

..DID:  
..TXT: PSC NO: 4 GAS LEAF: 27  
COMPANY: ORANGE AND ROCKLAND UTILITIES, INC. REVISION: 2  
INITIAL EFFECTIVE DATE: 04/18/00 SUPERSEDING REVISION: 1  
STAMPS: Issued in compliance with PSC Order in Case 97-G-1380 dated 12/21/99

RECEIVED: STATUS: EFFECTIVE:

**GENERAL INFORMATION**

6. METERING AND BILLING

6.1 ACCESS TO CUSTOMER'S PREMISES

The Company's authorized employees or agents shall have free access, at all reasonable times, to its meters or other property, and to all the piping and equipment owned by the customer or anyone else, and installed on the customer's premises, for the purpose of inspecting or testing the same, to repair, change or remove any of the Company's property, or to read meters.

6.2 IDENTIFICATION OF EMPLOYEES

Company employees or agents authorized to enter upon its customers' premises are provided with photo-identification cards and written authorization which will be shown upon request. Customers are advised not to admit to their premises anyone claiming to represent the Company unless he can produce a proper identification card.

6.3 METERS

Gas supplied shall be measured by meters furnished, installed and maintained by the Company.

Customers taking interruptible transportation service who require daily balancing service are required to install a Commission-approved meter upgrade, if not in place at the time of their application, with the cost of such meter and installation to be borne by the customer. The Company will retain sole control of the meter and be responsible for the installation, maintenance, and compliance with Commission regulations.

Service rendered through each meter installed shall be subject to a separate minimum charge and all rate provisions of the service classifications applicable shall be applied separately to the service supplied through each meter. The above shall not, however, apply where the Company, for purposes of testing or on account of the special character of the installation, desires to install more than one meter for measuring service supplied to a customer under one rate classification.

6.4 METER READING

(1) Residential

(A) The Company will endeavor to read all meters at regular monthly intervals or as specified according to the appropriate rate classification.

Issued By: Kevin Burke, President, Pearl River, New York  
(Name of Officer, Title, Address)

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

PSC NO: 4 GAS

LEAF: 28

REVISION: 1

INITIAL EFFECTIVE DATE: 11/01/97

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STAMPS: Issued in compliance with PSC Order in Case 97-G-1441 dated 10/24/97

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.4 METER READING (Cont'd.)

- (B) When the Company is unable to gain access to a meter, a notice stating this fact and requesting the residential customer to phone in a reading within twenty-four hours will be left on the premises. If no response is received, the Company shall then estimate the consumption to be billed except that it shall limit the number of estimates to four consecutive monthly periods. When the four-month limit of consecutively estimated bills has been reached, the Company shall attempt to obtain an actual meter reading for the next billing period by requesting the customer to phone in the meter reading. The Company shall also attempt to obtain an actual meter reading by:
- (1) making an appointment with the customer, and/or such other person who controls access to the meter, for the reading at a time other than during normal business hours;
  - (2) offering the customer, and/or such other person who controls access to the meter, the opportunity to phone in meter readings;
  - (3) providing cards to the customer and/or such other person who controls access to the meter, on which he or she may record the reading and mail it to the Company.
- (C) If no actual meter reading is obtained after bills representing a maximum of six months of estimated billings have been rendered to a residential customer, the Company shall send a letter to both the person who controls access to the meter and to the customer, offering a special appointment for meter reading both during and outside of business hours. Where the customer resides in a multiple dwelling (as defined in the Multiple Dwelling Law or Multiple Residences Law), or in a two-family dwelling that is known by the Company to contain residential units where service is provided through a single meter or meters, and the meter is not in the apartment, the notice shall be sent to the customer and such other person who controls access to the meter. If the Company's records do not contain the address of the person who controls access to the meter, the Company shall request that the customer furnish such information if available.

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

INITIAL EFFECTIVE DATE: 10/15/97

STAMPS:

PSC NO: 4 GAS

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.4 METER READING (Cont'd.)

- (D) If the Company receives no response after bills representing eight months or four billing periods of estimated bills, whichever is greater, have been rendered to a residential customer, a second letter shall be sent offering a special appointment at reasonable hours and advising the customer and the recipient that if no appointment is made a special charge of \$25.00 will be added to the next bill and each subsequent bill rendered to the person who controls access to the meter.
- (E) If no response is received to the second appointment letter within two months of its mailing, the Company shall inform the recipient by certified or registered letter that, in accordance with the Commission's directive, it shall apply for a court order to gain access to the meter. The letter shall inform the party that the purpose of obtaining such a court order shall be to permit the Company to gain access to the meter, at least annually, in order to inspect, read, replace or, when appropriate, install a remote reading device or relocate the meter to preclude future estimated billing. The court costs, and the cost of the remote reading device or relocating the meter shall be paid for by the person who controls access to the meter.
- (F) The Company shall be permitted to invoke the provisions prescribed in the preceding paragraph whenever a residential customer with a remote reading device, or where the customer reads his own meter, refuses access to the indoor meter for a period of one year.
- (G) Where the Company has submitted an estimated bill or bills to a residential customer that understate the amount owed by such customer, for the period when such estimated bills were rendered, by more than 50% or \$100, whichever is greater, the Company shall notify the customer in writing that he or she has the right to pay the difference between the estimated charges and the actual charges in regular monthly installments over a reasonable period that shall not be less than three months.
- (H) The consecutive estimate limitations shall not apply to seasonal customers. For seasonal and/or short-term customers, an actual meter reading shall be taken upon termination of service.

Issued By: Larry S. Brodsky, President, Pearl River, New York  
(Name of Officer, Title, Address)

..DID:

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

INITIAL EFFECTIVE DATE: 10/15/97

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PSC NO: 4 GAS

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.4 METER READING (Cont'd.)

(2) Non-Residential

(A) The Company shall endeavor to obtain an actual reading for every non-residential customer's account as follows:

(i) the Company shall visit each non-residential customer's premises on a monthly basis between the hours of 8 a.m. and 5 p.m. on a business day;

(ii) where circumstances beyond the Company's control prevent it from making a regularly scheduled reading attempt, and where the two previous bills were not based on an actual reading, the Company shall make a second follow-up reading attempt as soon as possible and within seven calendar days after the scheduled reading day;

(iii) where the Company has billed a non-residential customer's account based on the readings of a remote registration device for six consecutive months, the Company shall, at the time of every subsequent reading attempt and until successful, try to gain access to and read the meter;

(iv) where the Company has billed a non-residential customer's account based on the customer's readings for six consecutive months, and did not obtain an actual reading at the time of the next regularly scheduled or follow-up reading attempt thereafter, the Company shall, within seven calendar days after the last attempt, either make another reading attempt or an appointment with the customer to read the meter.

Issued By: Larry S. Brodsky, President, Pearl River, New York  
(Name of Officer, Title, Address)

..DID:

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

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PSC NO: 4 GAS

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.4 METER READING (Cont'd.)

- (B) The Company may only render an estimated bill when:
- (i) the Company has failed to obtain access to the meter(s);
  - (ii) circumstances beyond the Company's control make obtaining an actual reading of the meter(s) extremely difficult despite having access to the meter area, provided, however, that such estimated bills may be rendered no more than twice consecutively without advising the non-residential customer in writing of the specific circumstances and the customer's obligation to correct said circumstances;
  - (iii) the Company has good cause for believing that an actual or a customer reading is likely to be erroneous, provided, however, that estimated bills for this reason may be rendered no more than twice consecutively without the Company initiating corrective action;
  - (iv) circumstances beyond the Company's control prevent a remises visit;
  - (v) an actual reading was lost or destroyed, provided, however, that an estimated bill for this reason shall be rendered no more than once without the Company initiating corrective action;
  - (vi) The Commission has authorized or prescribed an estimated reading;
  - (vii) an estimated reading is the approved billing method in accordance with the Company's tariff;
  - (viii) an unmetered condition existed during the period.
- (C) The Company shall begin providing no access notices, commencing with:
- (i) the fourth consecutive estimated bill; or
  - (ii) the tenth consecutive estimated bill in the case of accounts using a remote registration device or a customer reading.

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

INITIAL EFFECTIVE DATE: 10/15/97

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.4 METER READING (Cont'd.)

- (D) The no access notices and charges shall be directed only to the access controller. In the case where the access controller is not the customer of the subject account, a copy of these no access notices shall also be sent to the customer.
- (E) The series of no access notices shall be as follows:
  - (i) the first notice shall advise the access controller that unless access to the non-residential customer's meter is provided on the next meter reading date or a special appointment to read the meter is made and kept prior to that date, a no access charge will be added to the next bill and to every bill thereafter until access is provided. Where the access controller is not the customer of the subject account, the notice shall identify the non-residential customer and state that the access controller has not provided non-residential access to the customer's meter as required. The notice shall advise the access controller that the Company will arrange a special appointment for a reading of the customer's meter if the access controller calls the specified telephone number;
  - (ii) the second notice shall advise that an access charge has been added to the access controller's bill and that unless access to the non-residential customer's meter is provided on the next meter reading date or a special appointment to read the meter is made and kept prior to that date, another access charge will be added to the bill. The notice shall further explain that if service can be physically terminated without obtaining access, steps to terminate will soon follow and, in the event that service cannot be physically terminated, steps to obtain a court order obtaining access to the customer's meter will follow. The notice shall advise the access controller that the Company will arrange a special appointment for a reading of the customer's meter if the access controller calls the specified telephone number.

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

PSC NO: 4 GAS

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INITIAL EFFECTIVE DATE: 06/01/01

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SUPERSEDING REVISION: 4

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#### GENERAL INFORMATION

### 6. METERING AND BILLING (Cont'd.)

#### 6.4 METER READING (Cont'd.)

(E) (Cont'd.)

(iii) the third and each successive notice shall state that a no access charge has been added to the access controller's bill and shall be accompanied by a final notice of termination for non-access, if service can be terminated without obtaining access. In any case where service cannot be physically terminated without obtaining access, the notice shall advise the access controller that the Company is seeking to obtain a court order to gain access to the non-residential customer's meter.

#### (3) Special Meter Readings

If a customer or a Seller requests the Company to obtain a meter reading on a day other than the scheduled meter read date, or the customer's initial turn-on date, the requesting party will be charged a fee of \$20 per account per visit and will be responsible for assuring that the Company will be provided access to the meter. Requests for special meter readings must be made not less than ten calendar days in advance of the requested read date. Also, for any metering information or services requested that the Company does not provide, the Company will, at its sole discretion, provide the service or information at its cost.

#### 6.5 RENDERING OF BILLS

##### (1) Rules Applicable to All Customers

(A) Rates and charges are stated on a monthly basis as set forth in the Service Classifications. For billing purposes, a monthly period will be considered as 26-34 days.

(B) Bills for residential service without gas space heating will be rendered monthly. For residential customers without space heating requesting monthly billing, and residential customers with space heating who are normally billed monthly, meters will be read monthly. Bills for all other services are normally rendered monthly. When, in accordance with the provisions in Section 6.4, the Company is unable to obtain meter readings on regular reading dates, bills are rendered: (i) on readings by customers if said readings are received 24 hours after the date shown on the meter indexing cards left on the customer's premises, or (ii) on estimated readings. Amounts billed on the basis of such estimates are subject to adjustment in accordance with the next meter readings obtained by the Company.

Issued By: Stephen B. Bram, President, Pearl River, New York  
(Name of Officer, Title, Address)

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

PSC NO: 4 GAS

LEAF: 33.1

REVISION: 1

INITIAL EFFECTIVE DATE: 06/01/01

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.5 RENDERING OF BILLS (Cont'd.)

(1) Rules Applicable to All Customers (Cont'd.)

- (C) The Company shall explain any billing corrections to customers under the Commission's jurisdiction and furnish customers with the reasons for any cancellations and subsequent rebillings caused by estimated readings.
- (D) In case any meter for any reason fails to register the full usage of service by the customer for any period of time, and/or where circumstances indicate that the meters or service has been tampered with or service otherwise improperly obtained, the usage of service by the customer may be estimated by the Company on the basis of the best available relevant factors, and the customer billed accordingly.
- (E) Bills rendered to residential customers are due on presentment or three days after mailing.
- (F) The Company shall send each residential customer who lives in multi-family housing an annual notice informing him or her that no tenant may be billed for gas service or disconnected for failure to pay for gas service which is not used to provide service within the tenant's apartment, if the tenant has not consented to pay for such usage.

(2) Transportation Customer Billing Options

(A) Customer Choice of Billing Option

A customer participating in the Company's Gas Transportation Service Program may choose one of the following billing methods by purchasing gas supply from a Marketer that offers one or more of these options:

**Utility Single Bill:** a consolidated bill rendered by the Company for gas supply and/or electric power supply provided by a Marketer and delivery and other services provided by the Company ("Company Services");

**Marketer Single Bill:** a consolidated bill rendered by a Marketer for Company Services and the gas supply and/or electric power supply provided by the Marketer;

**Two Separate Bills:** separate bills rendered by a Marketer and by the Company.

Issued By: Stephen B. Bram, President, Pearl River, New York  
(Name of Officer, Title, Address)

PSC NO. 4 GAS

ORANGE AND ROCKLAND UTILITIES, INC. LEAF: 33.2  
INITIAL EFFECTIVE DATE: February 19, 2004 REVISION: 3  
SUPERSEDING REVISION: 2  
Issued in compliance with Orders of the Public Service Commission dated  
December 19, 2003 in Case Nos. 98-M-1343, 99-M-0631, and 03-M-0017.

**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.5 RENDERING OF BILLS (Cont'd.)

(2) Transportation Customer Billing Options (Cont'd.)

(A) Customer Choice of Billing Option (Cont'd.)

All Marketer's participating in the Company's Gas Transportation Service Program are eligible to provide consolidated billing service to their customers and/or other participating Marketers. In addition to fulfilling the eligibility requirements set forth in Service Classification Nos. 11 or 13, as applicable, to be a participating Marketer in the Company's Gas Transportation Service Program, a Marketer wishing to offer billing and payment processing services must execute a Billing Services Agreement with the Company and must comply with the billing and payment processing practices set forth in the UBP.

Customers receiving both electric and gas services from the Company ("dual-service customers") may elect different Marketers to provide their electric and gas supply requirements. A customer may elect to receive a single bill from the Company or one of the Marketers designated as the billing party by the customer, if the Marketers mutually agree to the billing option chosen. If the Marketers do not agree on the billing option, or if the customer chooses to receive separate bills for each service, upon the Marketer's request and payment of an Account Separation Fee of \$32.50, the dual-service account will be separated into separate accounts.

For Utility Single Bills or Marketer Single Bills issued on or after February 3, 2004, customer payments shall be allocated and prorated in accordance with the UBP and with the Home Energy Fair Practices Act (Public Service Law, Article 2) and applicable orders of the Commission.

Issued By: John D. McMahon, President, Pearl River, New York  
(Name of Officer, Title, Address)

**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.5 RENDERING OF BILLS (Cont'd.)

(2) Transportation Customer Billing Options (Cont'd.)

(B) Utility Single Billing Service

A Marketer requesting that its charges be included on a Utility Single Bill must execute the Company's Consolidated Billing and Assignment Agreement.

Under Utility Single Billing Service, the Company shall purchase the Marketer's receivables. That is, the Marketer assigns to the Company its rights in all amounts due from all of its customers participating in the Company's Retail Access Program and receiving a Utility Single Bill. By the 20th of each month (or the next business day if the 20th falls on a Saturday, Sunday, or public holiday), the Company shall remit to the Marketer all undisputed Marketer charges billed to its customers in the previous calendar month, reduced by the Purchase of Receivables ("POR") Discount Percentage as described below.

The POR Discount Percentage shall consist of an Uncollectibles Percentage, Credit and Collections Costs and a Risk Factor. The Uncollectibles Percentage shall be set annually, effective each November 1, based on the Company's actual uncollectibles experience applicable to all gas and electric POR-eligible customers for the twelve-month period ended the previous May 31 for the twelve-month period commencing November 1, 2009, and ended the previous June 30 for the twelve-month periods commencing November 1 thereafter. The Credit and Collections Component will be determined by dividing the Company's credit and collection expenses attributable to retail access customers whose Marketers participate in the Company's POR program by the estimated gas supply costs to be billed on the Marketers' behalf. The percentage for credit and collections to be included in the POR Discount Percentage will be determined annually based on the forecast of commodity costs to be billed on behalf of Marketers through the POR program. The Risk Factor shall also be reset annually and shall be equal to 20 percent of the Uncollectibles Percentage. The POR Discount Percentage for the twelve month period commencing November 1, 2009 is 0.954 percent. The POR Discount Percentage shall be reset each November 1.

The Company will collect and process customers' payments and perform collection activities in accordance with the Home Energy Fair Practices Act.

PSC NO. 4 GAS LEAF: 33.4  
ORANGE AND ROCKLAND UTILITIES, INC. REVISION: 2  
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Issued in compliance with Commission order in Case 08-G-1398, dated 10/16/09

GENERAL INFORMATION

6. METERING AND BILLING (Cont'd.)

6.5 RENDERING OF BILLS (Cont'd.)

(2) Transportation Customer Billing Options (Cont'd.)

(B) Utility Single Billing Service (Cont'd.)

To be effective for the next bill issued to the customer, at least 15 calendar days prior to the first of the calendar month in which service is to be rendered, the Marketer will provide the Company a rate per Ccf (\$/Ccf) to be charged each of its customers for gas supply. Rates must include any applicable gross receipts taxes or other taxes imposed on the Marketer and not required by law to be separately stated. The Company will calculate and identify the sales and use taxes associated with Marketer charges in accordance with customer-specific tax status information provided by the Marketer and remit such amounts to the Marketer net of the POR discount and such other amounts as set forth in the Company's Consolidated Billing and Assignment Agreement. The Marketer may charge a different price per Ccf for each of its customers. The customer shall be billed one rate per billing cycle and such rate will be used for billing purposes for the

Issued By: William Longhi, President, Pearl River, New York  
(Name of Officer, Title, Address)

**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.5 RENDERING OF BILLS (Cont'd.)

(2) Transportation Customer Billing Options (Cont'd.)

(B) Utility Single Billing Service (Cont'd.)

next bill issued to the customer and every bill thereafter until changed by the Marketer.

Billing Cost:

The Company's charge for its billing service is \$1.02 per Utility Single Bill per monthly billing cycle. This same charge applies whether the Company issues a Utility Single Bill for gas only or both gas and electric services for a single Marketer. The Company will "net" or offset its remittance payments to the Marketer by the amounts due the Company for billing service charges due from the Marketer. If there is one Marketer for gas service and another Marketer for electric service on a dual service customer's account, the Company will charge each Marketer one-half of the applicable charge.

If a Marketer requests that a Utility Single Bill include an insert required by statute, regulation, or Commission order, and such insert exceeds one-half ounce, the Company will charge the Marketer for incremental postage.

6.6 LATE PAYMENT CHARGE

- (1) The Company may impose a continuing late payment charge at the rate of one and one-half percent (1 1/2%) per month to the accounts of all customers except state agencies on:
- (a) the balance of any bill for service, including budget bills and any unpaid late payment charge amounts applied to previous bills, which bill is not paid within 25 calendar days after the Billing Date;
  - (b) the amount billed for service used that was previously unbilled because service was being provided through tampered equipment, provided the Company can demonstrate either that the condition commenced since the customer initiated service or that the customer knew or reasonably should have known the original billing was incorrect; and
  - (c) the balance due under a non-residential deferred payment agreement except as defined in 6.12 (2)(B)(ii).

Issued By: John D. McMahon, President, Pearl River, New York  
(Name of Officer, Title, Address)

**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.6 LATE PAYMENT CHARGE (Cont'd.)

- (2) Notwithstanding the foregoing, the Company reserves the right to discontinue service in accordance with the provisions elsewhere in this tariff and/or to take any other action permitted by law with respect to any customer who fails to make full and timely payment of all amounts due the Company, including amounts due for late payment charges hereunder.
- (3) Late payment charges to state agencies will be rendered in accordance with the provisions of Article XI-A of the State Finance Law (Chapter 153 of the Laws of 1984, effective July 1, 1984).
- (4) For residential customers, a late payment charge will not be assessed on any amounts subject to a deferred payment agreement except for deferred payment agreement installment payments included in a customer's current bill when the current bill is past due. For the purpose of this section, a customer's current bill shall include current charges for service plus any installment payment amount as contained in General Information Section 7K.
- (5) During the period from January 1, 1991 through December 31, 1991, the residential late payment charge will be automatically waived the first time a customer has a balance that remains unpaid 25 days after the Billing Date.

6.7 DISHONORED PAYMENTS

Should the Company receive a negotiable instrument from an applicant or customer in payment of any bill, charge or deposit due, and such instrument be subsequently dishonored or uncollectible for any reason, the Company shall charge the applicant or customer a handling charge of \$3.50 plus any amounts the Company was required to pay its bank for handling such instrument.

6.8 SHORT TERM SERVICE

Where the type of service desired is available at a given location, customers desiring service for a period of less than six months under the Service Classification applicable shall pay in advance the contract minimum charge or, if the estimated bill for two months or such shorter period as service may be desired exceeds the contract minimum, the Company reserves the right to request a deposit equal to this estimated bill.

6.9 CHANGE OF RATE

- (A) Service Classifications and Rules and Regulations under which customers are served are subject to such changes as may be lawfully made.

Issued By: John D. McMahon, President, Pearl River, New York  
(Name of Officer, Title, Address)

GENERAL INFORMATION

6. METERING AND BILLING (Cont'd.)

6.9 CHANGE OF RATE (Cont'd.)

- (B) Whenever a rate change, including the Gas Supply Charge and the Monthly Gas Adjustment, becomes effective during a billing period, the superseded rate shall apply to the portion of the customer's usage prior to the effective date of the change and the new rate shall apply to the portion of the usage on and after that date. In determining the usages to which the superseded and new rates apply, the total usage during the billing period shall be prorated in proportion to the length of the period before the effective date of the rate change and the length of the period on and after its effective date computed to the nearest day. In determining the charges for these usages, the monthly rates and charges stated in the Service Classifications shall be similarly prorated in proportion to the length of the periods in which the superseded and new rates apply.

6.10 BUDGET BILLING

(1) Residential, Condominium Associations, Cooperative Housing Corporations

- (A) Residential customers, and customers who are a condominium association or a cooperative housing corporation (hereinafter referred to in this subsection collectively as the "customer"), unless otherwise prohibited, may elect to pay for service taken in accordance with the following provisions:
- (1) the customer will make equal monthly payments during the Budget Year, as defined in subsection (B) below, based on the Company's estimate of the customer's total cost for the Budget Year; and
  - (2) if at the end of the Budget Year the amount paid by the customer is less than the amount due for actual service rendered, the balance shall be billed to and payable by the customer during the next six monthly billing periods;
  - (3) if at the end of the Budget Year the amount paid by the customer is greater than the amount due for actual service rendered, the Company shall apply a credit to the customer's account equal to the amount overpaid or, at the customer's request, shall refund an amount equal to the overpayment.

Issued By: John D. McMahon, President, Pearl River, New York  
(Name of Officer, Title, Address)

GENERAL INFORMATION

6. METERING AND BILLING (Cont'd.)

6.10 BUDGET BILLING (Cont'd.)

- (1) Residential, Condominium Associations, Cooperative Housing Corporations (Cont'd.)
  - (B) The Budget Year will be the twelve-month period beginning with the billing month the customer initially enrolls in budget billing.
  - (C) The Company shall periodically review the customer's billing histories during the Budget Year and based on such reviews may change the budget amount to minimize the potential for substantial over or under payments for the Budget Year.
  - (D) Customers who take both gas and electric service may elect budget billing for either service or regular billing for the remaining service, or may elect budget billing for both services.
  - (E) Should a customer fail to make a monthly budget payment when due, the Company shall have the right to cancel the budget billing plan. Upon cancellation, any overpayment will be credited to the customer's account and any deficiency shall be due and payable.
- (2) Non-Residential
  - (a) The Company shall annually offer a budget billing plan to all its non-residential customers except:
    - (i) non-residential customers who have less than 12 months of billing history at the premises;
    - (ii) seasonal, short-term or temporary customers;
    - (iii) customers who have arrears;

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COMPANY: **ORANGE AND ROCKLAND UTILITIES, INC.**

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**GENERAL INFORMATION**

6. METERING AND BILLING (Cont'd.)

6.10 BUDGET BILLING (Cont'd.)

(2) Non Residential (Cont'd.)

(a) (Cont'd.)

- (iv) interruptible, temperature-controlled, or dual fuel customers;
  - (v) non-residential customers who cease being billed on a previous budget billing plan before the end of the budget year in the past 24 months; or
  - (vi) non-residential customers whose pattern of consumption is not sufficiently predictable to be estimated on an annual basis with any reasonable degree of certainty.
- (b) Any non-residential customer who elects the budget billing plan shall pay for service in accordance with the following provisions:
- (i) the non-residential customer will make equal monthly payments during the Budget Year, as defined in subsection (d) below, based on the Company's estimate of the non-residential customer's total cost for the Budget Year;
  - (ii) if at the end of the Budget Year the amount paid by the non-residential customer is less than the amount due for actual service rendered, the balance shall be billed to and payable by the non-residential customer during the first month following the Budget Year;
  - (iii) if at the end of the Budget Year the amount paid by the non-residential customer is greater than the amount due for actual service rendered, the Company shall apply a credit to the customer's account equal to no more than the levelized payment or estimated amount of the next cycle bill, and shall issue a refund check for any balance within 30 calendar days of the rendering of the final levelized settlement bill.

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6. METERING AND BILLING (Cont'd.)

6.10 BUDGET BILLING (Cont'd.)

(2) Non Residential (Cont'd.)

- (c) The Company shall review a non-residential customer's billing history during the Budget Year and, based on such reviews, may change the budget amount to minimize the potential for substantial over or under payments for the Budget Year.
- (d) The Budget Year shall be a 12-month period and shall not begin at a time of year when either the non-residential customer or the Company will be subject to any undue economic disadvantage.
- (e) A non-residential customer may request that the Company remove the customer from the budget billing plan and reinstate regular billing at any time, in which case the Company shall render a final leveled settlement bill.
- (f) The Company may only remove a non-residential customer from its budget billing plan if the customer becomes ineligible under subsection (2)(a) above. If delinquency, as defined in subsection 3.3 (2)(A)(iii), is the cause of the non-residential customer's ineligibility, the Company need only provide the customer with an opportunity to become current in payment once in any 12 month period.

6.11 QUARTERLY PAYMENT PLAN

Effective November 29, 1985, as required by Public Service Law §38, the Company shall offer any residential customer 61 years of age or older a plan for payment on a quarterly basis of charges for service rendered, provided that such customer's average annual billing is not more than \$150.

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6. METERING AND BILLING (Cont'd.)

6.12 DEFERRED PAYMENT AGREEMENT

(1) Residential

(A) Any residential customer or applicant is eligible for a deferred payment agreement with specific terms as required by 16 NYCRR §11.10 on the form set forth in this schedule, unless:

(i) the customer has broken an existing payment agreement which required payment over a period equal to or longer than the Standard Agreement described below; or,

(ii) the Public Service Commission has determined that the customer or applicant has the resources to pay the bill.

(B) A specific written offer will be made to eligible customers before the date of any threatened disconnection of service:

(i) where payment of outstanding charges is a requirement for reconnection or acceptance of an application for service; and,

(ii) when a customer has broken an agreement that was for a shorter period than the Standard Agreement.

(C) Negotiated Agreements:

Before making a specific written offer, the Company will make a reasonable effort to contact eligible customers or applicants in order to negotiate agreement terms that are fair and equitable considering the customer's financial circumstances. The Company may, at its discretion, require the customer to complete a form showing his or her assets, income and expenses and provide reasonable substantiation of such information, and if it does so, shall treat all such information confidentially. The Company also may postpone a scheduled disconnection for up to 10 days for the purpose of negotiating an agreement.

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6. METERING AND BILLING (Cont'd.)

6.12 DEFERRED PAYMENT AGREEMENT (Cont'd.)

(1) Residential (Cont'd.)

(D) The Standard Agreement:

If the Company and the customer or applicant are unable to agree upon specific terms, the Company will offer an agreement with the following terms:

(i) a downpayment up to 15 percent of the amount covered by the payment agreement or the cost of one-half of one month's average usage, whichever is greater, or if the amount covered by the agreement is less than one-half of one month's average usage, 50 percent of such amount; and,

(ii) monthly installments up to the cost of one-half of one month's average use or one-tenth of the balance, whichever is greater.

(E) A copy of the written agreement must be signed by the customer and returned to the Company in order to be valid and enforceable. In the case of customers who are subject to a Final Disconnect Notice, the signed agreement must be returned to the Company by the day before the earliest date of termination as indicated on the agreement form in order to avoid disconnection. If the agreement is not signed and returned as required, the Company will proceed with the disconnection of service.

(F) Renegotiating Agreements:

If a customer or applicant demonstrates that his or her financial circumstances have changed significantly because of circumstances beyond his or her control, the Company will amend or renegotiate the terms of the agreement to reflect such changes.

(G) Broken Agreements:

If a customer fails to make timely payment of installments in accordance with a payment agreement, the Company will send a reminder notice before sending a Final Disconnect Notice. If a customer fails to pay an installment by the 20th day after payment was due and has not negotiated a new agreement, the Company will demand full payment and send a Final Disconnect Notice in accordance with 16 NYCRR §11.4 and §11.10 of the Regulations and Section 9 of this tariff.

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6. METERING AND BILLING (Cont'd.)

6.12 DEFERRED PAYMENT AGREEMENT (Cont'd.)

(2) Non-Residential

- (A) Any non-residential customer is eligible for a deferred payment agreement, except the following:
- (i) a non-residential customer who owes any amounts under a prior deferred payment agreement;
  - (ii) a non-residential customer who failed to make timely payments under a prior deferred payment agreement in effect during the previous 12 months;
  - (iii) a non-residential customer that is a publicly held company, or a subsidiary thereof;
  - (iv) a seasonal, short-term or temporary non-residential customer;
  - (v) a non-residential customer who, during the previous 12 months, had a combined total consumption for all its accounts with the Company in excess of 4,000 therms;
  - (vi) a non-residential customer who the Company can demonstrate has the resources to pay the bill, provided the customer is notified of the reasons and their right to have this determination reviewed by the Commission.
- (B) The Company shall provide eligible non-residential customers a written notice offering a deferred payment agreement at the following times:
- (i) not less than five calendar days prior to termination (eight days if mailed), provided the non-residential customer has been a customer for at least six months and the arrears on which a termination notice is based exceeds two months average billing; and
  - (ii) when it renders a backbill, which exceeds the cost of twice the non-residential customer's average monthly usage or \$100, whichever is greater, provided, however, that the customer did not know or reasonably should not have known that the original billing was incorrect.

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6. METERING AND BILLING (Cont'd.)

6.12 DEFERRED PAYMENT AGREEMENT (Cont'd.)

(2) Non-Residential (Cont'd.)

(C) A deferred payment agreement:

- (i) shall obligate the non-residential customer to make timely payments of all current charges; and
- (ii) may require a downpayment of up to 30 percent of the arrears on which the termination notice is based, or the cost of twice the non-residential customer's average monthly use, whichever is greater, plus the full amount of any charges billed after the issuance of the termination notice and past due by 20 days or more; or
- (iii) in the event a field visit to terminate service has been made, a downpayment of up to 50 percent of the arrears on which an outstanding termination notice is based or the cost of four times the non-residential customer's average monthly usage, whichever is greater, may be required, as well as the full amount of any charges billed after the issuance of the termination notice and past due by 20 days or more; and
- (iv) to pay the balance in monthly installments of up to the cost of the non-residential customer's average monthly use or one-sixth of the balance, whichever is greater; and
- (v) to pay late payment charges during the period of the agreement; and
- (vi) to pay any required security deposit in three installments, 50 percent down and the balance in two consecutive monthly payments.
- (vii) a non-residential deferred payment agreement may provide for a greater or lesser downpayment, a longer or shorter period or time, and payment on any schedule, if mutually agreed to by the non-residential customer and the Company.

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6. METERING AND BILLING (Cont'd.)

6.12 DEFERRED PAYMENT AGREEMENT (Cont'd.)

(2) Non-Residential (Cont'd.)

(D) A non-residential deferred payment agreement relating to a backbill may require the non-residential customer to pay the outstanding charges in monthly installments of up to the cost of one-half of the non-residential customer's average monthly use or one twenty-fourth of such charges, whichever is greater.

(E) The first time a non-residential customer fails to make timely payment in accordance with a deferred payment agreement, the Company shall give the customer reasonable opportunity to keep the agreement in force by paying any amounts due under the agreement. Thereafter, if the non-residential customer fails to comply with the terms of the agreement, the Company may demand full payment of the total outstanding charges and commence disconnection of the account and send a final disconnect notice.

6.13 INTEREST ON CUSTOMER OVERPAYMENTS

(1) The Company shall provide interest on customer overpayments in accordance with 16 NYCRR §277.

(2) A customer overpayment is defined as payment by the customer to the Company in excess of the correct charge for gas service supplied to the customer which was caused by erroneous billing by the Company.

(3) The rate of interest on customer overpayments shall be the greater of the unadjusted customer deposit rate specified by the Commission or the applicable late payment rate, if any, for the service classification under which the customer was billed. Interest shall be paid from the date when the customer overpayment was made, adjusted for any changes in the deposit rate or late payment rate, and compounded monthly until the date when the overpayment was refunded.

(4) The Company shall be required to pay interest on any customer refunds that occurred on or after March 20, 1984, except where customer overpayments are refunded within 30 days after such overpayment is received by the Company.

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6. METERING AND BILLING (Cont'd.)

6.14 BACKBILLING

(1) Residential

- (A) The Company shall provide a written explanation to a residential customer of any charges not previously billed for service that was delivered to that customer during a period before the current billing cycle.
- (B) The Company shall not render a backbill to a residential customer more than six months after the original billing unless the failure to bill at said earlier time was not due to the neglect of the Company or was due to the residential customer's culpable conduct.
- (C) The Company shall not render a backbill to a residential customer after 12 months from the time the original bill was rendered unless:
  - (1) failure to bill correctly was caused by the residential customer's culpable conduct;
  - (2) failure to bill correctly was not due to the neglect of the Company;
  - (3) such adjustment is necessary to adjust a budget payment plan or levelized payment plan, as described in 16 NYCRR §11.10; or
  - (4) there is dispute between the Company and the residential customer concerning the charges for service during the 12 month period.
- (D) For any backbill of \$100 or more, the residential customer shall have the right to pay said backbill in regular monthly installments over a reasonable period that shall not be less than three months.
- (E) The Company shall not render a backbill to a residential customer after the expiration of 24 months from the time of the original bill, unless the residential customer's culpable conduct caused or contributed to the Company's failure to render a timely or accurate bill.

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6. METERING AND BILLING (Cont'd.)

6.14 BACKBILLING (Cont'd.)

(2) Non-Residential

- (A) The Company shall provide a written explanation to non-residential customers of any charges not previously billed for service that was delivered to that customer during a period before the current billing cycle.
- (B) The Company shall not render a backbill more than six months after it became aware of the circumstance, error or condition that caused the underbilling, unless a court extends the time to render a backbill.
- (C) The Company shall not upwardly revise a backbill unless the first backbill explicitly reserves the right to do so, or the revised backbill is rendered within 12 months after the Company became aware of the circumstance, error or condition that caused the underbilling, and:
  - (i) the non-residential customer knew or reasonably should have known that the original billing or the first backbill was incorrect; or
  - (ii) new information shows that the original backbill was incorrect.
- (D) The company shall render a downwardly revised backbill as soon as reasonably possible and within two months after the Company became aware that the backbill was excessive.
- (E) The Company shall not render a backbill for any underbilling when the reason for the underbilling is apparent from the non-residential customer's service application, or could have been revealed in a service application and the Company failed to obtain and retain one.
- (F) When the failure to bill at an earlier time was due to the Company's deficiency, the Company shall not bill a non-residential customer for service rendered more than 12 months before the Company actually became aware of the circumstance causing the underbilling, unless the Company can demonstrate that the non-residential customer knew or reasonably should have known that the original billing was incorrect.
- (G) The Company shall not bill a non-residential customer for service rendered more than 24 months before the Company actually became aware of the circumstance, error or condition that caused the underbilling, unless the Company can demonstrate that the non-residential customer knew or reasonably should have known that the original billing was incorrect.

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GENERAL INFORMATION

6. METERING AND BILLING (Cont'd.)

6.15 SHARED METERS

- (1) In accordance with 16 NYCRR Sections 11.30 through 11.39, and Section 52 of the Public Service Law, when a tenant's service meter also registers utility service use outside the tenant's dwelling, the tenant is not required to pay the charges for that service. The Company will establish an account in the owner's name for all service registered on the shared meter after that date and will rebill for past service in accordance with 16 NYCRR Part 11.34. A customer may request a copy of the entire rules governing shared meters from the Company's office.
- (2) "Shared Meter" means any utility meter that measures gas service provided to a tenant's dwelling and also measures service to other space outside that dwelling. "Service to other space" includes service to equipment, such as space-conditioning or water heating equipment, operated for the benefit of common areas of the building or other dwelling units.

6.16 LOW-INCOME PROGRAM

Any customer receiving a grant under the Home Energy Assistance Program ("HEAP") shall receive a monthly bill credit for twelve consecutive months. The monthly bill credit will be \$8.40, \$9.94, and \$11.63, excluding applicable taxes, effective November 1, 2009, 2010 and 2011, respectively. The Company will commence posting the monthly bill credits to a customer's account within 60 days of receiving notification from the New York State Office of Temporary Disability (or its successor) of a customer's receipt of a HEAP grant.