

PSC NO: 12 GAS  
COMPANY: THE BROOKLYN UNION GAS COMPANY  
INITIAL EFFECTIVE DATE: 10/29/04  
STAMPS: Issued in compliance with order in Case 04-G-0945 dated October 21, 2004

LEAF: 224.1  
REVISION: 3  
SUPERSEDING REVISION: 2

**SERVICE CLASSIFICATION No. 6M - Continued**

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 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.

- d. The consumer expressly agrees to be solely responsible for the service, maintenance, repair and upkeep of all dual-fuel equipment and all associated control devices. The Company assumes no responsibility for the adequacy of standby facilities and shall not be liable for any loss, damage or expense, direct or indirect, which may be incurred by the customer or others in connection with or as a result of any curtailment or discontinuance of gas service.

Issued by: John J. Bishar, Jr., Senior Vice President, General Counsel and Secretary, Brooklyn, NY