PSC NO: 12 GASLEAF: 394COMPANY: THE BROOKLYN UNION GAS COMPANYREVISION: 2INITIAL EFFECTIVE DATE: 11/01/11SUPERSEDING REVISION: 1STAMPS: Issued in compliance with Order in C. 06-G-1185 dated 01/19/2010

## FORM OF SERVICE AGREEMENT FOR AGGREGATED NON-CORE TRANSPORTATION SERVICE (Service Classification No. 18)

THIS AGREEMENT entered into this \_\_ day of \_\_\_\_\_, \_\_, by and between The Brooklyn Union Gas Company, a New York Corporation (Company) and \_\_\_\_\_, a corporation, partnership, individual (Customer).

## WITNESSETH:

WHEREAS, the Company's Schedule for Gas Service (Tariff) contains a Service Classification No. 18 (SC-18) pursuant to which the Company offers a non-core transportation service to qualifying customers (NCT Service);

WHEREAS, Customer has requested Company provide Customer NCT Service; and WHEREAS, Company is willing to provide such service to Customer subject to the terms and conditions herein.

NOW, THEREFORE, Company and Customer agree as follows:

1. <u>Definitions</u>. For the purposes of this Agreement, the following terms shall have the meanings set forth below:

- (a) "Daily Delivery Quantity" means the total quantity of gas that is required to be delivered to the Company grossed up to cover system losses under the Company's Monthly Balancing Program.
- (b) "Delivery Quantity" means the total quantity of gas that is required to be delivered to the Company grossed up to cover system losses under the Company's Daily Balancing Program.
- (c) "Seller" means person or entity meeting the Company's qualifications to sell gas to a pool under this Service Classification.

## 2. <u>Transportation Service</u>.

Customer represents and warrants that Customer qualifies for service under SC-18, Rate NCTS-\_\_\_\_. Subject to the terms and conditions of this Agreement, the Tariff, and the terms and conditions of SC-18, Customer hereby agrees to deliver or caused to be delivered gas in quantities as follows:

(a) For Monthly Non-Firm Balancing - The Daily Delivery Quantity, as determined by the Company at least monthly, based upon the customer's historical normalized consumption and/or estimates of consumption under normal conditions.

(b) For Daily Non-Firm Balancing - The Delivery Quantity as determined by the customer's Seller which is adjusted as necessary during each day based on the customer's telemetered consumption in order to align deliveries with consumption.

Issued by: Alan P. Foster, Senior Vice President and Controller, Brooklyn, NY