

PSC NO: 119 ELECTRICITY
NEW YORK STATE ELECTRIC & GAS CORPORATION
Initial Effective Date: 09/01/03

Leaf: 102
Revision: 0
Superseding Revision:

GENERAL INFORMATION

5. Liability:

A. Supply of Service

The Corporation will endeavor at all times to provide a regular and uninterrupted supply of service, but in case the supply of service shall be interrupted or irregular or defective or fail from causes beyond control (including without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards, or bodies having jurisdiction), or through ordinary negligence of employees, servants, or agents, the Corporation will not be liable therefore.

B. Customer Equipment

Neither by inspection nor non-rejection, nor in any other way, does the Corporation give any warranty expressed or implied, as to the adequacy, safety, or other characteristics of any structures, equipment, wires, conduit, appliances, or devices owned, installed, or maintained by the customer, or leased by the customer from third parties.

C. Company Equipment

The Corporation will not be liable for any injury, casualty, or damage resulting in any way from the supply or use of electricity or from the presence or operation of the Corporation's structures, equipment, wires, conduit, appliances, or devices on the customer's premises, except injuries or damages resulting from the negligence of the Corporation.

D. Improper Turn Off

In cases where intentional disconnections of individual customers are made in error, the Company will:

- (a) reimburse residential consumers served either directly or indirectly for their losses actually sustained, not to exceed \$100 for any one consumer for any one incident, as the result of improper turn offs of service lasting more than 12 hours, when such losses consist of the spoilage of food or medicine for the lack of refrigeration.
- (b) reimburse nonresidential consumers served either directly or indirectly for their losses actually sustained, not to exceed \$2000 for any one consumer for any one incident, as the result of improper turn offs of service lasting more than 12 hours when such losses consist of the spoilage of perishable merchandise for lack of refrigeration.

Consumer claims in the above cases must be made within a 90-day period following the improper turn off incident.

Issued by: James A. Lahtinen, Vice President – Rates & Regulatory Economics, Binghamton, NY