

PSC NO: 9 GAS
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INITIAL EFFECTIVE DATE: 02/19/04

LEAF: **81**
REVISION: 1
SUPERSEDING REVISION: 0

Issued in Compliance with Order of the Public Service Commission dated December 19, 2003 in Case Nos. 98-M-1343, 99-M-0631, and 03-M-0017

GENERAL INFORMATION - Continued

III. General Rules, Regulations, Terms and Conditions under Which Gas Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Gas Service - Continued

12. Termination of Service

(A) Grounds for Termination, Withholding or Suspension of Service:

For purposes of this section, termination of service shall mean the physical disconnection of the Customer's service including suspension of service to an SC No. 9 transportation Customer at the request of an SC No. 20 Marketer.

The Company may terminate service to a Customer after sending a final notice of termination and fulfilling all other requirements of the applicable rules of the Public Service Commission:

- (1) if the Customer fails to pay amounts due under a deferred payment agreement;
- (2) if the Customer fails to pay a lawfully required security deposit;
- (3) in the case of a non-residential Customer, if the Customer fails to provide reasonable access to the premises for necessary or proper purposes in connection with rendering service or removal or securing of the Company's property; provided that the Company has met applicable requirements of the Public Service Commission's rules for obtaining access to the premises or property, the Customer has not advised the Company that the Customer does not control access, and the Customer has advised the Company of who does control access;
- (4) if the Customer fails to pay lawfully billed tariff charges, provided that unless otherwise permitted under the Public Service Commission's regulations, bills to non-residential Customers shall be restricted to service used within 6 years of the date of the bill first containing these charges, and bills to residential Customers shall be restricted to service rendered within the preceding 12 months or;

(General Information - Continued on Leaf No. 82)

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

STAMPS: Issued in compliance with order in Case 03-G-1671 dated September 27, 2004

GENERAL INFORMATION - Continued

III. General Rules, Regulations, Terms and Conditions under Which Gas Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Gas Service - Continued

12. Termination of Service – Continued

(A) Grounds for Termination, Withholding or Suspension of Service – Continued

- (5) the applicant's or Customer's installation, or part thereof, is deemed to be unsafe, inadequate or unsuitable for receiving the Company's service; or if the applicant or Customer fails to comply substantially with any applicable provision of this Rate Schedule, or with any lawful and applicable rule, regulation, order or directive of the Public Service Commission or other authorities having jurisdiction.

Upon termination of service by the Company for any of the above reasons, or upon discontinuance of service by the Customer prior to the end of the term of an agreement for service, there shall become forthwith due and payable to the Company, as stipulated damages and not as a penalty, a sum equal to the minimum charge guaranteed under such agreement for the remainder of the term thereof.

In the event that service to a particular premises is terminated by the Company or by the Customer prior to the expiration of the annual term of an agreement for service, and service is supplied to another Customer at the same premises during all or part of the remainder of such term, the Company will offset against the minimum charge or charges payable by the former Customer for the remainder of such term,

- (1) under a monthly minimum agreement, the amount billed by the Company, to and paid by, the latter Customer for service supplied during each corresponding monthly billing period, and
(2) under an annual minimum agreement, the amounts billed by the Company to, and paid by, the latter Customer for service supplied during the remainder of such term.

The Company will suspend delivery service to an SC No. 9 transportation customer that is a residential customer or a two-family dwelling receiving Consolidated Bills, or a multiple dwelling, upon request of an SC No. 20 Marketer, in accordance with the UBP and the Home Energy Fair Practices Act (Public Service Law, Article 2), and regulations adopted thereunder. If the Company has purchased a Marketer's receivables for a residential Customer, the Company may disconnect its delivery service to the Customer and the Marketer's commodity service in accordance with applicable provisions of law if the Customer fails to make full payment of all amounts due on the consolidated billing, including the amount of the Marketer receivable. If the Company has purchased a Marketer's receivables for a non-residential Customer, the Company may disconnect its

(General Information - Continued on Leaf No. 83)

GENERAL INFORMATION – Continued

III. General Rules, Regulations, Terms and Conditions under Which Gas Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Gas Service - Continued

12. Termination of Service – Continued

(A) Grounds for Termination, Withholding or Suspension of Service – Continued

(5) Continued

delivery service and the Marketer commodity service, in accordance with Commission regulations on termination of non-residential service, provided the Customer has failed to make full payment of all amounts due on the consolidated billing and the Marketer has furnished an affidavit to the Company that the Marketer has notified its non-residential Customer that Con Edison is permitted to disconnect service under such circumstances. The Company will terminate service to an SC No. 20 Marketer in accordance with the UBP.

(B) Notice, Days and Hours: A final notice of termination of service shall be sent to:

- (1) Residential Customers in accordance with applicable Public Service Commission rules.
- (2) Non-residential Customers no less than 20 days after the date payment was due, or the date given in a written notice to cure a tariff violation as provided in applicable Public Service Commission rules, or where the reason for the notice is failure to provide access, except that a final notice of termination for non-payment may be sent on or after the date payment was due in cases involving failure to pay for unmetered service supplied through tampered equipment, failure to pay an installment amount due under a deferred payment agreement, or if the Company has accepted a written waiver of the Customer's right to a 20 day notice, in lieu of a deposit, all as more fully described in, and in accordance with, the Public Service Commission's rules. Service may not be terminated until at least 5 days after personal service or 8 days after the mailing of a final notice of termination of service. Service may be terminated between 8 A.M. and 6 P.M. Monday through Friday, except on public holidays as defined in the General Construction Law, days on which the service centers of the Company are closed for business, and days on which the Public Service Commission is closed. However, on days preceding days on which service may not be terminated, termination may only occur after 3 P.M. if the Customer or any person in charge of the premises is informed prior to termination in a personal contact that termination is about to occur and the Company is prepared to accept a check for any payment required to avoid termination.

(General Information - Continued on Leaf No. 84)

Issued By: Robert N. Hoglund, Senior Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003

(Name of Officer, Title, Address)

..DID: 6481

..TXT:

PSC NO: 9 GAS

LEAF: 84.0

COMPANY: CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

REVISION: 0

INITIAL EFFECTIVE DATE: 03/01/99

SUPERSEDING REVISION:

STAMPS:

RECEIVED: 12/08/98

STATUS: Effective

EFFECTIVE: 03/01/99

GENERAL INFORMATION - Continued

III. General Rules, Regulations, Terms and Conditions under Which Gas Service Will Be Supplied, Applicable to and Made a Part of All Agreements for Gas Service - Continued

12. Termination of Service - Continued

(C) Termination Without Normal Notice:

The Company shall, to the extent reasonably feasible under the circumstances, provide advance notice to non-residential Customers whose service will be interrupted for any of the reasons shown below. Notwithstanding any other provision of this tariff, the Company may withhold, suspend, curtail or disconnect service to a building, unit or piece of equipment, at any time, only when:

- (1) an emergency may threaten the health or safety of a person, the surrounding area, or the Company's transmission or distribution systems;
- (2) there is a need to make permanent or temporary repairs, changes or improvements in any part of the system;
- (3) there is a governmental order or directive requiring the Company to do so; or
- (4) it finds service being supplied through tampered equipment, provided that the Company has complied with the Public Service Commission's rules for the termination of service under these circumstances.

(D) Further Information Relating to Termination of Service:

The Company's procedure for termination of service are subject to the rules of the Public Service Commission for termination of service in Title 16 of the Code of Rules and Regulations of the State of New York (NYCRR). Among other matters these rules deal with the time and form of notice, physical termination of service, multiple and two-family dwelling, persons receiving welfare assistance and special procedures for medical emergencies, the elderly, blind or disabled and during cold weather.

(General Information - Continued on Leaf No. 85.0)

Issued By: Joan S. Freilich, Executive Vice President & Chief Financial Officer, 4 Irving Place, New York, N. Y. 10003

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