

**PSC NO: 9 GAS****CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.****INITIAL EFFECTIVE DATE: October 1, 2004****STAMPS: Issued in compliance with order in Case 03-G-1671 dated September 27, 2004****LEAF: 336****REVISION: 2****SUPERSEDING REVISION: 0****SERVICE CLASSIFICATION NO. 12 – Continued****DUAL-FUEL SALES SERVICE (DFSS) – Continued****Rates - Continued****(C) Minimum Charge (per month) - Continued**

Off-Peak Firm Customers taking Off-Peak Firm Service under Service Classification No. 9 shall receive credit for volumes taken under that Service Classification during the billing period.

Charges for Unauthorized Gas Use and balancing charges shall not be credited against the minimum charge.

An Off-Peak Firm Customer taking service under a negotiated local distribution rate shall be subject to the above-described minimum charge. The applicable local distribution Base Rate used in computing the minimum charge for such Off-Peak Firm Customer is the non-negotiated local distribution Base Rate set forth in Rate Provision B of this Service Classification for the applicable term of service (with a one cent per therm reduction off such rates for usage over 500,000 therms per month). Any terms of payment of such minimum charges which differ from this Service Classification will be set forth in an agreement negotiated between the Customer and the Company.

**Annual Reconciliation:**

If a Customer incurs a minimum charge in any month(s) but the quantity of service taken in the Annual Period is equal to or greater than 1/2 of the Annual Quantity (exclusive of the allowance for losses), the Company shall refund all minimum charges paid in excess of the amounts applicable to the quantity of service taken in the shortfall months. If the quantity of service taken in the Annual Period is less than 1/2 of the Annual Quantity, the Company shall refund so much of the minimum charges paid in the shortfall months as exceed the amount payable for 1/2 of the Customer's Annual Quantity. The Annual Period is the 12 months beginning with the month in which the Customer first receives service under this Service Classification and each succeeding 12-month period. This calculation shall exclude any Charges for Unauthorized Use.

For an Off-Peak Firm Customer taking service under a negotiated local distribution rate, the annual reconciliation described above will be performed only to the extent of excess minimum charges paid at the non-negotiated local distribution Base Rates set forth in Rate Provision B of this Service Classification.

**(D) Other Rates, Charges and Adjustments:**

Customers shall be responsible for paying, in addition to the Base Rates and, where applicable, Minimum Charge, one or more of the following rates, charges, or adjustments to Base Rates, as applicable.

**(1) Increase in Rates and Charges:**

Rates 1 and 2 shall be increased by the applicable percentage, in accordance with General Information Section VIII.

**(Service Classification No. 12 - Continued on Leaf No. 337)****Issued By: Joan S. Freilich, Executive Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003**

(Name of Officer, Title, Address)