

PSC NO: 87 GAS**COMPANY: NEW YORK STATE ELECTRIC & GAS CORPORATION****INITIAL EFFECTIVE DATE: June 24, 2022****LEAF: 27****REVISION: 9****SUPERSEDING REVISION: 8****SERVICE CLASSIFICATION NO. 3 (CONT'D)**
INTERRUPTIBLE SALES SERVICE (CONT'D)**SPECIAL PROVISIONS - ALL CUSTOMERS: (CONT'D)**

- D. Customers taking service under this service classification may be required to install daily metering equipment, at the sole discretion of the Company.
- E. The Customer shall provide the Company with an affidavit certifying the grade and sulphur content of fuel oil that can be utilized in the facilities served under this service classification or a description of the alternate fuel used.
- F. Customers taking service under this service classification must enter into an individual Service Agreement with the Company.
- G. The Company shall communicate daily with each interruptible customer facility location via email, text messages, fax or phone call. See the Company's GTOPI Manual for specific details. Additionally, the Company shall communicate with each interruptible customer facility location at the end of every interruption to remind customers to replenish alternate fuel inventories as needed to maintain minimum levels.
- H. Non-Compliance Charge: A penalty assessed to an Interruptible customer when the Company becomes aware either by notification from a customer or by inspection, in accordance with Special Provision C, that a customer is currently incapable of interrupting and switching to their alternate fuel, and an interruption has not been called.

The Non-Compliance Charge shall be:

- (a) 130% of the applicable Interruptible Gas price as determined in PRICE: (Per Month) for interruptible sales customers, or
- (b) 130% of the applicable Interruptible transportation rate for interruptible transportation customers.

If a customer notifies the Company that they are currently incapable of interrupting and switching to their alternate fuel due to circumstances outside of the customers control, the customer must resolve the issue within 10 calendar days or the Company shall begin assessing the Non-Compliance Charge. If the Company becomes aware that a customer is currently incapable of interrupting and switching to their alternate fuel through an on-site inspection, the Company shall begin assessing the Non-Compliance Charge the following day.

The Non-Compliance Charge shall be assessed until the Customer notifies the Company that they are now capable of interrupting and switching to their alternate fuel and the correction has been verified by Company personnel through an on-site inspection.

A Two-Violation Interruptible customer, defined below, shall also be subject to a Non-Compliance Charge for all gas consumed from the time of the second violation until the end of the current winter period.

If the Company calls for an interruption and the Customer fails to interrupt as required, the Company shall impose the Unauthorized Use Charge, in lieu of the Non-Compliance Charge, for unauthorized gas usage during the interruption period. Following the interruption, the Company may resume imposing the Non-Compliance Charge through the end of the current winter period.

- I. Failure to interrupt the use of gas during an interruption shall be counted as a violation under the Two-Violation Rule.
 - 1. **Two-Violation Rule:** For each Winter Period, an Interruptible customer shall incur a violation if the customer fails to fully interrupt its use of gas at any time during an interruption, including any planned interruptions (except for any permitted use of gas for ignition purposes).
 - a. If a customer's second failure to interrupt occurs within 48 hours of an initial violation, the second failure shall not be considered a second violation. If a failure to interrupt is due to failure of Company-owned equipment that is not attributable to the customer, the failure to interrupt shall not be considered a violation.