

# Monthly Report on Consumer Services



## July 2006

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# Monthly Report on Consumer Complaint Activity

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# If You Have a Complaint About Your Utility Service

The Office of Consumer Services (OCS) takes all utility consumer matters seriously, including complaints. When you contact our office with a complaint about a utility or other service provider, we take immediate steps through our Quick Response System (QRS) to address your concerns.

## The QRS Process

**We Contact Your Utility** - In an effort to ensure that utilities fulfill their obligation to provide effective customer service, we first ask the utility to contact you and resolve your concerns.

**Your Utility Contacts You** - As directed by OCS, the utility will contact you to:

- Discuss your concerns
- Provide you with the name and telephone number of a utility representative to call if you need further assistance
- Give you a date by which the company will get back to you about your concerns

**You Maintain Contact With Your Utility** - All future correspondence will come directly from the utility. If you have questions regarding your case please call your utility representative.

## The Follow-up

**Contact us if:**

- ◆ The utility does not contact you
- ◆ The utility does not provide its response to you within a reasonable timeframe
- ◆ The matter remains unresolved

If you have any questions regarding the process for addressing your concerns outlined above, please contact us at 1-800-342-3377.

# Customer Service Response Index

## Quick Reference Guide

In order to measure the effectiveness of each service provider's performance concerning issues brought to our attention by their customers the Office of Consumer Services has developed a Customer Service Response Index (CSRI). This index is reported on a monthly basis to compare the level of service and responsiveness delivered by each service provider under the Commission's jurisdiction. The CSRI is determined by measuring the following four metrics:

*The Consumer Satisfaction Metric (CSM)*; a ratio of the number of complaints to the number of QRS cases in the reporting month. All customer contacts begin as QRS cases. A complaint is recorded as a result of the customer being dissatisfied with the service provider's resolution of a case which was handled as a QRS case. A CSM score of 5 points are awarded when a service provider receives no complaints during the reporting month. There is no score awarded if a service provider satisfies less than 50% of the customers that the PSC refers to them.

*The QRS Response Time Metric (QRM)*; the average number of days it took the service provider to respond to QRS cases closed in the reporting month. A QRM score of 2 points is awarded when a provider's average response time for QRS cases is 14 days or less. The response time on each case is calculated by subtracting the response date from the date the case was opened. The average response time for each service provider is calculated by adding all the response times for QRS cases closed in the reporting month and dividing by the number of QRS cases closed that month. No points are earned if the average response time for QRS cases is more than 28 days (twice the acceptable reply standard).

*The SRS Response Time Metric (SRM)*; the average number of days it took to respond to SRS cases closed in the reporting month. An SRM score of 2 points is awarded when a service provider's average response time for SRS cases is 10 days or less. The response time on each case is calculated by subtracting the SRS response date from the date the SRS case was opened. The SRM average response time for each provider is calculated by adding all the response times for SRS cases closed in the reporting month and dividing by the number of SRS cases closed that month. If the case was in rebuttal status (a request by staff for additional information subsequent to a service providers initial reply), the response time will be calculated by subtracting the response date from the date the case was rebutted by staff. No points are earned if the average response time for SRS cases is more than 25 days (two weeks past due).

*The Pending Case Metric (PCM)*; the average age of all cases awaiting response, determined on the last day of the reporting month. A PCM score of 1 point is awarded when a service providers' average age of cases is 14 days or less. The age of each case is determined by subtracting the last day of the reporting month from the date opened on all cases awaiting a utility response. The PCM average is calculated by adding the age of all pending cases at the months end and dividing by the number of open cases. No points are earned if the average age of cases exceeds 70 days (two months delinquent) and a negative score is applied and if the average age is between 70 and 90 days.

The final CSRI score is the sum of the four metrics. Complete CSRI data is posted for those service providers that average 10 or more QRS cases per month. For all other service providers, the performance in each area is reported monthly less the actual CSRI measure. The volume of activity for these companies would result in significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service providers performance.

# COMPLAINT RATES\* OF MAJOR NEW YORK UTILITIES

## July 2006

Utility	Jun-06		Jul-06		12 Month Compl. Rate* Jul-06
	Rate*	No.	Rate*	No.	
Central Hudson	1.4	4	0.7	2	1.2
Con Edison	2.0	74	2.1	79	2.3
KeySpan of Long Island	0.6	3	0.0	0	0.9
NYSEG	0.8	8	1.2	11	0.6
National Grid	0.8	14	1.5	26	1.0
Orange & Rockland	1.9	4	0.0	0	0.7
RG & E	1.5	6	1.0	4	1.1
KeySpan of New York	1.4	17	1.1	14	1.4
National Fuel Gas	0.8	4	0.4	2	1.0
All other Energy Utilities	N/A	1	N/A	3	N/A
ESCO's	N/A	27	N/A	19	N/A
Verizon	0.5	45	0.5	49	0.3
Citizens Telcom	1.3	4	0.3	1	0.5
Frontier of NY	0.0	0	1.4	1	0.1
Alltel	0.0	0	0.0	0	0.1
Frontier Tel of Rochester	0.9	4	0.0	0	0.4
All VoIP Cos.	N/A	1	N/A	33	N/A
All other LEC's,CLEC's, IXC's	N/A	69	N/A	84	N/A
Adelphia Cable	N/A	0	N/A	1	N/A
Cablevision Systems	N/A	3	N/A	7	N/A
Time-Warner Cable	N/A	3	N/A	10	N/A
All other Cable Cos.	N/A	0	N/A	1	N/A
Long Island Water	2.7	2	1.4	1	2.1
United Water - New Rochelle	0.0	0	0.0	0	3.5
New York Water	2.3	1	2.3	1	2.4
Aquarion Water Co. of New York	0.0	0	0.0	0	0.8
United Water - New York	2.9	2	1.5	1	1.5
All other Water Utilities	N/A	1	N/A	2	N/A

All complaint rates are based on Dec. 2004 customer populations. Updates occur in April.

\* - Complaints per 100,000 customer accounts where populations are reported by the utility

N/A = data not available because populations for these companies/industries are not available.

## CREDIT COMPLAINTS vs. TOTAL COMPLAINTS Major New York Energy Utilities July 2006

Utility	July 2006 Complaint Volume			Last 12 Months Complaint Volume			12 mos. Total C/Rate	12 mos. Credit C/Rate
	Total	Credit	% Credit	Total	Credit	% Credit		
Central Hudson	2	1	50%	18	10	56%	1.2	0.3
Con Edison	79	13	16%	571	149	26%	2.3	0.3
KeySpan - LI	0	0	#DIV/0!	36	9	25%	0.9	0.1
NYSEG	11	2	18%	41	10	24%	0.6	0.1
National Grid	26	7	27%	114	48	42%	1.0	0.2
Orange & Rockland	0	0	#DIV/0!	9	5	56%	0.7	0.2
RG & E	4	2	50%	30	19	63%	1.1	0.4
KeySpan - NY	14	6	43%	109	59	54%	1.4	0.4
National Fuel Gas	2	0	0%	29	20	69%	1.0	0.3

Note: This chart shows the correlation between all complaints received and cases concerning credit related issues such as: Payment agreements, extensions for payment, threatened termination of service and termination of service to non-payment.

## Customer Service Response Index July 2006

<i>Service Provider</i>	<i>QRS Cases</i>	<i>SRS Compl.</i>	<i>CSM Index</i>	<i>Avg. QRS Response</i>	<i>QTM Index</i>	<i>Avg. SRS Response</i>	<i>SRM Index</i>	<i>Avg. Age of Cases</i>	<i>PCM Index</i>	<i>CSRI</i>
Orange & Rockland	21	0	5.0	6.6	2.0	9.0	2.0	1.0	1.0	10.0
Cablevision of Long Island	19	0	5.0	10.6	2.0	0.0	2.0	8.9	1.0	10.0
Time Warner ResCom of New York,LLC	31	0	5.0	14.8	1.9	0.0	2.0	12.3	1.0	9.9
KeySpan of Long Island	15	0	5.0	2.5	2.0	12.8	1.8	1.0	1.0	9.8
U.S. Energy Savings Corp	35	2	4.4	12.2	2.0	7.5	2.0	8.2	1.0	9.4
Citizens Communications (ILEC)	18	1	4.4	6.1	2.0	5.1	2.0	5.2	1.0	9.4
National Fuel Gas Distribution	49	2	4.6	8.7	2.0	13.2	1.7	5.5	1.0	9.3
Central Hudson Gas & Electric Corp.	28	2	4.3	3.9	2.0	0.0	2.0	6.8	1.0	9.3
Verizon Communications (LEC)	723	49	4.3	9.4	2.0	11.4	1.9	12.3	1.0	9.2
New York State Electric & Gas Corp.	151	11	4.3	12.3	2.0	11.5	1.9	9.6	1.0	9.2
Time Warner - New York City Division	129	10	4.2	9.5	2.0	6.7	2.0	7.6	1.0	9.2
National Grid, Inc	212	26	3.8	8.7	2.0	7.7	2.0	15.4	0.9	8.7
KeySpan of New York	102	14	3.6	6.0	2.0	1.4	2.0	4.9	1.0	8.6
Accent Energy Midwest, LLC	72	10	3.6	10.1	2.0	10.1	1.9	5.0	1.0	8.5
AT&T (C)	149	27	3.2	5.7	2.0	10.3	1.9	8.8	1.0	8.1
Time Warner - Albany Division	15	0	5.0	12.5	2.0	44.1	0.0	17.9	0.9	7.9
Cablevision of New York City	26	5	3.1	11.9	2.0	13.6	1.7	7.9	1.0	7.8
IDT Energy, Inc.	31	1	4.7	6.9	2.0	31.0	0.0	7.4	1.0	7.7
Rochester Gas & Electric Corp.	81	4	4.5	4.7	2.0	31.7	0.0	13.3	1.0	7.5
Broadview Networks	15	4	2.3	9.6	2.0	1.4	2.0	4.5	1.0	7.3
MCI	68	17	2.5	11.9	2.0	16.4	1.4	8.0	1.0	6.9
Con Edison of New York	482	79	3.4	11.5	2.0	27.0	0.0	18.3	0.9	6.3
IDT America Corp.	36	13	1.4	14.4	1.9	2.2	2.0	3.9	1.0	6.3
Cordia Communications Corp	12	4	1.7	4.6	2.0	0.0	2.0	62.8	0.0	5.7

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Trinsic	10	3		24.5		2.3		5.2		
Next Gen Telephone Co.	8	0		1.7		0.0		16.2		
Comcast Cable of New York - CATV	7	1		1.7		0.0		0.0		
Frontier Telephone of Rochester, Inc.	7	0		82.7		93.5		5.0		
Metropolitan Telecommunications	7	0		5.2		0.0		15.5		
Resdntl Comms. Netwrk of NY	7	0		8.1		0.0		4.0		
Taconic Telephone Corp.	7	0		6.7		0.0		8.8		
Liberty Power Corp.	6	2		13.1		0.0		1.0		
Columbia Utilities, LLC	6	1		29.6		2.8		4.0		
Econnergy	6	1		13.3		0.0		6.5		
Cablevision of Rockland	6	0		11.2		7.8		5.0		
Optimum Voice	6	0		8.9		113.2		7.0		
Verizon Communications (LD)	6	0		86.2		0.0		76.8		
Vonage Communications	6	0		13.0		0.0		49.0		
Hudson Energy Services, LLC	5	1		44.0		0.0		12.2		
Long Island American Water	5	1		31.7		0.0		0.0		
Sprint Communications	5	1		5.6		9.5		0.0		
XChange Telecom	5	1		4.2		0.0		6.0		
XO Communications, Inc.	5	1		6.4		8.2		5.0		
Charter Communications	5	0		3.0		0.0		18.0		
Talk America, Inc.	5	0		15.5		0.0		5.5		
Covista Communications, Inc.	4	3		26.0		7.0		8.0		
Conversent Communications of New Yor	4	2		3.5		9.2		14.0		
Cablevision of Southern Westchester	4	1		11.0		13.0		0.0		
Agway Energy Services, LLC.	4	0		5.0		0.0		4.3		
Time Warner - Syracuse Division	4	0		16.6		0.0		1.0		
Arbor Hills Waterworks	3	2		44.2		0.0		13.0		
InfoHighway Solutions	3	1		11.0		0.0		149.5		
Verizon Communications (PayPhones)	3	1		19.6		0.0		3.5		
Adelphia Cable - Buffalo	3	0		0.0		0.0		5.0		
Cablevision - MediaOne - Westchester	3	0		14.1		0.0		4.0		
Cablevision of Dutchess County	3	0		0.0		0.0		11.3		
Choice One Communications of New Yor	3	0		15.3		0.0		8.0		
Direct Energy Services LLC	3	0		10.5		0.0		19.0		
Energetix, Inc.	3	0		5.7		0.0		0.0		
Excel Telecommunications, Inc.	3	0		5.0		0.0		10.0		
Intelecom Solutions, Inc.	3	0		8.0		0.0		7.5		
Mid Hudson Cablevision, Inc.	3	0		2.0		0.0		4.0		
Time Warner - Rochester Division	3	0		5.6		0.0		0.0		
VarTec Telecom, Inc.	3	0		9.5		0.0		36.5		
Village of Castile	3	0		0.0		0.0		1.0		
Adelphia Cable - Utica	2	1		2.0		0.0		0.0		
BridgeCom International, Ltd.	2	1		5.6		0.2		11.0		
Commerce Energy, Inc	2	1		55.0		0.0		12.0		
Frontier Communications of NY/fka Highl	2	1		1.6		1.1		0.0		
LDC Telecommunications, Inc.	2	1		85.3		0.0		28.0		
ACN Communication Services, Inc.	2	0		9.5		0.0		4.0		
Business Network Long Distance, Inc.	2	0		25.0		0.0		94.7		
Cablevision of Westchester	2	0		9.6		0.0		8.0		
City of Jamestown Board of Public Utilitie	2	0		1.0		0.0		0.0		
Communications Network Billing, Inc.	2	0		80.0		0.0		24.0		
CornerStone Telephone Company, LLC.	2	0		1.0		0.0		0.0		
Corning Natural Gas Corp.	2	0		8.0		0.0		8.0		
NECC Telecom, Inc.	2	0		116.0		0.0		6.0		
Time Warner - Binghamton	2	0		16.8		0.0		7.0		
United Water-New Rochelle	2	0		159.5		118.1		16.0		
Village of Freeport Electric	2	0		4.5		0.0		0.0		
World-Link Solutions, Inc	2	0		1.0		0.0		10.5		
Cablevision of Yorktown	1	1		6.0		0.0		1.0		
Convergent Communications, Inc.	1	1		4.0		0.0		7.0		
N.E.A. Cross of N.Y. Inc.	1	1		18.0		0.0		1.0		
Telecarrier Services, Inc.	1	1		4.0		0.0		0.0		
Village of Rockville Centre Inc.	1	1		2.0		0.0		0.0		
Village of Solvay, Electric Department	1	1		7.0		7.9		0.0		
Adelphia Cable - Glens Falls	1	0		13.0		0.0		0.0		

## Customer Service Response Index July 2006

<i>Service Provider</i>	<i>QRS Cases</i>	<i>SRS Compl.</i>	<i>CSM Index</i>	<i>Avg. QRS Response</i>	<i>QTM Index</i>	<i>Avg. SRS Response</i>	<i>SRM Index</i>	<i>Avg. Age of Cases</i>	<i>PCM Index</i>	<i>CSRI</i>
Adelphia Cable - Niagara	1	0		0.0		0.0		25.0		
Alliance Group Services, Inc.	1	0		0.0		0.0		5.0		
AllTel of New York	1	0		0.0		0.0		8.0		
Alphaphone Inc.	1	0		0.0		0.0		6.0		
American Phone Services, Corp.	1	0		0.0		0.0		8.0		
Aquarian Water Company of Sea Cliff	1	0		0.0		0.0		8.0		
Axces, Inc.	1	0		0.0		0.0		27.0		
Berkshire Telephone Corp.	1	0		0.0		0.0		18.0		
Broadwing Communications, LLC.	1	0		0.0		0.0		0.0		
Brown's Fuel	1	0		5.0		0.0		0.0		
Cablevision Lightpath, Inc.	1	0		0.0		0.0		5.0		
Cablevision of Hauppauge	1	0		10.0		0.0		0.0		
Cablevision of Riverhead	1	0		0.0		0.0		8.0		
Choice Communications, LLC.	1	0		0.0		0.0		20.0		
Consumer Telecom, Inc.	1	0		8.0		0.0		12.0		
Covad Communications Company	1	0		0.0		0.0		68.7		
CTC Communications Corp.	1	0		0.0		0.0		12.5		
DigiZip.Com, Inc.	1	0		0.0		0.0		4.0		
Earthlink, Inc.	1	0		2.0		0.0		0.0		
Frontier Communications of AuSable Val	1	0		9.8		0.0		0.0		
Frontier Communications of Sylvan Lake	1	0		3.2		0.0		0.0		
Great Eastern Energy	1	0		0.0		0.0		14.0		
Heritage Springs Water Works, Inc.	1	0		0.0		0.0		7.0		
Infinite Energy, Inc.	1	0		9.0		0.0		0.0		
Legacy Long Distance International, Inc.	1	0		0.0		0.0		21.0		
LoTel, Inc. d/b/a Coordinated Billing Serv	1	0		0.0		0.0		7.0		
Matrix Telecom, Inc.	1	0		7.0		0.0		12.0		
MX Energy, Inc	1	0		41.5		20.9		0.0		
National Fuel Resources	1	0		0.0		0.0		11.0		
NYSEG Solutions, Inc.	1	0		3.0		0.0		0.0		
Qtel, LLC	1	0		1.0		0.0		0.0		
Reconex, Inc. (USTEL/1-800-Reconex)	1	0		0.0		0.0		11.0		
Robison Energy Of Westchester	1	0		0.0		0.0		0.0		
SBC Long Distance, LLC d/b/a SBC Long	1	0		0.0		0.0		20.0		
SILV Communcation Inc.	1	0		6.0		0.0		0.0		
Spark Energy, L.P.	1	0		8.4		0.0		0.0		
Spectrotel, Inc.	1	0		56.5		0.0		167.0		
STRATEGIC ENERGY LLC	1	0		13.0		0.0		8.0		
Telecom USA	1	0		2.1		0.0		0.0		
Telecon Communications Corp	1	0		0.0		0.0		22.0		
Teleplex Coin Communications	1	0		0.0		0.0		7.0		
Time Warner Telecom	1	0		18.0		0.0		0.0		
Total Call International, Inc.	1	0		0.0		0.0		1.0		
United Systems Access Telecom	1	0		0.0		0.0		14.0		
US LEC Communications, Inc.	1	0		3.0		0.0		0.0		
Utility Resource Solutions, L.P.	1	0		0.0		0.0		19.0		
U.S. Gas & Electric, Inc.	1	0		0.0		0.0		4.0		
Valley Energy, Inc.	1	0		2.0		0.0		0.0		
Verizon Advanced Data, Inc.	1	0		0.0		0.0		29.0		
Zenith Information System, Inc.	1	0		0.0		0.0		4.0		
BAS Communications	0	1		0.0		182.0		0.0		
BullsEye Telecom, Inc.	0	1		25.0		0.0		0.0		
DaveITel, Inc.	0	1		0.0		0.0		4.0		
Global Network Comms.	0	1		0.0		0.0		195.0		
LCI International Telecom Corp.	0	1		0.0		0.0		0.0		
New Rochelle Telephone Company	0	1		20.0		0.0		0.0		
New York Water Service	0	1		21.5		0.0		29.5		
PAETEC Communications, Inc.	0	1		132.0		0.0		14.0		
United Water-New York	0	1		124.5		2.2		18.0		
Adelphia Cable - Riverview	0	0		0.0		0.0		0.0		
Adelphia Cable - Wellsville	0	0		0.0		0.0		0.0		
Affordable Phone Services, Inc.	0	0		0.0		0.1		0.0		
American Pay Phone, Inc.	0	0		0.0		0.0		109.0		
American Telecommunications Corporati	0	0		0.0		0.0		0.0		
AmeriVision Communications, Inc.	0	0		0.0		0.0		213.7		
AMF Telecommunications, Inc.	0	0		71.0		0.0		0.0		

## Customer Service Response Index July 2006

<i>Service Provider</i>	<i>QRS Cases</i>	<i>SRS Compl.</i>	<i>CSM Index</i>	<i>Avg. QRS Response</i>	<i>QTM Index</i>	<i>Avg. SRS Response</i>	<i>SRM Index</i>	<i>Avg. Age of Cases</i>	<i>PCM Index</i>	<i>CSRI</i>
Bay City Metering	0	0		0.0		46.2		0.0		
Cablevision of Brookhaven	0	0		47.0		2.9		0.0		
Cablevision of Ramapo	0	0		15.0		0.0		0.0		
Callicoon Water Company, The	0	0		0.0		0.0		0.0		
Chronometric Telecommunications, Inc.	0	0		111.0		150.1		0.0		
Citizens Long Distance & LEC	0	0		0.0		0.0		46.0		
Cleartel Communications, Inc.	0	0		0.0		0.0		144.0		
Comcast Cable of New York - LEC	0	0		0.0		0.0		60.0		
Communicate Technological Systems, C	0	0		0.0		0.0		43.0		
Cooper Square Realty	0	0		0.0		0.0		208.0		
Dara Owners Corp.	0	0		0.0		0.0		436.5		
Econotek, LLC	0	0		54.0		0.0		0.0		
Empire Payphones, Inc	0	0		0.0		0.0		33.5		
Energy Cooperative of New York	0	0		15.0		0.0		0.0		
Energy Service Providers, Inc.	0	0		328.0		0.0		0.0		
Eureka Telecom, LLC	0	0		0.0		0.0		94.3		
Fairfield Towers Condominium Corporati	0	0		0.0		0.0		113.0		
FFC Energy	0	0		0.0		0.0		150.5		
Forest Park Water Co. Inc.	0	0		0.0		0.0		187.5		
Friedlander Water Supply	0	0		0.0		0.0		152.0		
Granite Telecommunications, LLC	0	0		254.0		0.0		0.0		
Heritage Hills Water Works	0	0		10.0		0.0		0.0		
Interstate Energy Resources Inc.	0	0		91.0		0.0		0.0		
Interstate Gas Supply of New York, Inc.	0	0		96.0		0.0		0.0		
J&N Communications	0	0		338.0		0.0		0.0		
Keyspan Energy Services, Inc.	0	0		0.0		0.0		159.0		
Knolls Water Co.	0	0		0.0		0.0		18.0		
Lettiere Water Co	0	0		0.0		0.0		0.0		
Lightyear Network Solutions, LLC.	0	0		13.0		0.0		0.0		
McGraw Communications, Inc.	0	0		175.0		0.0		0.0		
Metro Energy Group, LLC	0	0		0.0		0.0		53.0		
Metro Teleconnect Companies, Inc.	0	0		0.0		0.0		39.0		
MFS Intelenet of N.Y.	0	0		167.0		0.0		0.0		
National Access Long Distance	0	0		80.0		0.0		0.0		
National Aqueous	0	0		0.0		0.0		406.0		
Orchard Hill Water Co.	0	0		0.0		0.0		156.2		
Packet 8	0	0		20.0		0.0		0.0		
Phipps House Services, Inc	0	0		0.0		0.0		216.0		
Primelink, Inc.	0	0		0.0		4.1		0.0		
Princetown Cable Co., Inc.	0	0		14.0		0.0		0.0		
Roosevelt Island Associates	0	0		0.0		0.0		137.0		
Startec Global Licensing Company	0	0		148.3		1.3		0.0		
Sunrise Ridge Water Company	0	0		98.0		0.0		0.0		
SunRocket, Inc.	0	0		64.5		0.0		0.0		
Tech Valley Communications	0	0		18.5		0.0		19.0		
Telemanagement Services, Inc.	0	0		19.0		0.0		0.0		
Teletech Inc.	0	0		0.0		0.0		107.0		
Tiffany Mews	0	0		0.0		11.9		0.0		
Tristate Bell Inc	0	0		258.8		0.0		0.0		
United Telecom, LLC	0	0		36.0		134.0		0.0		
Utility Solutions	0	0		260.3		0.0		213.0		
Village of Endicott	0	0		28.0		0.0		0.0		
Xtension Services Inc.	0	0		229.0		0.0		0.0		
Zoom-I-Net Communications, Inc.	0	0		130.5		0.0		0.0		

## **Informal Hearings, Shared Meter Cases, Appeals and Rehearings July 2006**

### **Informal Hearing Cases**

As of August 1, 2006, there were 96 cases pending in the Informal Hearing Unit. During the month of July, 4 complaints were resolved with pre-hearing mediation, 19 informal hearings were scheduled, 11 hearings were postponed, 8 hearings were held and 12 informal hearing complaints were closed by either a written decision or a settlement agreement.

### **Shared Meter Designee Cases**

Under Section 52 of the PSL (Shared Meter Law) only the Commission or its Designee can decide certain complaints. The majority of these cases concern the 12-month charge assessed to owners for failure to find and correct instances of shared metering. At the end of July there were 265 shared meter cases pending (143 SMD & 122 SMU). Thirty-six (36) cases were closed<sup>1</sup> and 48 were opened<sup>2</sup>. Further information on the closed cases follows.

The designee reduced the 12-month assessment to the minimum of 25% in 19 cases, between 26% to 50% in 3 cases and between 51% to 75% in 4 cases. The charges were cancelled in 2 cases because the utility did not prove that the owners failed to cooperate with its request for a shared meter investigation. In 1 case staff found that the tenant's meter was not shared and directed the company to cancel the charges and in another case the assessment was cancelled because the landlord's agent requested the investigation. The shared area charges were sustained in 1 case. In 2 cases, the appeals were denied because they were late.

### **Appeals and Rehearings**

At its July 19, 2006 session, the Commission approved OCS's recommended determinations of 5 appeals. The first appeal determination upholds Con Edison's backbilling, for a six-year period, of a commercial customer for unmetered service resulting from meter tampering. The second determination denies rebilling at the electric heat rate sought on the basis that Con Edison had failed to provide adequate assistance with rate selection to the customer during the 1970s. The third and fourth appeal determinations find that residential customers of, respectively, NFG and KeySpan, were properly billed for metered gas service. The fifth determination upholds an informal hearing decision, which found, with minor exceptions, that Verizon had properly billed a residential customer.

One appeal and one rehearing petition were accepted for review during July. The appeal is from the denial of an informal hearing regarding the proper gas rate for a religious organization's account prior to December 30, 2004. The rehearing petition was filed by a residential Con Edison gas customer.

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<sup>1</sup> Two cases were not SMD and one case was a duplicate.

<sup>2</sup> Nine of these cases were closed after letters were sent advising the customers to get back to us after they were billed.

## Table of Consumer Complaints filed against ESCO's

CODE	FULL NAME	2006	Jul-06	Jun-06	May-06	Apr-06	Mar-06	Feb-06	Jan-06
D128	Accent Energy Midwest, LLC	64	10	12	11	15	9	2	5
D105	ACN Energy, Inc.	0	0	0	0	0	0	0	0
D001	Agway Energy Services, LLC	4	0	2	0	0	0	0	2
D123	All American Gas & Energy	0	0	0	0	0	0	0	0
D113	Brown's Fuel	4	0	1	0	1	0	1	1
D040	Columbia Utilities, LLC (fka Columbia En	21	1	0	2	3	4	7	4
D208	Commerce Energy, Inc.	5	1	0	1	1	2	0	0
D086	Con Edison Solutions	3	0	1	1	0	0	0	1
D046	Econnergy	9	1	0	1	0	1	3	3
D087	Energetix, Inc.	1	0	0	0	0	0	1	0
D104	Great Eastern Energy	2	0	0	1	0	0	0	1
D120	Hudson Energy Services, LLC.	12	1	0	0	3	1	5	2
D177	IDT Energy, Inc.	36	1	4	4	4	9	7	7
D167	Infinite Energy, Inc.	10	0	2	1	2	3	0	2
D015	Keyspan Energy Services, Inc.	0	0	0	0	0	0	0	0
D117	Liberty Power Corp.	13	2	1	3	1	1	2	3
D107	Metro Energy Group, LLC	1	0	1	0	0	0	0	0
D018	Mirabito Fuel Group Inc.	2	0	0	0	0	2	0	0
D032	MX Energy, Inc. (Total Gas & Electric En	17	0	1	1	7	2	3	3
D021	National Fuel Resources, Inc.	0	0	0	0	0	0	0	0
D148	NOCO Energy Corp.	0	0	0	0	0	0	0	0
D103	NYSEG Solutions, Inc.	1	0	0	0	0	0	1	0
D159	Strategic Energy, LLC	2	0	0	0	1	1	0	0
D213	U.S. Energy Savings Corp.	15	2	1	5	4	2	0	1
D119	U.S. Gas & Electric, Inc.	8	0	1	2	0	3	1	1
D187	Utility Resource Solutions, L.P.	0	0	0	0	0	0	0	0
	Total	230	19	27	33	42	40	33	36