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GENERAL INFORMATION (CONT'D)

5. A backbill shall be accompanied by an offer of a deferred payment agreement in accordance with Rule (XVIII), if applicable.

G. Limitations on Backbill Rendering - Non-Residential Customers:

1. These provisions are intended to reflect the requirements of 16 NYCRR § 13.9 (b).

2. The Utility shall not render a backbill more than six months after the Utility actually became aware of the circumstance, error or condition that caused the underbilling, unless a court extends the time to render a backbill.

3. The Utility shall not upwardly revise a backbill unless the first backbill explicitly stated that the Utility reserved the right to do so, the revised backbill is rendered within 12 months after the Utility actually became aware of the circumstance, error, or condition that caused the underbilling, and

a. the customer knew or reasonably should have known that the original billing or the first backbill was incorrect; or

b. new information shows that the first backbill was incorrect.

4. The Utility shall render a downwardly revised backbill as soon as reasonably possible and within two months after the Utility becomes aware that the first backbill was excessive.

5. The Utility shall not render a backbill for any underbilling when the reason for the underbilling is apparent from the customer's service application, or could have been revealed in a service application and the Utility failed to obtain and retain one.

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