
Your Rights and Responsibilities as a Commercial Gas Customer of Orange & Rockland

At Orange & Rockland, we have a responsibility to provide safe, reliable service to all our customers. In addition, our customers have certain legally protected rights under New York State Public Service Commission (PSC) rules and regulations.

This brochure summarizes your rights as a commercial gas customer. It's your reference guide for any questions you might have concerning your energy service from O&R.

We're Here to Help

For a gas leak or other gas emergency, call our toll-free Gas Emergency Hotline at **1-800-533-5325**, 24 hours a day, seven days a week.

For billing and other inquiries regarding your business account, please call Customer Assistance toll free at **1-877-434-4100**. Our Customer Service Representatives handle calls weekdays from 8 a.m. – 7 p.m., except holidays. In the event of an emergency, a Company representative will always be available to receive your call.

If you're hearing- or speech-impaired and use a TTY phone, please dial **711** for assistance.

Customer Service Centers

For questions or concerns about your bill, to pay your bill in person or to speak to a Customer Service Representative, you may visit one of our three Customer Service Centers, open weekdays from 8 a.m. – 4:30 p.m., except holidays.

O&R Spring Valley:

390 West Route 59

O&R Blooming Grove:

500 Route 208

O&R Port Jervis:

16 Pike Street

Asking a Question

Whether you write, visit or call us, we guarantee prompt, courteous and friendly service always. Our representatives are trained to deal with a wide variety of problems and situations. If, after talking with our representative,

you feel your concern has not been resolved, you should ask to speak with the supervisor of the Customer Assistance who will review the situation with you. We're committed to seeing that your concern is resolved.

Additional Rights

We make every effort to answer your questions and resolve your concerns. If, after talking to us, you're still not satisfied, you may write to: New York State Public Service Commission, Office of Consumer Services, 3 Empire State Plaza, Albany, NY 12223. You may also call the PSC's toll-free HELPLINE at 1-800-342-3377 from 8:30 a.m. – 4:00 p.m., Mon. – Fri.

If your inquiry involves a billing charge, we cannot turn off service while the matter is under consideration by the PSC. All other amounts and bills remain payable when due.

If you are a gas transportation customer who purchases gas supply from a company other than O&R, and your concern involves your gas supply bill, contact the energy supply company (ESCO) that supplies you with gas. If you are not satisfied with your ESCO's response, please refer to your ESCO agreement regarding dispute resolution.

New Construction

To obtain service for new construction or for a service upgrade or change in meter location, go online at **www.oru.com/newconstruction** or contact the appropriate O&R New Construction Services regional office by calling **845-577-3324**.

Application for Service

We have a responsibility to provide service — or tell you why we will not provide service — as soon as reasonably possible. We must provide service within 10 calendar days after we receive your completed application(s), unless you specify service at a later time. If conditions beyond our control prevent us from extending service at your site within that time, we will make every effort to do so as soon as conditions permit.

If you are applying for firm gas transportation service, such service will commence according to the schedule outlined in Service Classification No. 6. We may require you to complete a written application for service. In this application, you will be asked to establish your identity, your responsibility for the premises as either owner or occupant, and the name of the person who controls access to the meter(s), if not you. We will also ask you to indicate your service classification on your application. We will help you determine your service classification if you don't already know it.

Billing Information

We have a responsibility to supply gas and gas transportation to our customers in a safe, reliable manner. In turn, we expect our customers to pay their utility bill promptly.

When to pay: O&R bills you every month for gas and gas transportation after you use it. Your bill is due and payable when you receive it. If you do not pay within 25 days of the billing date shown on the statement, you will be assessed a late payment charge at the rate of one and one-half (1½) percent per month on the overdue balance.

Billing options: You may receive your bills by mail or by e-mail. To receive your bills by e-mail, sign up for eBill at www.oru.com/ebill.

Payment options: You may pay by automatic deductions made from your bank account through Automatic Bill Payment. Go to www.oru.com/abp

to enroll. You may also pay by mail, online at www.oru.com/myaccount, by phone, or by using your computer for bill payment through your bank. You may also pay in person at one of our Customer Service Centers or at an authorized payment location in your area. For complete details on your payment options, visit our Web site at www.oru.com/paymentoptions or call us toll-free at **1-877-434-4100**.

Access to Meter(s)

We read the gas meter(s) so we can send you an accurate bill based on the amount of natural gas you use. However, there are occasions when we cannot gain access to read the meter(s).

As a customer, you have an obligation to provide access to the meter(s). If you cannot provide access, you should let us know who will be responsible for doing so.

Failure to cooperate in resolving a lengthy meter access problem can result in penalties for each incident of inaccessibility and, ultimately, termination of service.

Submit Your Own Meter Reading

Submit your own meter reading online at www.oru.com/ezreader. With O&R's *eZ Reader*, all you have to do is move the dials shown on your computer screen to match the dials at your business. *eZ Reader* will send us an accurate numeric value.

Check ID

For your protection, our meter readers carry a photo ID badge which you can inspect before they enter your premises. If you still have any doubts, please call us for verification.

Shared Metering

Residential Shared Metering: Shared metering exists when a residential tenant pays for electric or gas used in the tenant's dwelling as well as for service used by others outside the tenant's dwelling.

Residential Tenant's Right:

A tenant is required to pay only for utility service used inside the tenant's dwelling, including any area or equipment under the tenant's exclusive control.

Utility's Obligation: The utility is required by law to investigate any shared metering condition brought to its attention.

Owner's Obligation: If utility service used outside a tenant's dwelling is recorded on the tenant's meter, the owner must correct the condition or, as an alternative, establish an account with the utility both for future energy usage and for past shared energy usage up to a six-year period. The utility will bill the owner for all the energy recorded on the shared meter until the condition is corrected. If the shared usage is very small, the cost to change the wiring or piping is very high, or a law prevents the landlord from adding a meter to measure the shared service, the tenant and landlord may agree to share the cost of the shared service. If shared metering is found and one of these circumstances exists, please notify O&R.

Owner's Penalty: If the owner does not voluntarily eliminate a shared meter condition, or ask the utility to investigate, a one-time penalty of 12 months' estimated bills will be added to any other charges that the owner is required to pay.

Non-Residential Shared Metering:

When a shared-metering condition exists between a non-residential tenant and the landlord or between two non-residential tenants, the utility cannot adjust billing or assess penalties. The parties involved should seek a mutually agreeable arrangement.

Billing Accuracy

We do everything we can to bill your account accurately. Under certain circumstances, we may issue an estimated bill, especially if we cannot read your meter(s), or if it appears that the reading we obtained may be wrong. All estimated bills clearly state they are based on an estimate. O&R has the right to revise estimated charges. To avoid revision that could result in rebilling to your disadvantage, always provide access to the meter(s).

Deposit Policy

If you're a new customer, we will require a deposit as a condition of service. If you are an existing customer, we may require a deposit if you:

1. are delinquent in payment;
2. have a credit history that indicates possible default in the future;
3. have filed for reorganization or bankruptcy; or
4. have been rendered a back bill within the last 12 months covering charges for service that came through tampered equipment.

If you are an existing customer, you have the option to pay half the deposit initially and the balance in two subsequent monthly installments.

The deposit may not be more than two times your average monthly bill for the previous calendar year, unless your usage varies widely. In this instance, the deposit may not exceed the cost of twice your average monthly usage for the peak season.

If we are holding a deposit from you, we will review your account annually, based on your prior year's history. At this review, we will make adjustments to refund any excess, or to bill any additional amounts. Your deposit will earn interest at a rate set by the PSC. Such interest normally will be credited once a year.

We have the right to hold a security deposit for a minimum of three years. If you maintain a good payment record during this period, we will refund the deposit, plus interest. Otherwise, we can hold the deposit and credit interest to your account yearly.

We may accept bank letters of credit or surety bonds that provide a level of security equivalent to cash. Depending on your type of business, you may enroll in Automatic Bill Payment in lieu of a deposit.

Home Energy Fair Practices Act (HEFPA)

As a commercial customer, you may be entitled to protection under the

New York State Home Energy Fair Practices Act (HEFPA) if one of the following situations applies to you:

1. You operate a business out of your home and are billed at a commercial rate; or
2. You use your commercial premises for residential purposes; or
3. You own a two-family residence and live in one unit while renting the other.

If you have opened a business within the last year, or if you have been a commercial customer of O&R and have recently changed how or where you conduct your business, it is important that you understand HEFPA eligibility requirements.

HEFPA is a state law that requires a utility to follow specific procedures in serving customers who use their service for residential purposes. HEFPA coverage is extended to those present or future electric, gas or gas transportation customers whose primary use of utility service is for residential purposes.

If you operate a business out of your home, or use part of your commercial premises for residential purposes, you could be affected.

The PSC determined that commercial customers who use the majority of their utility service for residential purposes should receive the same protection as purely residential customers. Examples include a dentist with a home office, a store owner with living quarters in a portion of the building, or a residential landlord who is billed for service for both units of a two-family dwelling in which both units are served by a single meter. If you believe you are eligible for HEFPA coverage, please contact us to ensure you receive the rights to which you are entitled.

Eligibility for Residential Rates

Religious institutions and community

residences, and supportive or supervised living facilities qualify for residential service rates. However, it may not be to the institution's advantage to be so classified. For more information, call us toll-free at **1-877-434-4100**.

Eligibility for Reduced State Sales Tax

New York State exempts residential energy use from sales tax. Residential customers automatically qualify for such an exemption and are billed accordingly. Certain commercial customers who use a portion of their service for residential purposes also may be eligible for a reduced tax based on the percentage of residential use.

In order to qualify, you must complete Exemption Certificate (Form TP-385). These forms can be obtained by calling the New York State Department of Taxation and Finance at 1-800-462-8100. After we receive your completed form, your account will be noted accordingly and your future bills will be calculated based on information you provided on the form.

Service Classification

As a non-residential gas customer of Orange & Rockland, the rates you pay for gas service are based on your service classification.

When you first apply for service, O&R uses the technical information you provide to determine the service classification appropriate to your needs. Over time, however, those needs could change. If and when they do, it is your responsibility to contact us so we can place you in the right service classification.

As part of our ongoing effort to ensure that all customers are placed on the most economically advantageous service classification, and to accommodate changes in your gas service needs, contact the appropriate regional office for New Construction Services at **845-577-3324**.

Description of Service Classifications Under O&R's Schedule for Gas Service P.S.C. No. 4 – Gas

The summary descriptions of the service classifications that follow are taken directly from O&R's filed tariffs. The information in this bill insert is current as of November 1, 2009.

Service Classification No. 2

Applicable to general use of gas by customers who purchase their gas supply from the Company.

There are some restrictions with respect to the attachment of new gas customers and the supply of gas to existing gas customers under SC No. 2 that are set forth in the general information section of the gas tariff. The rates for this service include a basic service charge that includes the first 3 Ccf of gas usage each month and monthly rates for gas usage in excess of the 3 Ccf included in the basic service charge.

In addition, customers are subject to a Merchant Function Charge, a Billing and Payment Processing Charge, a Monthly Gas Adjustment, a System Benefits Charge, a monthly Gas Supply Charge, a Temporary State Assessment Surcharge and a Revenue Decoupling Mechanism Adjustment for the gas they purchase from the Company. Customers may be subject to a penalty charge for the unauthorized use of gas during a period of curtailment. All rates and charges under SC No. 2 are subject to the applicable taxes imposed on the Company in the municipality where the service is supplied.

Service Classification No. 3

Applicable to commercial or industrial use of gas by customers who purchase their gas supply from the Company.

The service is subject to interruption by the Company at any time upon four hours notice to a customer. Customers electing this service must maintain operable alternate fuel facilities including adequate reserves of the alternate fuel based on peak winter period requirements.

The rates for this service, which are filed

with the PSC, are set monthly at the discretion of the Company subject to a minimum and maximum Unit Charge. Customers are subject to penalty charges and surcharges for gas consumed during a period of interruption.

All rates and charges under SC No. 3 are subject to the applicable taxes imposed on the Company in the municipality where the service is supplied.

Service Classification No. 5

Applicable to general service use by any customer who purchases gas supply from the Company, and has installed dual-fuel capability sufficient to serve the customer's entire needs when the customer is not burning gas.

The rates for this service, which are filed with the PSC, are set monthly at the discretion of the Company subject to a minimum and maximum Unit Charge. All rates and charges under SC No. 5 are subject to the applicable taxes imposed on the Company in the municipality where the service is supplied.

Service Classification No. 6

Applicable to the transportation of gas purchased by a customer participating in the Company's Gas Transportation Service Program from a Seller eligible for Service under SC No. 11 of O&R's gas tariff.

The annual volume of gas scheduled to be transported shall not be less than 3,500 Mcf of gas for an individual customer or for an aggregation group of customers served by a common Seller. The rates for this transportation service are as follows:

Rate Schedule IA – Applicable to any customer otherwise eligible for Service Classification No. 1 and is a member of an aggregation group or an individual customer whose annual usage is less than 5,000 Mcf. It includes a basic service charge for the first 3 Ccf of gas usage each month and monthly rates for gas usage in excess of the 3 Ccf included in the basic service charge.

Rate Schedule IB – Applicable to any customer otherwise eligible for Service Classification No. 2 and is a member of an aggregation group or an individual customer whose annual usage is less than 5,000 Mcf. It includes a basic service charge for the first 3 Ccf of gas usage each month and monthly rates for gas usage in excess of the 3 Ccf included in the basic service charge.

Rate Schedule II – Applicable to any customer who is not a member of an aggregation group and whose annual usage exceeds 5,000 Mcf. It includes a basic service charge for the first 100 Ccf of gas usage each month and a monthly rate for all gas usage in excess of the 100 Ccf included in the basic service charge.

Customers applying for this service must elect either a Standard Service Option or a Winter Bundled Sales (“WBS”) Service Option. These services, which are provided by the Company for fees and charges set forth in O&R’s gas tariff, are designed to help Sellers manage the loads of their customers during the winter months of November through March. In addition, customers are subject to a Monthly Gas Adjustment, a Revenue Decoupling Mechanism Adjustment, a Systems Benefits Charge and a Temporary State Assessment Surcharge, and certain customers may be subject to a Billing and Payment Processing Charge. All rates and charges under SC No. 6 are subject to the applicable taxes imposed on the Company in the municipality where the service is supplied.

Service Classification No. 8

Applicable to the transportation of gas purchased by a customer participating in the Company’s Gas Transportation Service Program from a Seller eligible for service under SC No. 13 of the Company’s gas tariff.

Customers commencing service under this service classification on or after November 1, 2006 must, in addition to the other requirements of this service classification,

demonstrate to the Company’s satisfaction annual gas consumption of at least 100,000 Ccf at a single meter.

The service is subject to interruption by the Company at any time upon four hours notice to a customer. Customers electing this service must maintain operable alternate fuel facilities including adequate reserves of the alternate fuel based on peak winter period requirements.

The transportation rates for this service include a monthly basic service charge for the first 1,000 Ccf of gas usage each month and rates for gas usage in excess of the 1,000 Ccf of gas included in the basic service charge.

In lieu of transportation service, each month customers may elect to purchase Supplemental Sales Service from the Company provided that they notify the Company in advance in accordance with the gas tariff.

Customers taking interruptible transportation service are subject to penalty charges and surcharges for gas consumed during a period of interruption.

Customers or their Sellers must balance the volumes of gas delivered to the Company with loss adjusted actual usage each day and each month within certain tolerances. Daily imbalances above the tolerance level and any imbalances remaining at the end of the month are either sold to the customer or purchased by the Company at published indexed prices. All rates and charges under SC No. 8 are subject to the applicable taxes imposed on the Company in the municipality where the service is supplied.

Tariff Availability

Copies of the complete tariffs for all service classifications are available on O&R’s Web site at www.oru.com/tariffs.

You can also obtain a print copy by calling our toll-free Customer Assistance number at **1-877-434-4100**. Our Customer Service Representatives are available to assist you weekdays from 8 a.m. – 7 p.m., except holidays.