

PSC NO: 9 GAS
COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INITIAL EFFECTIVE DATE: 01/01/19

LEAF: 341.3
REVISION: 10
SUPERSEDING REVISION: 9

SERVICE CLASSIFICATION NO. 12 - Continued

DUAL-FUEL SALES SERVICE (DFSS) - Continued

Miscellaneous Provisions – Continued

(D) Interruption of Service and Reserve Requirements For Interruptible and Off-Peak Firm Customers – Continued

Violations under the Two-Violation Rule - Continued

A Customer's failure to interrupt its use of gas due to inoperable dual-fuel facilities (excluding, for purposes of this paragraph, associated Customer-installed phone lines) counts as a violation towards the above-described two-violation rule except as follows. During each Winter Period, a customer's failure to interrupt the use of gas during a planned interruption due to documented inoperable dual-fuel facilities will not be counted as a violation provided that the Customer (i) notifies the Company within one hour of the failure of its equipment; (ii) repairs and makes operable its dual-fuel equipment within forty-eight (48) hours of the equipment's failure; and (iii) provides the Company with an affidavit or other sufficient documentation that it has repaired and made operable its dual-fuel equipment and immediately complies with the earlier of the ongoing interruption or a separate planned interruption. The Company will extend the 48-hour repair deadline to a period not to exceed seven (7) days provided the Customer demonstrates to the Company's satisfaction that such extension was necessary due to the unavailability of a part and its installation during such 48-hour repair period. All three conditions must be satisfied for this exception to the two-violation rule to apply. During the 48-hour repair period, or, if applicable, the extended 7-day repair period, the Customer will be subject to applicable unauthorized use charges, an alternate fuel or energy non-compliance charge, minimum charges and imbalance charges as set forth in this Service Classification, the Company's Sales and Transportation Operating Procedures, or this Rate Schedule (excluding the non-compliance charge set forth on Leaf 341.2 for inoperable dual-fuel facilities provided the Customer makes operable its dual fuel facilities within the applicable repair period). If a customer submitted a signed affidavit by October 15, and during the Winter Period, a customer interrupted the use of gas, as required, during the first planned interruption, then the customer will be granted an additional one-time waiver subject to the customer meeting all of the requirements detailed in this section. This exemption does not apply to customers taking service under the Shut-Down.

In addition to being charged the Two-Violation Penalty, a Customer who incurs two violations will have their gas service terminated on or after the first business day after April 15 unless:

- (i) the Customer applies for firm gas service by April 15 and the Company, in its sole discretion, determines and notifies the Customer that it can accept them as a Firm Gas Customer. The Customer must meet all of the requirements for Firm Service, including all financial and safety obligations, including but not limited to the cost to serve them as a Firm Customer and modifications to internal piping that may be necessary to use firm gas; or
- (ii) the Customer notifies the Company, in writing by, April 15 that the Customer has chosen to terminate gas service.

Any Customer whose service has been terminated pursuant to this section may not return to service under this Rate Schedule for the remainder of the Winter Period and through the end of the next Winter Period. After that time, a Customer may re-apply for Interruptible or Off-Peak Firm Service not less than 90 days prior to the commencement date that falls within the period from November 1 to March 31.

(Service Classification No. 12 - Continued on Leaf No. 341.4)

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