

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

At Orange & Rockland (O&R), we have a responsibility to provide safe and 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 customer. It is your reference guide for any questions you might have concerning your energy service from O&R.

Orange & Rockland Privacy Statement

Your privacy is important to us, and we protect information we collect while doing business with you. We obtain this information through: our web-sites, apps, and social media pages; your use of electric, or gas services; any devices and technologies related to any energy efficiency, demand management, distributed generation or other initiatives or programs we may offer to you from time to time; third-party sources, social media platforms, and in-person, phone, email, text or written correspondence with you. This information may include your name, account number, home or business address, email address, telephone number, energy use data (including but not limited to smart meter readings), location information, or other information that is specific to you as our customer or that you otherwise elect to share with us. To view Orange & Rockland's Privacy Statement, please visit oru.com/en/privacy-statement.

New Language Added to Our Contract with You

O&R has added language to our electric and gas contracts with you, known as "Tariffs," effective December 1, 2021. This notifies customers that, by accepting service from O&R, you consent to us contacting you by phone, auto-dialed/ automated voice calls or text messages regarding your utility service. You may opt out of these calls by:

- Replying STOP in response to a text message
- Calling us at **1-877-434-4100**
- Emailing us at oru.com/ContactUs
- Mailing a note to Orange & Rockland, Attn: Customer Assistance, 390 West Route 59 Spring Valley, NY 10977

To access both the Electric and Gas Tariffs, please visit: oru.com/en/rates-tariffs/rates/new-york.

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, call Customer Assistance toll-free at **1-877-434-4100** or contact us online at oru.com/en/Contact-Us. Our Customer Service Representatives handle calls Monday through Friday, 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. Excluding weekends and holidays, most online inquiries are handled within 24 hours.

For our customers with a speech or hearing impairment, we have a TTY unit available in order to make communication possible. Please dial 711, the Telecommunications Relay Service, for assistance.

Walk-in Business Offices

Our Walk-in Business Offices are open Monday through Friday, 8 a.m. – 4:30 p.m., except holidays.

Rockland County: Spring Valley Operations Center - 390 West Route 59, Spring Valley, NY 10977

Orange County: Blooming Grove Operations Center - 500 Route 208, Monroe, NY 10950. Port Jervis Business Office - 15 Jersey Avenue, Port Jervis, NY 12771

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 Customer Assistance who will review the situation with you. We are 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 are still not satisfied, you may file your complaint online at dps.ny.gov/complaints, by fax at **1-518-472-8502** or by mail at: Office of Consumer Services, NYS Department of Public Service Commission, 3 Empire State Plaza Building 3, Albany, NY 12223-1350. You may also call the PSC's toll-free HELPLINE at **1-800-342-3377** from 8:30 a.m. – 4:00 p.m., Monday through Friday, except holidays. If your concern involves a billing charge, we can not turn off service while the matter is under consideration by the PSC. All other amounts and bills remain payable when due. If you purchase electric or gas supply from a company other than O&R, and your concern involves your electric or gas supply charges, contact your energy supply company Energy Service Company (ESCO). If you are not satisfied with your ESCO's response and would like to file a complaint, please call the NYS Department of Public Service Competitive Energy Hotline at **1-888-697-7728** weekdays from 8:30 a.m. to 4 p.m., except holidays.

New Construction Services

To obtain service for new construction, a service upgrade or change in a meter location, go online at oru.com/ProjectCenter or contact the appropriate New Construction Services regional office by calling **1-845-577-3324**.

Application for Service: We have a responsibility to provide service — or tell you why we are unable — 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 attempt to do so as

soon as conditions permit. We'll also ask you to indicate your service classification on your application. We'll help you determine your service classification if you do not already know it. If you are applying for firm gas transportation service, such service will commence according to the schedule outlined in Service Classification No. 6. We will require you to complete an application for service online at oru.com/ProjectCenter. 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.

How To Apply for Service: Application forms are available via oru.com/ProjectCenter. If you need assistance accessing Project Center you can contact a representative at **1-845-577-3324**.

If You're Denied Service: You're entitled to prompt written notice if your application for service is denied. This notification must state the appropriate reason(s) for denial.

Deposit Policy

If you are 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 backbill 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. You also have the right to request that the utility review the account in order to assure that the deposit is not excessive.

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. Interest will be credited to the account and held for at least one year by the Company. Accrued interest will be credited to the first bill rendered after October 1. 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.

Alternate Type of Deposits: We may accept irrevocable letters of credit or surety bonds which provide a level of security equivalent to cash. Depending on your type of business, we may accept your enrollment in Automatic Bill Payment in lieu of a deposit.

Billing Information

We have a responsibility to provide electricity and/or natural gas to our customers in a reliable manner. In turn, we expect our customers to pay their utility bills promptly.

When To Pay: O&R bills you every month for electricity and/or natural gas after you use it. Your bill is due and payable when you receive it. If you do not pay by 12:01 AM local time 24 calendar days after 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 balance of any bill for service, including budget bills and any unpaid late payment charge amounts applied to previous bills.

Billing Options: You may receive your O&R bill by mail or by email. To receive your bills electronically, sign up for eBill at oru.com/eBill.

Payment Options: You may pay electronically through Automatic Bill Payment. To enroll, go to online oru.com/PaymentOptions. You may also pay by mail, by phone, or at oru.com/MyAccount or by using your computer for bill payment through your bank. You may also pay by credit or debit card online at oru.com/PaymentOptions or by phone at **1-855-852-4240**. (Credit and debit card transactions are handled by our payment agent. The agent charges a convenience fee for this service.) 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, call us toll-free at **1-877-434-4100** or go to our website at oru.com/PaymentOptions.

Budget Billing: You may be able to spread your energy payments more evenly throughout the year with our Budget Billing plan. Budget Billing can help you avoid large summer and winter bills by dividing your annual cost into 12 monthly payments. For more information, call us toll-free at **1-877-434-4100** or visit our website at oru.com/BudgetBilling.

Access to Meter(s): We read the meter(s) so we can send you an accurate bill based on the amount of gas and/or electricity you use. However, there are occasions when we can not gain access to read the meter(s).

As a customer, you have an obligation to provide access to the company's meter(s). If you can't provide access yourself, you should let O&R know who will be responsible for doing so. This is especially important if your electric service is measured by a demand meter. A demand meter not only records the overall amount of energy you use, but also the instantaneous demand required by your service at any instant. We can estimate both your overall energy usage and your demand. Since overall energy usage can be more accurately estimated than demand, it is important that we have access to demand meters at least once a month or your bill may be inaccurate.

If you are a demand billed customer, we will make a second attempt to obtain an actual reading within seven days of the date of your regularly scheduled meter reading. If you are a non-demand billed customer, we will make a second attempt to obtain an actual reading after two consecutively estimated bills. If you do not know whether you are a demand or non-demand billed customer, please call us toll-free at **1-877-434-4100**. Failure to cooperate in resolving a lengthy meter access problem can result in penalties of up to \$100 for each incident of inaccessibility and, ultimately, termination of service.

Gas Safety Inspections: From time to time, we will need to perform government mandated safety inspections on the piping leading up to your gas meter. We can arrange to perform this inspection during or after normal business hours. If after several attempts we are unable to schedule and perform this safety inspection, you could be subject to a \$100 charge on your bill. If we are still unable to perform this safety inspection, we may need to terminate your gas service for safety reasons. Again, we will make every effort to schedule this inspection at your convenience.

Check ID: For your protection, our meter readers and other employees or contractors carry a photo ID badge and written authorization, which you can inspect before they enter your premises. If you have any doubts, please insist on seeing the ID card, or call us for verification toll-free at **1-877-434-4100**.

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

Backbilling: On occasion, we may render a backbill to a customer whose energy use was underbilled as a result of a low estimate or other circumstance. If you get a backbill, we must provide you with a detailed, written explanation of why you received it.

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 can not adjust billing or assess penalties. The parties involved should seek a mutually agreeable arrangement.

Final Termination Notice

We have the right to disconnect your service under certain circumstances. We will terminate your service if you fail to: **(1)** pay undisputed charges for service; or **(2)** pay amounts due under a payment arrangement; or **(3)** pay a lawfully required security deposit; or **(4)** provide access to the premises as reasonably required.

Before we can disconnect your service, we must send you a Final Termination Notice that states: **(1)** the reason(s) for termination, including the total amount required to be paid, if any, and the manner in which termination may be avoided; **(2)** the earliest date on which termination may occur; **(3)** the address and phone number of the office of the utility that the customer may contact in reference to the account; **(4)** that utility procedures are available for considering customer complaints prior to discontinuance; **(5)** that commission procedures are available for considering customer complaints when a customer is not satisfied with the utility's handling of the complaint, including the address and phone number of the appropriate commission office; **(6)** that it is a termination notice which should be brought to the attention of the utility when the bill is paid; **(7)** that payment of the charges with a check that is subsequently dishonored may result in immediate termination of service without further notice, if applicable; and **(8)** that at the time the utility goes to the premises to terminate service, it may require any payment to be made with cash, certified check or money order if the customer has, within the last 24 months, paid with a check that was dishonored.

We will not send a Final Termination Notice for non-payment until at least 20 calendar days have elapsed from the date payment was due, unless you have agreed in writing to other terms. The Final Termination Notice shows an issuance date and a due date. Its due date is at least 10 calendar days from its issuance date. If you pay the bill, or arrange for payment before the due date, we can not terminate your service. If you think we have made a mistake on your account, call us. We will check it and postpone termination while we look into the matter, provided you pay any undisputed charges. If you are eligible, we will offer you the opportunity to negotiate a payment arrangement at least five days before we otherwise would have terminated your service. If you sign and return this arrangement and pay any down payment required, we can not terminate your service. Your service will be terminated if: **(1)** you fail to pay the amount due as shown on the Final Termination Notice; or **(2)** you do not work out a payment arrangement; or **(3)** you repeatedly fail to provide access to the meter(s).

Pay Plan

If you are having difficulty paying your utility bill, please speak to a customer service representative ("CSR") as you may be eligible for a Pay Plan. A pay plan is a short-term arrangement (generally less than 30 days) in which an extension is granted to a customer to pay their current and/or overdue bills. A pay plan protects the account from any further collection action while allowing time for processing of the payment.

Payment Arrangement

If you are experiencing temporary problems that prevent you from paying your bills in a timely fashion, and you meet certain eligibility requirements, we will work with you to establish a payment arrangement. We may require you to make a down payment, but it may not be more than 30 percent of the arrears on which a Final Termination Notice is based or the cost of two times your average monthly use, whichever is greater. The payment arrangement can include any amounts billed after we issue the Final Termination Notice, in addition to the amount shown on the Notice. If you wait until after the due date on the Notice, and we must visit the premises to terminate service or collect payment, a down payment of up to 50 percent of the arrears, or the cost of four times your average monthly usage, whichever is greater, may be required. We will charge you a late payment fee on any outstanding balance under a payment arrangement. We must have a signed arrangement in our possession for it to be in effect.

Time of Termination

We are allowed to terminate utility service Monday through Friday between 8 a.m. and 6 p.m. We can not terminate service on a Saturday, Sunday, any public holiday, any day our business office is closed, or on a day the PSC is closed.

If we arrive after 3 p.m. on a Friday or on the day before a public holiday when our business office or the PSC is closed, we will make every effort to contact someone at the premises to let the person know our intention. Our goal is to allow the person to resolve the account balance and provide payment to avoid termination. If a resolution is not reached, we have the right to discontinue service until 6 p.m. In an emergency, we can terminate service any time there is a serious safety problem, and we will restore service as soon as the problem is corrected. When we visit a service location to terminate electric service, a \$27 collection fee, plus applicable tax, will automatically be assessed at the time of our visit whether or not we lock electric service, collect full or partial payment, make a payment arrangement or collect a down payment on a payment arrangement.

Reconnection of Service: If your O&R service has been terminated, we will reconnect it within 24 hours when: (1) you have either paid the amount due or signed a payment arrangement and made a down payment; or (2) you have allowed access to the meter(s) and reasonable arrangements have been made for future access; or (3) you have provided proof, or a field visit confirms, that a tariff violation has been corrected; or (4) the PSC directs us to reconnect service. We have the right to charge a reconnection fee of \$27, plus applicable tax, to reconnect electric service and \$69 to reconnect gas service during regular business hours weekdays 8 a.m. to 4 p.m., excluding holidays, or \$41 to reconnect electric service, or \$104 to reconnect gas service, plus applicable tax, at all other times. If service was disconnected at the street, a reconnection fee of \$169, plus applicable tax, shall apply to reconnect service during normal work hours, as defined above, or \$253, plus applicable tax, outside those hours and days.

Service Classifications

The rates you pay for the electricity and/or gas you receive are based on your service classification (SC).

When you first apply for service, we use the technical information you supply to determine the SC 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 SC. A notice, advising you of any changes made in your SC and the reason for the change, shall be provided at the time of the change.

As part of our ongoing effort to place all customers on the most economically advantageous service classification, and to accommodate

changes in your service needs, please call the appropriate regional office for New Construction Services at **1-845-577-3324** if you change your operations in a manner that will impact your electric and/or gas service.

Electric Service Classifications

When Your Electric SC Could Change: The primary reason for a change in electric SC is an increase or decrease in recorded energy demand — that is, a change in the amount of electricity you need all at once at any given time. An increase can happen when a small business expands to larger quarters. A decrease can occur when a larger industrial concern closes down a plant but retains an office.

Energy Demand: The amount of energy needed all at once at any given time is measured in kilowatts (kW), whereas overall energy consumption is measured in kilowatt hours (kWh), just as it is for residences. If you are a demand metered customer, the price you pay for electric service includes a charge for the demand component as well as one for the overall consumption component. A change in the demand component may result in a SC change.

Most non-residential electric accounts are classified as SC2 or SC3, although there are other rates for less common usage situations. SC2 is for secondary or primary metered customers, who normally experience an actual recorded monthly demand under 100 kW. Primary metered customers must provide their own transformers and any other equipment necessary to take service at a primary voltage level.

Primary metered customers with demands that consistently exceed 100 kW may find it advantageous to take service under SC3. SC9 and SC22 are classifications for the largest commercial and industrial customers — those that normally experience an actual recorded monthly demand of more than 1,000 kW. These customers can benefit from taking advantage of special rates that apply to certain periods of the day.

Under all of these electric SCs, customers can choose to purchase their electric power supply from O&R or from an energy services company (ESCO).

Gas SCs: SC2 is applicable to general use of gas by non-residential customers who purchase their gas supply from the company. Certain small, non-residential heating customers may be eligible to take service under SC1. SC5 applies to general service used by customers who have installed dual-fuel capability sufficient to serve the customer's entire need when the customer is not burning gas. SC6 is applicable to the firm transportation of gas purchased by customers purchasing their gas supply from an ESCO that is participating in the company's Gas Transportation Service Program. SC8 is applicable to the interruptible transportation of gas purchased by customers purchasing their gas supply from an ESCO that is participating in the company's Gas Interruptible Transportation Program. Customers commencing service under SC8 on or after November 1, 2006 must, in addition to other requirements of this SC, demonstrate to the company's satisfaction annual gas consumption of at least 100,000 Ccf at a single meter. SC8 customers are 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.

Time-of-Use (TOU) Rates: O&R's TOU electric rate allows you to lower your energy costs without reducing the overall amount of electricity you use. This is the rate you would be charged for the delivery of electric service, based on the time of day you actually use electricity. Under the TOU rate, a customer is charged a higher delivery rate during certain times of the day called "peak" periods, and is charged less during other times of the day. To discuss O&R's TOU rates or receive a brochure call our Customer Service Representatives at **1-877-434-4100** or contact us at oru.com/en/Contact-Us.

Tariff Availability: Copies of the complete tariffs for all SCs are available for review in our Walk-in Business Offices and on oru.com. You can obtain a print copy by calling us toll-free at **1-877-434-4100**. Customer Service Representatives are available to assist you Monday through Friday 8 a.m. to 7 p.m., except holidays.

Demand Meter: An increase in your usage may require O&R to install a demand meter and, in some cases, require you to make electric installation modifications. Changes made to your service classification or meter will be communicated at the time of the change.

Home Energy Fair Practices Act (HEFPA): As a commercial customer, you may be entitled to protection under 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's eligibility requirements. HEFPA is a state law which 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, community residences, veterans' organizations, 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 **1-518-457-5431**. 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. If you purchase your electric or gas supply from an ESCO, and your commercial use is partially exempt for residential use, you will need to provide Form TP-385 to them.

For Safety's Sake: Call Before You Dig

New York's utility notification service provides details on the location of underground electric wires, gas lines, and communication cables. Don't damage underground equipment, get injured or find yourself with a repair bill. Call **811** or **1-800-962-7962** toll free, 24 hours a day, seven days a week. Call at least two full business days (not counting weekends or holidays) prior to beginning work.