

PSC NO: 12 GAS
COMPANY: THE BROOKLYN UNION GAS COMPANY
INITIAL EFFECTIVE DATE: 08/05/05
STAMPS:

LEAF: 342
REVISION: 9
SUPERSEDING REVISION: 8

SERVICE CLASSIFICATION No. 17 - Continued

Daily Swing Service Monthly Imbalance Charge

The Company shall balance the Customer's account after each actual meter reading to zero. This shall be done by comparing the sum of the Customer's deliveries to the Company for the month to the Customer's actual usage for the same period. If the Customer consumed more gas than delivered to the Company for his account, the excess shall be purchased by the Customer at the Company's Monthly Cash Out Price for the same period. If the Customer consumed less gas than delivered to the Company for his account, the shortfall shall be credited to the Customer at the Company's Monthly Cash Out Price for the same period.

Capacity Release Program

All Marketers/Direct Customers must secure primary firm delivery point capacity for the needs of their firm customers for each of the five winter months (November through March, inclusive). Such capacity shall be made available to the Marketer/Direct Customer by the Company in the manner described in Sections IV.C and V.C of the Company's Gas Transportation Operating Procedures Manual (the "Manual"). Marketers/Direct Customers electing not to participate in the Company's Capacity Release Program (described in those Sections) are required to:

1. Procure their own primary firm capacity to the Company's citygate for 100% of their capacity needs for each of the five winter months (November through March, inclusive); and
2. Submit an affidavit to the Company in each of the five winter months (November through March, inclusive) in the manner and at the time described in Sections IV.C and V.C of the Company's Manual. The affidavits will attest that the Marketer/Direct Customer has procured primary firm delivery point capacity to the Company's citygate for the applicable month. As described in the Manual, the penalty for falsifying any of the information in the affidavit will be \$.33 per Dth on the full five winter months of the Marketer-s/Direct Customer-s normalized consumption, in addition to any other applicable penalties that might be incurred by the Marketer/Direct Customer.

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