

..DID: 8254

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THE BROOKLYN UNION GAS COMPANY  
One MetroTech Center  
Brooklyn, NY 11201

April 26, 1999

Hon. Debra Renner  
Acting Secretary  
Public Service Commission  
State of New York  
Three Empire State Plaza  
Albany, NY 12223

Re: Case 93-G-0932 In the Matter of Retail Access Business Rules

Dear Acting Secretary Renner:

The Brooklyn Union Gas Company (the "Company") hereby electronically submits the following tariffs leaves to become effective on June 1, 1999:

Second Revised Leaf No. 7  
Second Revised Leaf No. 42  
Second Revised Leaf No. 51  
Second Revised Leaf No. 133  
Original Leaf Nos. 138.1 through 138.48  
Second Revised Leaf No. 314  
Second Revised Leaf No. 315  
Second Revised Leaf No. 403  
Second Revised Leaf No. 415  
Second Revised Leaf No. 416

to Schedule for Gas Service, P.S.C. No. 12-GAS.

The purpose of this filing is 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. In addition, the Company seeks certain temporary waivers pursuant to the Commission's instructions in the January 22 order.<sup>1</sup>

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

The Company, in most respects, is administratively able to comply with the Commission's Uniform Business Practices for Retail Access (the "UBPs"); however, there are six provisions that the Company presently cannot comply with because these functions are performed manually and compliance will require enhancements to existing mechanized systems or the purchase of new systems which can not be completed within the timeframe prescribed by the Order. A six-month waiver from these requirements will allow the Company the additional time needed to put such mechanized systems in place while preventing undue waste of resources that could better be applied to reaching compliance with the Electronic Data Interchange ("EDI") requirements. Therefore, the Company is requesting waivers for six months, until December 1, 1999, for full compliance with these six provisions of the UBPs. The provisions for which the waivers are requested are the following:

**1. CURRENT CUSTOMER INFORMATION**

The UBPs require that:

"Utilities must make available to ESCOs/Marketers/Direct Customers all data recorded by and currently retrieved from their customers meters and all other information necessary to compute the customers most recent bill. All such information to be furnished by the utility must be provided electronically at no charge to ESCOs/Marketers/ Direct Customers when the data is acceptable by the Company to bill its customers."

Today, the Company provides this information on a weekly basis via e-mail or facsimile. To provide this data sooner, as soon as it becomes acceptable, will require enhancements to existing computer systems. Therefore, the Company requests a waiver of this provision and allow the Company to continue to provide such information weekly until December 1, 1999.

**2. NEW DELIVERY CUSTOMER REQUIREMENTS**

**3. SWITCHING REQUIREMENTS**

**4. DISCONTINUANCE NOTICES TO THE UTILITY OF SERVICE**

**5. SLAMMING PREVENTION PROCESS**

Provision #2, #3 and #5 require utility notices within 10 calendar days as stated in the "New Delivery Customer Requirements" Section A.2, in the "Switching" Section 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. The Company currently provides these services manually and can only provide such within 25 calendar days. Again, compliance with the 10 calendar day requirement can only be met after time consuming system enhancements have been completed. The Company requests 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.

**6. BILLING AGENCY REQUIREMENTS**

Billing Agency requirements entails the ESCO/Marketer acting as a billing agent and sending a single bill for the gas commodity and transportation to the customer and receiving and allocating payments as such. Extensive enhancements to our systems and EDI must be implemented before the Company could offer such an option. The Company therefore requests a waiver of Billing Agency Requirements until the later of December 1, 1999 or the implementation of EDI.

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

Respectfully submitted,

THE BROOKLYN UNION GAS COMPANY

By: \_\_\_\_\_