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THE BROOKLYN UNION GAS COMPANY

One MetroTech Center

Brooklyn, NY 11201

May 22, 2000

Honorable Janet Deixler
Secretary
Public Service Commission
Three Empire State Plaza
Albany, NY 12223

Re: Case No. 98-M-1343 - In the Matter of Retail Access Business Practices

Dear Secretary Deixler:

Attached for filing electronically with the Commission are the following tariff leaves, issued by The Brooklyn Union Gas Company ("the Company"), to become effective on September 1, 2000:

Fourth Revised Leaf No. 138.19

Third Revised Leaf No. 138.33

Fourth Revised Leaf No. 138.21

Third Revised Leaf No. 138.36

Third Revised Leaf No. 138.22

to Schedule for Gas Service, PSC No. 12-GAS..

On April 26, 1999, The Brooklyn Union Gas Company (the "Company") submitted a filing to comply with the Commission's January 22, 1999, February 16, 1999 and April 15, 1999 orders and its March 5, 1999 notice in Case 98-M-1343, In the Matter of Retail Access Business Rules. Within this filing the Company requested temporary waivers pursuant to the Commission's instructions in the January 22 order.¹

The Company has complied with virtually all of the Commission's Uniform Business Practices for Retail Access (the "UBPs"); however there was one provision that the Company could not comply with and therefore, first requested a six month waiver from these requirements. That provision addressed provisions #2, #3 and #5 as set forth in Appendix A of the UBP order which require utility notices within 10 calendar days as stated in the "New Delivery Customer

¹. Order Adopting Uniform Business Practices and Required Tariff Amendments, Case 98-M-1343, In the Matter of Retail Business Rules, issued January 22, 1999.

Requirements" Section A.2, in the "Switching" Sections A.1 and "Slamming Requirements" Section A.1 of Appendix A. Provision #4 requires utility notices within 15 calendar days as stated in the "Discontinuance of Service" Section A.1, also of Appendix A.

At the time of the filing the Company was providing these services manually and could only provide them within 25 days. Compliance with the 10 calendar day requirement could not be met without extensive time consuming system enhancements. The Company therefore, requested a waiver of the 10-day requirement until December 1, 1999 and to be permitted to continue to require that such notices be provided by the ESCO/Marketer/ Direct Customer 25 days prior to the change date.

The Commission granted that waiver, among others, in its May 20, 1999 untitled order issued in this proceeding. Subsequently, on November 9, 1999, the Company requested an additional waiver of this requirement until June 1, 2000 because of the additional burdens placed on its resources by the Y2K and EDI system requirements. The tariff leaves implementing that waiver went into effect on December 9, 1999.

The Company has worked diligently on enhancing its electronic systems to be able to perform these requirements within the allotted time period. However, due to the extensive amount of work that was required to implement the 10- and 15-day requirements, the Company will be unable to complete the necessary system enhancements for implementation on June 1, 2000. The Company has completed much of the programming interface between the marketers and the customers necessary to allow marketers to enroll, add, and drop customers in The Company's retail access program. That interface will be accomplished through flat file transfer, which the Company is endeavoring to complete. To that end, the Company plans a meeting with all interested marketers on May 24. At that meeting, The Company will review the flat file transfer procedure and give the marketers the requisite file formats which they, in turn, will install and implement.

Given the Company's progress to date and based on its knowledge of its and the marketers programming requirements, the Company believes it can complete those requirements and implement the 10- and 15- day requirements on or before September 1, 2000. The Company commits to implementing those requirements as soon as possible and as soon as all of the programming is complete. Therefore, the Company requests continuation of the previously granted waivers of the 10-day and 15-day requirements until September 1, 2000 and permission to continue to require that the ESCO/Marketer/Direct Customer continue to provide such notices to the utility 25 days prior to the change date. However, the Company will implement the 10- and 15- day requirements prior to September 1 if it is possible to do so.

Because this additional delay is relatively short and the Company believes that no market participant will be prejudiced by this delay, the Company requests that the Commission allow the tariff leaves implementing this delay to go into effect on or before June 1, 2000, and that the Company be granted a waiver from the Commission's regulations regarding newspaper publication; and that it grant the Company such other relief to which the Company may be entitled.

If you have any questions about this filing please call Najat Coye at (718) 403-2772.

Respectfully submitted,

THE BROOKLYN UNION GAS COMPANY

By:_____