

PSC NO: 12 GAS LEAF: 427.31
COMPANY: THE BROOKLYN UNION GAS COMPANY REVISION: 1
INITIAL EFFECTIVE DATE: 01/01/04 SUPERSEDING REVISION: 0
STAMPS: Issued in compliance with order in Case 02-M-0515 dated December 3, 2003

SERVICE CLASSIFICATION No. 21 (Continued)

- (f) The Customer agrees to permit access by the Company's employees or representatives, at all reasonable times, to the Customer's premises for the purpose of determining that the operation of installed cogeneration equipment and related facilities is in compliance with all terms and conditions for service required under this service classification.
- (g) Customers receiving gas service for equipment equal to or larger than 5MW must install, pay for, and maintain automatic meter reading equipment capable of demand billing, and a dedicated phone line. Customers will also be responsible for other monitoring equipment as required by the Company.
- (h) Customers equal to or larger than 1MW are responsible for all meter set costs (excluding the meter) and must be paid prior to installation.
- (i) The Company shall recalculate each customer's load factor, using the formula described under the applicability language herein, the customer's previous actual 12 months' usage data once a year beginning on the anniversary of the commercial operation of the customer's DG unit. If the customer's average annual load factor is not at least 50%, the customer will be placed on the otherwise applicable rate for one year unless there are mitigating circumstances, which in the Company's sole discretion, supports allowing the customer to remain on this service classification.
- (j) Except as otherwise provided for elsewhere in this service classification, with respect to metering, balancing and curtailment issues, customers taking service under this service classification will be subject to the rights and responsibilities as those under otherwise applicable firm rates.

Additional Charge:

Customers whose use of gas exceeds the permissible quantities set forth in subparagraphs (c) and (d) of paragraph 29 on Leaf No. 57 will be subject to an additional charge of nine (9) times the charge indicated in the terminal (lowest) block including the Revenue Tax Surcharge. The imposition of such additional charge shall not limit any rights of the Company to terminate gas service provided for in this Schedule for Gas Service.

Charge for Late Payment:

Pursuant to the provisions contained in General Leaf No. 41.

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