

- (c) the utility knows or reasonably should know that any of such service will be provided through a single meter to both units of a two family dwelling, as defined in section 11.8 of the HEFPA.

5. Residential Customer:

Pursuant to HEFPA, a Residential Customer shall include any person who, pursuant to an application for service made by such person or a third party on his or her behalf, is supplied directly by a utility with gas, electric or steam service at a premises used in whole or in part as his or her residence where:

- (a) The utilities effective tariff specifies a residential rate for such service; provided, however, that no person who requests service to an entire multiple dwelling or for the common areas of a multiple dwelling as defined in the Multiple Dwelling Law or the Multiple Residence Law, shall be considered a residential customer solely because the utilities effective tariff specifies a residential rate.
- (b) such service is primarily used for his or her residential purposes and the customer has so notified the utility;
- (c) the utility knows or reasonably should have known that any of such service is provided through a single meter to both units of a two family dwelling, as defined in section 11.8 of the HEFPA; or
- (d) such person was a residential customer (as defined in the preceding subparagraphs of the same utility within 60 days of making the request, was not terminated for non-payment, meter-tampering or theft of services, and has moved to a different dwelling within the utility's service territory so long as such person remains a residential customer as defined in the preceding subparagraphs.

6. Seasonal or Short-Term Residential Customer:

A Seasonal Customer is a person who applies for and received utility service periodically each year, intermittently during the year, or at other irregular intervals. A Short-Term Customer is a person who requires service for a specified period of time that does not exceed one year. A customer who receives