

PSC NO: 10 – Electricity
Consolidated Edison Company of New York, Inc.
Initial Effective Date: 02/01/2020
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GENERAL RULES

21. Liability - Continued

21.1 Continuity of Supply - Continued

The Company shall be held responsible under the terms of this provision for losses of power attributable to malfunctions in its lines and cable of 33 kV or less and associated equipment when the condition persists for a period in excess of 12 hours or when the same Customer is subjected to two or more such conditions aggregating 12 hours or more within a 24-hour period, except as specified. The Company shall not be held responsible under the terms of this provision for losses of power attributable to the following: (a) equipment associated primarily with lines of higher voltage or with the generation of electricity, (b) deficiencies in generation or transmission facilities, (c) directives from the NYISO, and (d) conditions beyond the Company's control, such as storms, floods, vandalism, strikes, or fires or accidents external to the Company's operations, as long as reasonable efforts are made to restore service as soon as practicable, provided, however, that conditions of high or low temperature or humidity contributing to a malfunction of the Company's lines and cable of 33 kV or less shall not be considered a condition beyond the control of the Company.

This provision shall not affect the Company's liability for damages resulting from its gross negligence or willful misconduct.

21.2 Intentional Disconnection of Service of an Individual Customer Made in Error

The Company will reimburse residential Customers served directly under SC 1, those served indirectly under SC 8, SC 12, and SC 13, and any other residential Customers, whether directly or indirectly served, for losses actually sustained, not to exceed \$100 for any one Customer for any one incident, as the result of an intentional disconnection of service of an individual Customer made in error lasting more than 12 hours, when such losses consist of the spoilage of food or medicine for lack of refrigeration.

The Company will reimburse Customers served under other Service Classifications for losses actually sustained, not to exceed \$2,000 for any one Customer for any one incident, as the result of an intentional disconnection of service of an individual Customer made in error lasting more than 12 hours, when such losses consist of the spoilage of perishable merchandise for lack of refrigeration.

All claims under this section must be filed within 90 days of the date of the erroneous intentional disconnection of service.