

Nonresidential

Rights and Responsibilities

NYSEG

Reliable. Essential.

March 2008

This booklet, which we provide once each year, summarizes our service policies, energy supply choices, and your rights under Public Service Commission (PSC) rules and the Home Energy Fair Practices Act (HEFPA) – Rules (Title 16 of the New York Codes, Rules and Regulations – Part II) based on New York State Public Law. Please take time to read it, and keep it for future reference.

Your Nonresidential Service

Nonresidential Customer

The characteristics of your electricity or natural gas service qualify you for nonresidential status.

Selection of the Most Advantageous Rate

As a nonresidential customer, it is your responsibility to select the most advantageous rate classification for your account. Upon request, we are happy to review your energy use and help you determine which rate classification may be best for you.

Nonresidential Customers Who Do Not Have a Demand Meter (Electricity) - An increase to over 2,000 kilowatt-hours (kwh) of electricity consumption for two consecutive months may require that we install a demand meter. This will mean a portion of your bill will then be based on your peak energy use. There is no charge for installation of the meter.

Nonresidential Customers Who Have a Demand Meter (Electricity) - An increase to over five kilowatts of electricity demand may require a change in your service classification.

In either of the above cases, we will notify you of the change and the reason for it.

Closing Your NYSEG Account

If you want to have your NYSEG account turned off because you are moving to another location, contact us. Our billing system will automatically discontinue your energy supply choice, including terminating your enrollment with a supplier other than NYSEG, also known as an energy services company or ESCO. Contact your ESCO to determine if they have any fees for terminating your supply agreement.

Access to the Meter

It's important that we access our meter for readings, inspections and maintenance. New York State Public Service Law permits our meter readers to enter unlocked private property at all reasonable times to access our equipment and meters.

We make every effort to read the meter, but there are times when we have to estimate the amount of electricity or natural gas you have used.

For electricity customers with a demand meter, if we are not able to obtain a meter reading, we must try again within seven days. If we still are not able to obtain a reading, we will issue an estimated bill.

If your bill includes demand charges, we will send you a “no access” notice after we issue two consecutive estimated bills because we were not able to read the meter.

If your bill does not include demand charges, we will send you a “no access” notice after we issue four consecutive estimated bills because we were not able to read the meter.

If your bill does not include demand charges and you read the meter or have a remote meter reading device, we must have access to the meter once a year for a meter reading.

We will send you a notice requesting access on the next scheduled read date or by appointment. In each of the above cases, should we not gain access and you receive a second notice, you or the person with access to the meter may be charged up to \$100. This charge will be added to each bill until we have access to the meter.

If you receive a notice and you do not control access to the meter, it is your responsibility to notify us of who does have access.

If the next reading after an estimated bill shows that the estimated demand was lower than actual demand, we may revise the estimate, in accordance with PSC rules, and bill you for the difference.

Billing & Payment

Billing

We issue a monthly bill based on an actual or estimated meter reading based on the amount of energy you have used. Past energy use is the primary factor we consider when preparing an estimated bill.

Whenever we send a bill based on estimated energy use, it is clearly marked as such in the meter reading table on page 3 of your bill. The procedure we use to prepare an estimated bill is approved by the PSC.

If you prefer, you can provide us with a customer meter reading on the months we are not reading your meter. For a phone or mailed reminder when a reading is due, we offer a Customer Meter Reading Reminder service. For more information on reading the meter, contact us.

Bill Payment

We offer several options to pay your bill:

- **Mail** your payment.
- Receive and pay your NYSEG bill **online** through NYSEG's **e-Bill** service or through your own online billing provider. For more information, visit **nyseg.com**.
- Make a payment **online** through NYSEG's **e-Payment** service **or by calling** us at **1.800.572.1111** (with either service you will still receive paper bills).
- Use **electronic funds transfer (EFT)**. With EFT, we'll automatically deduct your payment from your checking account (approximately 23 days after we mail your bill each month). To sign up for EFT, complete the form on the back of the payment stub on your bill.
- Leave your payment in our **drop box** at one of our 13 office locations.
- Bring your payment to a **pay agent** (nearly 1,100 supermarkets, banks or other businesses). To find the pay agent nearest you, contact us.

Payment Due Date - Your payment is due when you receive your bill. Late payment charges are 1.5% a month (18% per year). If you pay by mail, online or at an authorized pay agent, you can avoid a late payment charge by having your payment received by NYSEG by the date on the payment stub on page 1 of your bill.

Budget Billing Plan - Budget Billing lets you spread your energy costs evenly over 12 months. It does not reduce the cost of the energy you use, but it can help you even out your monthly bills. For more information contact us.

Customers Billed on Service Classification 2, 3, or 7 - Your demand for electricity may increase to a considerably higher than normal level if all of your air conditioning, space heating and/or heavy production equipment turns on simultaneously after a power interruption. This increase in demand could potentially result in a higher electricity bill. Please be aware that it is your responsibility to take the necessary steps after a power interruption to avoid this situation.

Deposits

New Customers - NYSEG will require new customers to pay a deposit and sign a written application when beginning service with us. The deposit must be paid in full before service will be provided.

Existing Customers - We will require a deposit from an existing customer:

- Who has made a late payment on two or more occasions within the previous 12 months.
- Whose financial condition is such that the customer may default in the future.
- Who has been billed within the past 12 months for charges which resulted from tampering with metering equipment.

Existing customers may pay the deposit in three installments consisting of a 50% down payment and two monthly payments of the balance.

When we require a deposit, the amount is determined by doubling the estimated average monthly bill. For electricity or natural gas customers whose use peaks during the heating or cooling season, the deposit is determined by doubling the estimated average monthly bill during the peak season.

Refunds/Requests for Additional Deposit -

At the first anniversary of our receipt of a deposit, and at least every two years after that, we will review your billing history to determine if the deposit still covers two months' average energy use. If it exceeds two months' use by 25% or more, we will refund the excess. If it falls short of two months' use by 25% or more, we may require an additional deposit.

Return of Deposits - We will return a deposit no more than 30 calendar days after:

- The day an account is closed.
- You have paid all bills in full and on time for 36 consecutive months.

Interest on Deposits - Your deposit will earn interest at a rate set by the PSC. Interest will be calculated from the day a deposit is received until it is applied as a credit to your account.

Billing & Payment (continued)

Payment Arrangements

If you are having difficulty paying your NYSEG bill, don't wait, please call us at **1.888.315.1755**. Together we can work on a solution, including a possible payment agreement.

A payment agreement can enable an eligible customer who is having trouble paying their NYSEG bill to spread payment of the past-due amount over several months. It does not forgive any past-due amounts nor does it release a customer from the obligation to pay current and future bills on time.

If you are eligible, we will provide a notice offering a payment agreement:

- Not less than five calendar days (eight calendar days, if mailed) before termination of service, provided you have been a customer for at least six months and the past-due amount exceeds two months' average billing.
- When we backbill you for an underbilling which exceeds twice your average monthly use or \$100, whichever is greater.

Any one of these circumstances makes a customer ineligible for a payment agreement:

- The ability to pay at the time of the agreement or at any time during the term of the agreement.
- Owing any amount under a previous payment agreement.
- Failing to make timely payments under a payment agreement during the previous 12 months.
- Operating as a publicly-held company.
- Exceeding electricity or natural gas usage levels specified in PSC rules.
- Being a seasonal, short-term or temporary customer.
- Being an electricity customer who, during the previous 12 months, had a combined average monthly billed demand for all accounts in excess of 20 kilowatts (kw), or who registered a single demand in excess of 40 kw.
- Being a natural gas customer who, during the previous 12 months, had a combined total consumption for all accounts in excess of 4,000 therms.

A payment agreement may require you to make a down payment of 30% of the past-due charges upon which the final termination notice is based or twice your average monthly bill, whichever is greater, plus the full amount of any past-due charges billed after the termination notice was issued.

If we come to your facility to terminate service and you are eligible for a payment agreement, we may require a down payment of 50% of the termination notice amount or four times your average monthly bill, whichever is greater, plus the full amount of any past-due charges billed after the termination notice was issued. In either case, you will be required to pay the balance in monthly installments of up to the cost of your average monthly energy use or one-sixth of the balance, whichever is greater.

The specifics of a payment agreement may be changed if mutually agreed upon.

Termination of Service for Nonpayment

The last thing we want to do is terminate your electricity or natural gas service. Before we terminate service for nonpayment, we make every effort to help you find a way to pay your NYSEG bill. If you are having difficulty paying your bill, please call us at **1.888.315.1755** to make arrangements.

Before we terminate your service for nonpayment, we will send you a final termination notice. We do not send a final termination notice until a bill is past due.

We may terminate service only between 8 a.m. and 6 p.m. We will not terminate service on Saturday or Sunday, a public holiday, on a day when our offices or the PSC offices are closed, or after 3 p.m. on the day before any of those days, unless we have made personal contact to inform you that your service is about to be terminated.

If your service has been terminated and you cannot reach an agreement with our representative to reconnect service, you may ask to speak with a supervisor. If you still are not satisfied, you may call NYSEG Customer Assistance at **1.800.231.2888**. If an agreement cannot be reached you may call the PSC Emergency Hotline at **1.800.342.3355**, weekdays between 7:30 a.m. and 7:30 p.m.

Turn Off of Service for Unsafe Conditions

We may turn off service any time we find a serious safety or technical problem. After the problem is corrected, we will turn service on as soon as possible.

Authorization

You can designate someone (a relative, caretaker, business agent, etc.) to have access to your account information and contact NYSEG on your behalf. The authorized person will be able to make decisions about your service. They would not be responsible for any costs incurred on your account. To designate an authorized person, contact us.

Customer Rights & Responsibilities

Reconnection of Service

We charge to reconnect service during and after normal business hours. Our fees are published at nyseg.com in our tariffs.

If your service has been terminated for nonpayment, we will reconnect it within 24 hours when either:

- You have paid the amount due, or signed a payment agreement (if eligible) and made the required down payment.
- The PSC directs us to reconnect the service.

The amount due may consist of:

- The full amount of arrears and/or a security deposit for which service was terminated.
- Any other past-due charges that were billed after the termination notice was issued.

For NYSEG Electricity Customers Billed at the NYSEG Fixed Price - If your service was reconnected before 60 days, you will continue to be charged the same *NYSEG Fixed Price* rate per kilowatt-hour you paid previously. If your service is reconnected after 60 days, you will be billed at whatever *NYSEG Fixed Price* rate is in effect at that time.

Landlords

Shared Meters - By law, residential tenants are required to pay only for the electricity or natural gas they use.

Sometimes a tenant's electricity or natural gas meter also registers electricity or natural gas used outside the tenant's dwelling. This is called a "shared meter." In those cases, tenants are only required to pay for the energy they use in their dwellings.

In situations where a shared meter exists, the landlord must either:

- If permitted by New York State's Shared Meter Law, enter into an agreement with the tenant to compensate the tenant for any energy the tenant did not use.
- Place the dwelling unit's electricity or natural gas account in the landlord's name.

If the landlord does not correct the situation or enter into an agreement with the tenant, when eligible, within 120 days of discovery of the situation, the landlord must become the customer of record per the New York State Shared Meter Law.

If you would like a complete summary of the Law and its exceptions, please call us at **1.800.572.1111**.

Reduced Tax Rate - As a landlord, if you think you may qualify for a reduced tax rate, please consult your tax advisor and mail the appropriate form to NYSEG.

Complaint Handling Procedure

Whether you write, contact us by phone or send an e-mail to us, we will address your questions. If you feel our representative has not adequately addressed your concern, please ask to speak with a supervisor.

If after talking with a supervisor you are still not satisfied, you can call NYSEG Customer Assistance at **1.800.231.2888**.

If your concern remains unresolved, you can:

- Write to the New York State Public Service Commission (PSC), Three Empire State Plaza, Albany, NY 12223.
- Call the PSC's toll-free Helpline at **1.800.342.3377**, Monday through Friday, 8:30 a.m. to 4 p.m.
- Visit askpsc.com.

If your complaint involves an RG&E bill, you will not be asked to pay the disputed portion of the bill while the matter is being reviewed by the PSC. However, the remaining balance of the bill in question and any future bills should be paid when due.

Power Disturbances

All electrical systems are subject to occasional, uncontrollable events, such as severe weather conditions or accidents involving utility poles or wires. These events can result in electrical disturbances such as high and low voltage conditions or power spikes that can damage or affect the operation of your electrical equipment including appliances. Please be aware that it is your responsibility to protect your equipment against the possible effects of power disturbances.

For Emergencies, Call NYSEG. Need Service? Call a Contractor.

For natural gas or carbon monoxide emergencies, call NYSEG anytime at **1.800.572.1121**. For all *non-emergency* natural gas services (furnace problems, low or no heat; stove and/or oven problems; second opinions on recommended work; safety inspections; dryer problems; no hot water; heating, air conditioning or appliance repair), contact trained, certified equipment and appliance professionals who can help you.

Qualified, licensed plumbers, heating contractors or appliance repair professionals should install natural gas lines, change appliance connectors, or check service lines running from the natural gas meter to your appliances. This is the responsibility of the property owner along with the maintenance and repair of these lines in order to ensure safe/proper operation.

Energy Supply

Contact Information

Contact your energy services company (ESCO) for questions regarding your energy **supply**. Contact NYSEG if you have questions regarding your **delivery** services. You can select an ESCO other than NYSEG at any time for your energy supply.

Electricity Supply Choices

New/Moving Customers - If you are a new customer or a current customer moving within our service area, you will need to make an electricity supply choice within 90 days of starting service with us. Your account will be billed as follows until you make another selection or until your next actual or estimated meter reading, if you choose an ESCO:

- Small nonresidential customers* will be billed at the *NYSEG Default Supply Option*.
- Large nonresidential customers** will be billed at the *NYSEG Variable Price*.

Your new supply choice will take effect on the day you make your selection and continue through December 31, 2008, unless you choose to switch your ESCO. Unless we hear from you at the end of the 90 days, your account will remain at the applicable supply choice by customer type listed above.

*Small nonresidential customers include service classifications 12001, 12008, 12012, 12005, 12006, 12009, 12101, 12102, 12130 street and outdoor lighting. For more information visit nyseg.com

**Large nonresidential customers include service classifications 12002, 12002H, 12003P, 12003PH, 12003S, 12003SH, 120071, 120071H, 120072, 120072H, 120073, 120073H, 120074 and 120074H. For more information visit nyseg.com

Service classifications and rate information can be found on page 3 of your bill next to the light bulb symbol.

Existing Customers - If you are currently a NYSEG customer, you can change your electricity supply choice anytime through December 31, 2008. Please note that you can switch directly from the *NYSEG Fixed Price* to the *ESCO Price Option*, but not from the *ESCO Price Option* to the *NYSEG Fixed Price*, or vice versa. You can switch directly from the *NYSEG Variable Price* to the *ESCO Price Option*, or vice versa.

Natural Gas Supply Choices

New/Moving and Existing Customers -

You can choose an ESCO or NYSEG to provide your natural gas supply at any time.

Enrolling With an ESCO

- **Step 1: Obtain an ESCO List** - Participating ESCOs must meet certain requirements set forth by the PSC, New York Independent System Operator (NYISO)* and NYSEG. For the most current list of ESCOs, visit nyseg.com or call **1.800.572.1111**.
- **Step 2: Compare Prices and Services**
- **Step 3. Notify the ESCO of Your Choice** - Your ESCO must then contact NYSEG to enroll your account. Your ESCO will need your account number and PoD ID number. These numbers can be found on page 3 of your bill. Once enrolled, NYSEG will send you a confirmation letter.

* For electricity ESCOs only.

Energy Supply Start Date

Once NYSEG receives your enrollment from your ESCO, your start date will be confirmed by NYSEG in writing.

Electricity Supply - Your start date to receive electricity supply from your ESCO is the date of your next scheduled or estimated meter reading that occurs 15 days after NYSEG receives a valid enrollment from your ESCO. If you want to begin receiving electricity supply from your ESCO earlier than your start date, you or your ESCO can notify NYSEG to request a special meter reading (a \$20 fee will apply).

Natural Gas Supply - Your start date for natural gas supply is the date of your next scheduled or estimated meter reading that occurs after we receive your enrollment from your ESCO.

Billing

Once NYSEG processes your ESCO enrollment, you will receive a bill for the energy supply you previously received from NYSEG up to the date of your meter reading.

- **Single Bill Option** - If your ESCO offered a single bill option, your ESCO supply and NYSEG delivery charges will be included in your NYSEG bill. Pay NYSEG the total amount owed (NYSEG delivery and transition charges and ESCO supply charge.)
- **Two Bill Option** - If your ESCO's charges do not appear on your NYSEG bill, your ESCO will be billing you separately for energy supply, and you will pay your ESCO directly for your supply charges. Continue to pay NYSEG directly for your delivery charges.

Energy Supply (continued)

Consumer Protections

You have consumer protections when you choose an ESCO. Check with your ESCO about any consumer protections that might apply to you.

ESCO Terms and Conditions - Disclosure Statement - Your ESCO is required to provide you with a statement of the terms and conditions and your rights and responsibilities prior to you making a commitment to the ESCO. Your commitment to the ESCO will not be considered final until three business days after your receipt of the ESCO's disclosure statement. The statement must inform you about the intent of the ESCO to obtain your billing, usage and payment history information from NYSEG.

Confidentiality of Your Account Information - With your authorization, an ESCO may obtain your billing and usage history from NYSEG. To receive your payment history, the ESCO must provide NYSEG with your authorization. If you do not want NYSEG to release *any or all* account information, please contact us at nyseg.com or call **1.800.572.1111**.

Unauthorized Switches (Slamming Prevention) - Slamming is the illegal practice of switching a customer's energy supply service without the customer's consent. Before you receive your energy supply from an ESCO, NYSEG will send you a letter confirming your choice of ESCO. If you did not authorize the switch, contact us immediately at **1.800.572.1111**.

Provider of Last Resort - If, for any reason, your ESCO ceases to provide you with energy supply services, NYSEG will automatically provide you with electricity or natural gas supply. Your service will not be interrupted.

Complaint Handling Procedures

If your complaint is with an ESCO:

- Contact your ESCO directly.
- If your complaint remains unresolved or you are still not satisfied, you can contact the PSC toll-free at **1.800.342.3377** or askpsc.com.
- If you are still not satisfied after talking to the PSC, you may call the New York State Attorney General's Office at **1.800.771.7755**.

If your complaint is with NYSEG's delivery service, refer to page 4.

How to Contact Us

Emergency numbers, available 24 hours a day:

- Electricity interruptions or emergencies: 1.800.572.1131
- Natural gas odors or emergencies: 1.800.572.1121

Electronic message:

Use our "Write to NYSEG" form online at nyseg.com

Mail:

- Bill Payment.....NYSEG, P.O. Box 5600
Ithaca, NY 14852-5600
- Customer Relations CenterNYSEG, P.O. Box 5240
Binghamton, NY 13902-5240

Payment arrangements:

1.888.315.1755

Service and billing questions:

1.800.572.1111

Hearing and speech impaired:

Dial 711 (New York Relay Service)

Automated Services Line:

1.800.600.2275



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