

21. A. Resale Provision

- a. Service will not be supplied under Service Classification #1 and #2 for resale, remetering (or sub-metering), or other disposition to tenants or occupants, except that any customer may furnish gas for the use of his tenants or occupants that the customer shall not resell, make a specific charge for, or remeter (or sub-meter except as provided in Section 21.A-b below) or measure any of the gas so redistributed or furnished.
- b. Landlords of industrial and commercial properties, which do not have residential tenants, may file a petition and application to the New York State Public Service Commission requesting permission to submeter gas usage to their tenants. Such petition and application must address the following four areas of major concern regarding the request to submeter: (1)safety; (2) rate impact for the ultimate consumer; (3) non-rate consumer protection issues; and (4) service provider and utility matters. The petition and application must also provide that the conditions proffered will be reiterated in leases with the sub-metered tenants. Copies of such petition and application must be served on the Company and the petitioner's tenants.

B. Temporary Service

Temporary service shall be considered to be service to a non-permanent structure and/or personal property, or service to a building and/or structure which is non-permanent in that it may be readily removed or relocated.

Where service is to be used for temporary purposes only, the applicant will be required to pay to the Company all costs of the equipment used and of the connection and removal thereof. At the expiration of the service period, the customer will be credited with the salvage value of the material and equipment removed by the Company. In such cases, an advance payment sufficient to cover all costs may be required.

- C. Gas fired emergency electric generators may be installed during periods of temporary gas usage restriction subject to the following conditions:
 - a. Only sufficient emergency electric generating capacity shall be installed to provide the minimum needs for safety and health.
 - b. The customer shall pay all costs associated with the installation including, if necessary, all costs for system reinforcement, mains and service laterals.
 - c. Where the company has sales restrictions the EEG customer will be penalized for excessive usage. Excessive usage will occur when the customer exceeds his existing annual limitation for other uses plus an annual EEG allotment allowing one-half hour testing each week and estimated use during verifiable power outages. Usage over this new annual limitation will be billed, where appropriate, at the maximum tariff penalty for unauthorized use.