms;
 - .2.2.6 A customer who the Company can demonstrate has the resources available to pay his or her bill, provided that the Company notifies the customer of its reasons and of the customer's right to contest this determination with the Public Service Commission or its designee.
- .2.3 Every offer of a deferred payment agreement shall inform the customer of the availability of a deferred payment agreement for eligible customers, set forth generally the minimum terms to which such customer is entitled, explain that more generous terms may be possible, and specify the telephone number and hours to call to discuss an agreement. Any offer of a deferred payment agreement to a customer scheduled for termination of service shall also state the date by which the customer must contact the Company in order to avoid termination, and explain that the Company has the right to a larger down payment if the deferred payment agreement is not entered into until after a field visit to physically terminate service has been made as described in Rule 4E.2.4.