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..TXT: PSC NO: 9 GAS LEAF: 302
COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. REVISION: 4
INITIAL EFFECTIVE DATE: 01/14/02 SUPERSEDING REVISION: 3
STAMPS: Issued in compliance with order in Case 00-G-0996 dated October 31, 20
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SERVICE CLASSIFICATION No. 9 - Continued
TRANSPORTATION SERVICE - Continued

Rates - Continued

(J) Other Rates, Charges and Adjustments - Continued

(4) Charges for Unauthorized Use:

For each term of Unauthorized Usage, Customer shall pay one of the following applicable Charges for Unauthorized Use:

for a Interruptible or Off-Peak Firm Customer, a charge equal to the higher of \$4.50 per therm or \$2.50 per therm plus a market gas price, as set forth in the Company's Sales and Transportation Operating Procedures ("Operating Procedures");

for a Power Generation Customer, a charge equal to the higher of (i) 120% of the applicable wholesales electric market price; (ii) \$4.50 per therm; or (iii) \$2.50 per therm plus a market gas price, as set forth in the Operating Procedures; and

for a Contract Interruptible or Off-Peak Firm Industrial Customer, a charge equal to two times the Unauthorized Use Charge applicable to an Interruptible or Off-Peak Firm Customer.

Unauthorized Usage shall consist of:

- (a) all gas consumed by the Customer during a period when transportation is interrupted, and
- (b) any gas consumed by an Interruptible or Off-Peak Firm Customer or Power Generation Customer in excess of the Daily Transportation Quantity, exclusive of the allowance for losses, on a day when the Company declares an OFO or the Company is curtailing or interrupting its Interruptible sales, Off-Peak Firm sales, or Power Generation Customers.

The payment of this amount shall not constitute liquidated damages nor impair the Company's right to any remedy to which it may be entitled for injury caused by a Customer's unauthorized overrun. Charges for Unauthorized Use shall not be recognized in the calculation of the minimum charge.

If a Customer is unable to switch from gas to its alternate fuel or energy source in accordance with this Service Classification and related Operating Procedures, and notifies the Company of such situation prior to or within one hour of implementation of the interruption, the Customer shall be billed at one-half of the Charge for Unauthorized Use during the first four hours of interruption. Thereafter, the Customer shall be billed at the full charge.

Charges for Unauthorized Use shall be increased by the applicable percentage for the Increase in Rates and Charges, in accordance with General Information Section VIII.

(Service Classification No. 9 - Continued on Leaf No. 303.0)

Issued By: Joan S. Freilich, Executive Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003
(Name of Officer, Title, Address)