

..DID: 20842

..TXT: PSC NO: 12 GAS

LEAF: 138.33

COMPANY: THE BROOKLYN UNION GAS COMPANY

REVISION: 5

INITIAL EFFECTIVE DATE: 02/11/03

SUPERSEDING REVISION: 4

STAMPS:

Effective date postponed to 05/01/03. See Supplement No. 13

RECEIVED: 11/12/02 STATUS: Pending EFFECTIVE: 05/01/03

GENERAL INFORMATION (Cont.)**B. Single Bill Option**

The Company will provide a single bill option to any ESCO/Marketer who so desires wherein the Company will include the ESCO/Marketer charges on the utility bill. This service shall be provided pursuant to a Billing Service Agreement entered into between the Company and the ESCO/Marketer. An ESCO/Marketer participating in the Company's single bill option may elect to receive pro rata sharing, provided the ESCO/Marketer fully complies with the following requirements, and any additional requirements set forth in the Company's billing services agreement:

1. For its own charges, the ESCO/Marketer must be providing customers with the same rights customers have with respect to utility charges as they relate to payment due dates, late payment charges, termination and final notices and timelines, and the availability of deferred payment agreements (DPAs) for delinquent (but not previously disconnected) customers, and must demonstrate this to the Company.
2. The ESCO/Marketer must demonstrate to the Commission that it is currently providing such rights to customers with respect to ESCO/Marketer charges and must satisfy the Commission that the ESCO/Marketer has adequate controls in place to assure that such rights will continue to be protected.
3. Upon the Commission's determination that the ESCO/Marketer is providing such rights to customers and is prepared to continue to do so, the ESCO/Marketer will contractually commit to the Company to preserve and protect such rights for customers as long as pro rata sharing of customer payments continues.
4. The ESCO/Marketer must produce, for each of its customers in the Company's service territory, the express written and executed consent of the customer to a change in the application of customer payments to a pro rata method; this consent must be based on a plain language disclosure advising customers that their consent may constitute a waiver of their rights under the Home Energy Fair Practices Act not to lose utility service in the event of a partial payment that, were it not for pro rata application, would cover utility arrears and prevent termination. Such pro rata payment sharing will be available to ESCOs/Marketers meeting the foregoing criteria not later than 90 days following a Commission order approving General Information Leaf No. 138.2, First Revision.

Issued by Richard A. Rapp, Jr., Vice President, Deputy General Counsel and Secretary, Brooklyn, NY