

..DID: 4873
..TXT: PSC NO: 1 GAS LEAF: 62
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):

H. Complaint Procedure: Any complaint filed with the Company regarding disputed bills, charges, deposits, or service problems will be promptly investigated in accordance with the procedures and form of notice required by Public Service Commission rules contained in Part 275 -- Notice of Discontinuance and Complaint Procedures of Subchapter D -- Rates and Charges of Chapter III of Title 16 of the New York Code of Rules and Regulations, Sections 275.8 and 275.9. Copies of the Company's complaint handling procedure and form of notice are on file with the Commission and are available to the public upon request at Company offices where applications for service are received.

5 -- Liability of Company

A. Continuity of Supply

- .1 General Interruptions: The Company will endeavor at all times to provide a regular and uninterrupted supply of service, but should it interrupt the supply of service for the purpose of making permanent or temporary repairs, changes or improvements in any part of its system or should the supply service be interrupted or irregular or defective or fail from causes beyond its control or through ordinary negligence of employees, servants or agents the Company will not be liable therefor.
- .2 Emergency Interruptions: The Company may, without liability therefor, interrupt service to any customer or customers in the event an emergency threatening the health or safety of a person, a surrounding area, or the integrity of its system if, in its sole judgement, such action will prevent or alleviate the emergency condition.
- .3 Government Directed Interruptions: The Company may, without liability therefore, interrupt service to any customer or customers if there is a governmental order or directive requiring the Company to do so.
- .4 Advance Notice: The Company shall, to the extent reasonably feasible under the circumstances, provide advance notice to those whose service will be interrupted for any of the above reasons.

B. Injuries and Damages: The Company will not be liable for any injury, casualty or damage resulting in any way from the supply or use of gas or from the presence or operation of the Company's structures, equipment, pipes, appliances or devices on the customer's premises, except injuries or damages resulting from the negligence of the Company.

C. Customer's Equipment: Neither by inspection or non-rejection, nor in any other way does the Company give any warranty, express or implied, as to the adequacy, safety or other characteristics of any structures, equipment, wires, pipes, appliances or devices owned, installed or maintained by the Customer or leased by the Customer from third parties.

D. Obligation to Continue Service: If for any reason the Company is unable to install or maintain the facilities necessary to furnish gas required under any service agreement, such agreement shall cease and terminate.