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COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. REVISION: 1
INITIAL EFFECTIVE DATE: 10/01/00 SUPERSEDING REVISION: 0
STAMPS: Issued in compliance with order in Case 00-G-0996 dated August 24, 200
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SERVICE CLASSIFICATION NO. 12 - Continued
DUAL-FUEL SALES SERVICE (DFSS) - Continued

Rates - Continued

(D) Other Rates, Charges and Adjustments - Continued

(2) Unauthorized Use Charges and Penalty Surcharge:

A Customer taking service under Rate 1 or 2 who does not switch from the use of gas to an alternate fuel or alternate energy source when notice is given in accordance with the Company's Sales and Transportation Operating Procedures, shall be subject to a charge for Unauthorized Use equal to the higher of \$4.50 per therm or \$2.50 per therm plus a market gas price as set forth in the Company's Sales and Transportation Operating Procedures, applied as follows:

Rate 1 Temperature-Controlled Customers:

Applicable to all gas consumed in excess of 10 therms during the day a violation occurs;

Rate 1 Notification Customers:

Applicable to all gas consumed in excess of 10 therms during the hours of curtailment; and

Rate 2 Customers:

Applicable to all gas consumed in excess of 10 therms during the hours of curtailment.

If a Customer is unable to switch from gas to its alternate fuel or energy source in accordance with this Service Classification and the Company's Sales and Transportation Operating Procedures, and notifies the Company of such situation prior to or within one hour of the implementation of the curtailment, the Customer shall be billed at one-half of the Charge for Unauthorized Use during the first four hours of curtailment. Thereafter, the Customer shall be billed at the full charge. In addition to the full unauthorized used charge, the Company shall have the right to impose a Penalty Surcharge on a Customer after the Customer uses gas during two or more interruption periods in any heating season (November 1 - March 31). The Penalty Surcharge shall commence with the billing month following the month in which the second or subsequent occasion occurs and continue for a twelve-month period. The Penalty Surcharge will result in the Customer's paying a rate equal to the otherwise applicable firm service rate and apply to the lesser of (a) all usage in the applicable billing month or (b) the maximum daily amount used by the customer during the second or any subsequent interruption period, where the customer reduced its gas during the interruption period but not to zero. If a Customer is billed a Penalty Surcharge based on the daily amount used during the last interruption period, the volumes used by a Customer in excess of that quantity in any billing month shall be billed in accordance with the otherwise applicable interruptible and off-peak firm base rates set forth in this Service Classification. Customers paying the Surcharge shall remain Interruptible or Off-Peak Firm Customers and be subject to all terms and conditions of Interruptible or Off-Peak Firm Service.

(Service Classification No. 12 - Continued on Leaf No. 338.0)

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