

PSC NO: 1 GAS LEAF: 170  
COMPANY: KEYSpan GAS EAST CORP. DBA BROOKLYN UNION OF L.I. REVISION: 7  
INITIAL EFFECTIVE DATE: 07/01/09 SUPERSEDING REVISION: 6  
STAMPS: Issued in compliance with order in C. 09-M-0311 dated 06/19/09

**Service Classification No. 12**  
**Temperature-Controlled Service - Non-Residential (continued)**  
**(Rate Codes: 330, 331, 332)**

**Rate 1 and Rate 2 (per meter, per month)(continued):**

**Determination of Rate 1 and 2:**

The Company will, at its sole discretion, set the rate per therm at a level which is no less than the Temperature-Controlled (TC) Floor Price plus the Incremental State Assessment Surcharge applicable to SC12. In addition, an annual price cap will apply in compliance with the Commission's orders in Case 06-G-1186 and Case 09-M-0311. The annual price cap calculation will compare actual S.C. 12 revenues versus what those revenues would have been under Service Classification No. 2B - General- Heating plus the Incremental State Assessment Surcharge for SC12. If during any month the TC Floor Price is higher than the published Monthly Cost of Gas for S.C. 2B, an adjustment to the annual price cap is permissible.

**Rate 3 (per meter, per month):**

1. Available to any non-residential customer, including multi-dwelling, whose gas-fueled equipment is capable of using at least 100,000 Dth annually. The customer needs to demonstrate to the Company's satisfaction that it:

Issued by: Nick Stavropoulos, Executive Vice President, Hicksville, NY