

PSC NO: 1 GAS LEAF: 172
COMPANY: KEYSpan GAS EAST CORP. DBA BROOKLYN UNION OF L.I. REVISION: 5
INITIAL EFFECTIVE DATE: 10/29/04 SUPERSEDING REVISION: 4
STAMPS: Issued in compliance with order in Case 04-G-0944 dated 10/21/04

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

Special Provisions (continued):

2. Temperature Related Interruptions: Service to customers will be interrupted when the temperature drops below the temperature level specified by the Company. Temperature settings of the control devices, whether automatic or semi-automatic, will be established solely by the Company. For purposes of this service classification, the temperature is:
 - a. measured outside the customer's premises, except when such information is not readily or accurately available, or if operation or supply conditions warrant, then 1) the Company will use the temperature measured at the Company's weather monitoring station located at Hicksville, New York.
3. Standby Fuel Requirements: Customers with human needs, such as multiple dwellings and hospitals, are required:
 - a. to install and maintain at all times a sufficient standby alternate fuel supply and the dual-fuel equipment necessary to utilize same in the event of an interruption, and
 - b. unless otherwise expressly authorized by the Company in writing, to maintain a supply of alternate fuel sufficient to at least meet the customer's fuel consumption needs for a period of ten days at the beginning of the heating season.
 - 1) The installation and subsequent operation of such dual-fuel equipment and all associated control devices shall be subject to the approval of the Company.

Whenever the Company becomes aware that the Consumer's equipment is incapable of switching over to an alternate fuel and/or that the Consumer does not have a reasonable amount of fuel on hand considering the time of the heating season (at times other than a Company called interruption), the Company shall notify the Consumer that the violation must be corrected within ten (10) business days. This requirement is for Customers whose alternate fuel is distillate and non-distillate in the case of human needs Customers. It shall be the responsibility of the Consumer to contact the Company and provide proof that the violation has been corrected. However, this will not apply if the customer stipulates in writing that they are willing and able to shut down during periods of interruption.

With regards to the inadequate fuel situation and/or equipment failure, Customers who have not supplied the Company with such proof shall be subject to the higher of the variable rate equal to the greater of 130% of the No. 2 oil gas equivalent price (as published in the Journal of Commerce) or 130% of their otherwise applicable variable sales or transportation rate, whichever applies. Such variable rate shall be in lieu of their otherwise applicable variable rate and shall be effective for the billing period during which non-compliance becomes known, and for any subsequent periods during which the non-compliance continues or the date the customer provides the Company with satisfactory proof that the violation has been corrected, and is subject to all applicable utility taxes and surcharges. Consumers subject to this higher variable rate continue to be subject to the terms and conditions of this service classification, including an additional charge for gas consumed in violation of this Service Classification without the express written authorization of the Company.

Issued by: Joseph F. Bodanza, Senior Vice President and Chief Accounting Officer, Hicksville, NY