Received: 08/01/2011
Status: CANCELLED
Effective Date: 12/01/2011

SERVICE CLASSIFICATION No. 6C - Continued

Equipment Failure and/or Inadequate Fuel on Hand:

Whenever the Company becomes aware that the Customer's equipment is incapable of switching to an alternate fuel and/or that the Customer does not have a reasonable amount of fuel on hand considering the time in the heating season, the Company will notify the Customer within forty-eight (48) hours that the violation must be corrected within ten (10) calendar days. It will be the responsibility of the Customer to contact the Company and provide proof that the violation has been corrected. However, this will not apply if the Customer has previously stipulated in writing that the Customer is willing and able to shut down during periods of interruption.

Non-Compliance Charges:

Customers that receive notice from the Company regarding inadequate standby fuel and/or equipment failure that fail to supply the Company with such proof will be subject to the higher of the variable rate equal to the greater of 130% of the No. 2 oil gas equivalent price (as published in the Journal of Commerce) or 130% of their otherwise applicable variable sales rate ("non-compliance charge"). For customers taking Temperature Controlled Transportation service, the non-compliance charges will be 130% of the applicable month's posted Temperature Controlled Transportation Rate, SC 18-TC. Such non-compliance charge, which will be subject to all applicable utility taxes and surcharges, will be in lieu of the otherwise applicable variable rate and will be effective for the billing period during which non-compliance becomes known, and for any subsequent periods until the Customer provides the Company with satisfactory proof that the violation has been corrected. Customers subject to this higher variable rate continue to be subject to all terms and conditions of this Service Classification. If a non-compliance charge is assessed in the same period that an Unauthorized Use Charge is assessed, the Customer's bill will not include consumption charged under the "Unauthorized Use Charge."

Termination:

Notwithstanding any other provisions or requirements of this Service Classification, if a Customer fails to maintain the dual-fuel equipment or associated control devices, regardless of ownership, in proper working order; or interferes in any manner with the operation of such devices; or interferes with or hinders in any manner the Company's rights of access, metering and inspection; or otherwise violates any provision of this Service Classification, the Company will have the absolute right to terminate the gas service provided for hereunder. Any customer terminated for non-compliance with this Service Classification will not be permitted to return to this Rate Schedule until the end of the following winter season.

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

Cancelled by 3 Rev. Leaf No. 205 Effective 12/01/2011
Effective date postponed to 12/01/2011. See Supplement No. 60.