

# Monthly Report on Consumer Complaint Activity



**November 2009**

*Garry A. Brown, Chairman*

*Sandra S. Sloane, Director  
Office of Consumer Services*

*December 10, 2009*



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December 10, 2009

Dear Readers:

The Office of Consumer Services closely monitors the number and types of complaints received against all utilities operating in New York State. We strive to ensure that utilities fulfill their obligation to provide effective customer service in compliance with the laws, rules, regulations and policies we enforce.

Each month, this report provides an overview of complaint activity and utility responsiveness during the preceding month which is informative to both consumers and utility companies. Specific details regarding the way we measure the companies' activities are described in the section How Utility Complaint Data Is Reported.

The table titled Complaint Activity of New York's Major Utilities reports on the volume of complaints received against the largest utilities in each industry while the table titled Customer Service Response Index reports on the level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction.

The chart, Credit Adjustments Received for Consumers, reflects the amount of refunds or credits customers received as a result of our investigations. The Office of Consumer Services also monitors complaints against the competitive energy service companies (ESCO's) operating in New York. These complaints are reported in two tables; Number of Initial Complaints Received Against ESCO's and Number of Escalated Complaints Received Against ESCO's.

I hope this report is helpful in providing you with a summary of utility complaint activity. If you have any questions, please e-mail [Barry\\_Bedrosian@dps.state.ny.us](mailto:Barry_Bedrosian@dps.state.ny.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra S. Sloane".

Sandra S. Sloane  
Director  
Office of Consumer Services



# If You Have a Complaint About Your Utility Service

*If you're having difficulty resolving a dispute with your regulated energy, telephone, cable television or water company, the Public Service Commission staff is available to assist you.*

The Office of Consumer Services takes all utility consumer complaints seriously. You can contact us toll-free by telephone, in writing or via the Internet. When you contact our office with a complaint about a utility or other service provider, we take immediate steps to address your concerns.

After we complete entering the details of your complaint we send your complaint to the utility by e-mail or fax. In an effort to ensure that utilities fulfill their obligation to provide effective customer service, we will first ask your utility to contact you and resolve your concern. If your complaint is related to the provision of service, your utility should contact you within two business hours. If your complaint is related to billing or another matter, the utility should contact you by the close of the following business day.

If the utility does not contact you with its initial acknowledgement, does not provide its response to you within two weeks or the matter remains unresolved after you have received a response, you can contact us. We will then further investigate the matter and notify you in writing or by telephone of the decision and the reasons for the decision.

If you believe the initial decision is wrong, you can request an informal hearing. This request may be in writing and made within 15 days of the initial decision. You may be asked to submit certain documents to support your position. If you and the utility are unable to settle the complaint, the hearing officer will make a decision on your complaint and notify you in writing of the decision.

If you believe that the informal hearing officer's decision was wrong, you can appeal it within 15 days of the decision to the Public Service Commission. Your appeal must be in writing and must contend that there was an error made by the hearing officer that affected the decision or that evidence not previously available would affect the decision. The Commission will make a decision on the appeal and notify you in writing of their decision.

If you have a complaint about your utility service you may contact us thru one of the following avenues:

<b>By Telephone</b>	Monday thru Friday 8:30am – 4:00pm	800-342-3377
<b>Via the Internet</b>	24 hours a day	<a href="http://www.dps.state.ny.us">www.dps.state.ny.us</a> <i>Click the Consumer Assistance Link</i>
<b>In Writing</b>	Please be sure to include as much detail as possible, including your account number, service address, telephone number and the specifics of your complaint.	NYS Public Service Commission Office of Consumer Services Three Empire State Plaza Albany, NY 12223-1350



# How Utility Complaint Data is Reported

*The Office of Consumer Services reports complaint data by volume and by responsiveness. A complaint rate is used to compare small utilities to large utilities. A response index is used to measure how well utilities address consumer complaints we forwarded to them.*

The Office of Consumer Services closely monitors the number and types of complaints received against all utilities operating in New York State. We expect utility companies to be highly responsive to their customers' needs, especially when the customer feels that it is necessary to seek the assistance of the Public Service Commission staff. Each month, this report provides an overview of complaint activity and utility responsiveness which we believe is informative to both consumers and utility companies.

The table titled **Complaint Activity of New York's Major Utilities** reports on the volume of complaints received against the largest utilities in each industry. These utility companies vary in size from just over 10,000 customers to several million customers. Therefore, in order to compare complaint volumes among companies, a complaint rate per 100,000 customers is displayed. This allows the reader to compare the complaints of a large company to that of a small company.

There are two measures of complaints which are reported each month. At first all complaints are recorded and forwarded to the utility for resolution directly with the customer. These are noted as initial complaints (QRS) in the table titled **Complaint Activity of New York's Major Utilities**. If the customer informs us that the utility failed to satisfy their complaint the matter is escalated for further handling and investigation by staff and is noted as escalated complaints (SRS). Both numbers are converted into a complaint rate which allows the reader to compare performance regardless of the size of a company's customer base. The escalation rate is a measure of how successful a utility is in satisfying their customer upon receipt of an initial complaint made through the Office of Consumer Services. The 12 month complaint rate is often used as one of several customer service measures that may be taken into consideration when staff monitors the quality of customer service delivered by an individual utility. This rate represents the average number of escalated complaints received per month per 100,000 customer accounts.

The table titled **Customer Service Response Index (CSRI)** reports on the level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction. The Customer Service Response Index is determined by measuring four metrics. Complete CSRI data is posted on the first page of the report for those service providers that average ten or more initial complaints per month. For all other service providers, the performance in each area is reported on subsequent pages of the table, less the actual index measures because the index measures for companies with fewer than ten initial complaints have been found to show significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service provider's performance. If a company is not listed in a particular monthly report it is because there was no activity for the company in the reporting month.

The **Index** is determined by measuring four metrics:

*The Consumer Satisfaction Metric (CSM)* is a ratio of the number of initial complaints to the number of escalated complaints in the reporting month. A score of 5 points are awarded when a service provider receives no initial 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 Complaint Response Time Metric (CRM)* is the average number of days it took the service provider to respond to initial complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for initial complaints is 14 days or less. No points are earned if the average response time for initial complaints is more than 28 days (twice the acceptable reply standard).

*The Escalated Complaint Response Time Metric (ERM)* is the average number of days it took the service provider to respond to escalated complaints closed in the reporting month. A score of 2 points is awarded when a service provider's average response time for escalated complaints is 10 days or less. No points are earned if the average response time for escalated complaints is more than 25 days (two weeks past due).

*The Pending Case Metric (PCM)* is the average age of all cases awaiting response, determined on the last day of the reporting month. A score of 1 point is awarded when a service providers' average age of all cases is 14 days or less. No points are earned if the average age of all cases exceeds 70 days (two months delinquent). A negative score is applied if the average age of all cases is over 70 days.

# COMPLAINT ACTIVITY OF NEW YORK'S MAJOR UTILITIES

## November 2009

Utility Companies	Initial Complaints (QRS)		Escalated Complaints (SRS)		Escalation Rate	12 Month Escalated Complaint Rate
	No.	Rate*	No.	Rate*		
Central Hudson	18	6.2	2	0.7	11%	0.5
Con Edison	384	10.0	61	1.6	16%	1.7
National Grid-Long Island	29	5.3	1	0.2	3%	0.4
NYSEG	116	11.9	6	0.6	5%	0.7
National Grid-Upstate	128	7.5	12	0.7	9%	1.0
Orange & Rockland	23	10.3	1	0.4	4%	0.7
RG & E	91	22.8	7	1.8	8%	1.4
National Grid-Metro NY	98	8.2	9	0.8	9%	0.9
National Fuel Gas	62	12.1	0	0.0	0%	0.5
AT&T of New York	22		5		23%	
Citizens Telecommunications of NY	14	6.1	4	1.7	29%	0.7
Frontier Communications of NY	1	2.0	1	2.0	100%	1.2
Frontier Telephone of Rochester	9	3.3	4	1.5	44%	1.0
Optimum Voice	2		0		0%	
Time Warner Res-Com	9		0		0%	
Windstream Communications	0	0.0	0	0.0	#DIV/0!	0.0
Verizon	355	5.2	40	0.6	11%	0.7
Cablevision Systems	30		0		0%	
Time-Warner Cable	88		7		8%	
United Water - Westchester	0	0.0	0	0.0	#DIV/0!	0.0
Long Island Water	7	9.6	1	1.4	14%	1.3
Aqua NY fka New York Water	0	0.0	0	0.0	#DIV/0!	2.1
United Water - New Rochelle	4	12.8	3	9.6	75%	2.4
United Water - New York	4	5.7	4	5.7	100%	1.7

All complaint rates are initially based on Dec. 2008 customer populations. Updates occur in April.

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

This table reports on the volume of complaints received against the largest utilities in each industry.

**Initial Complaints (QRS)** - This is the number (No.) of complaints we receive and forward to the utility company for resolution directly with the customer and the corresponding complaint rate (Rate) per 100,000 customer accounts.

**Escalated Complaints (SRS)** - This is the number (No.) of complaints that we escalated for further handling and investigation because the customer informed us that the utility failed to satisfy their initial complaint after we forwarded the initial complaint to the utility. The corresponding escalated complaint rate (Rate) per 100,000 customer accounts allows the reader to compare one utility to another regardless of the number of customer accounts.

**Escalation Rate** - This is a measure of how successful a utility is in satisfying their customer upon receipt of an initial complaint made through the Office of Consumer Services. The lower the rate the more successful the utility was in resolving initial complaints directly with the customer.

**12 Month Escalated Complaint Rate** - This rate represents the average number of escalated complaints received per month per 100,000 customer accounts. This is often used as one of several customer service measures that may be taken into consideration when staff monitors the quality of customer service delivered by an individual utility.

## Customer Service Response Index November 2009

<b>Service Provider</b>	<b>Initial Complaints</b>	<b>Escalated Complaints</b>	<b>CSM Index</b>	<b>Complaint Response Time</b>	<b>CRM Index</b>	<b>E. Complaint Response Time</b>	<b>ERM Index</b>	<b>Avg. Age of Cases Pending</b>	<b>PCM Index</b>	<b>CSRI</b>
National Fuel Gas Distribution	62	0	5.0	4.9	2.0	7.8	2.0	1.5	1.0	10.0
National Grid - L I	29	1	4.7	5.2	2.0	10.6	1.9	6.2	1.0	9.6
Orange & Rockland	23	1	4.6	5.3	2.0	6.3	2.0	1.0	1.0	9.6
New York State Electric & Gas Corp.	116	6	4.5	4.0	2.0	6.8	2.0	3.3	1.0	9.5
Rochester Gas & Electric Corp.	91	7	4.2	4.7	2.0	8.0	2.0	4.1	1.0	9.2
National Grid - Upstate	128	12	4.1	4.7	2.0	6.3	2.0	6.0	1.0	9.1
Central Hudson Gas & Electric Corp.	18	2	3.9	9.1	2.0	7.8	2.0	1.0	1.0	8.9
National Grid - Metro Ny	98	9	4.1	5.3	2.0	10.4	1.9	18.6	0.9	8.9
Verizon Communications (LEC)	355	40	3.9	9.1	2.0	10.8	1.9	7.0	1.0	8.8
Cablevision of New York City	16	0	5.0	11.2	2.0	30.8	0.0	10.2	1.0	8.0
AT&T (C)	22	5	2.7	5.8	2.0	8.1	2.0	1.0	1.0	7.7
Time Warner - New York City Division	75	6	4.2	12.4	2.0	28.4	0.0	19.3	0.9	7.1
Citizens Communications (ILEC)	14	4	2.1	12.0	2.0	1.9	2.0	4.3	1.0	7.1
Con Edison of New York	384	61	3.4	8.7	2.0	31.6	0.0	15.7	0.9	6.3

*This table reports on the current level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction. The Customer Service Response Index is determined by measuring four metrics. Complete CSRI data is posted on the first page of the report for those service providers that average ten or more initial complaints per month. For all other service providers, the performance in each area is reported on subsequent pages of the table, less the actual index measures because the index measures for companies with fewer than ten initial complaints have been found to show significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service provider's performance. If a company is not listed on this report it is because there was no activity for the company in the reporting month. Below is an explanation of the data in each column.*

**Initial Complaints** - This is the number of initial complaints we receive and forward to the utility company for resolution directly with the customer.

**Escalated Complaints** - This is the number of complaints that we escalated for further handling and investigation because the customer informed us that the utility failed to satisfy their initial complaint after we forwarded the initial complaint to the utility.

**CSM Index** - The Consumer Satisfaction Index scores the ratio of the number of initial complaints to the number of escalated complaints in the reporting month. A score of 5 points are awarded when a service provider receives no escalated 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.

**Complaint Response Time** - This is the average number of days it took for a utility to respond to initial complaints in the reporting month.

**CRM Index** - The Complaint Response Time Index scores the service providers responsiveness to initial complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for initial complaints is 14 days or less. No points are earned if the average response time for initial complaints is more than 28 days (twice the acceptable reply standard).

**E. Complaint Response Time** - This is the average number of days it took for a utility to respond to escalated complaints in the reporting month.

**ERM Index** - The Escalated Complaint Response Time Index scores the service providers responsiveness to escalated complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for escalated complaints is 10 days or less. No points are earned if the average response time for escalated complaints is more than 25 days (two weeks past due).

**Avg. Age of Cases Pending** - This is the average age of all the cases awaiting a response from the service provider.

**PCM Index** - The Pending Case Index scores the average age of all cases awaiting response by the service provider. A score of 1 point is awarded when a service providers' average age of all cases is 14 days or less. No points are earned if the average age of all cases exceeds 70 days (two months delinquent). A negative score is applied if the average age of all cases is over 70 days.

**CSRI** - The Customer Service Response Index is the overall score received by the service provider. It is the sum of the four indices.

Accent Energy Midwest, LLC	2	2	0.0	24.2	0.8	0.0	2.0	13.0	1.0	3.8
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## Customer Service Response Index November 2009

<i>Service Provider</i>	<i>Initial Complaints</i>	<i>Escalated Complaints</i>	<i>CSM Index</i>	<i>Complaint Response Time</i>	<i>CRM Index</i>	<i>E. Complaint Response Time</i>	<i>ERM Index</i>	<i>Avg. Age of Cases Pending</i>	<i>PCM Index</i>	<i>CSRI</i>
Ambit Energy	3	0	5.0	5.3	2.0	0.0	2.0	0.0	1.0	10.0
American Telecommunications Corporat	1	0	5.0	8.0	2.0	0.0	2.0	0.0	1.0	10.0
Aqua Ny	0	0	5.0	0.0	2.0	0.0	2.0	11.0	1.0	10.0
Avalon On The Sound East	0	0	5.0	0.0	2.0	0.0	2.0	9.0	1.0	10.0
BAS Communications	0	1	0.0	0.0	2.0	0.0	2.0	0.0	1.0	5.0
BluCo Energy, LLC	2	0	5.0	2.5	2.0	0.0	2.0	0.0	1.0	10.0
Broadview Networks	8	1	3.8	1.8	2.0	0.0	2.0	0.0	1.0	8.8
Business Network Long Distance, Inc.	1	0	5.0	0.0	2.0	0.0	2.0	7.0	1.0	10.0
C&C Affordable Management LLC	0	0	5.0	0.0	2.0	0.0	2.0	33.0	0.6	9.6
Cablevision - MediaOne - Rockland	2	0	5.0	7.1	2.0	0.0	2.0	0.0	1.0	10.0
Cablevision - MediaOne - Westchester	1	0	5.0	1.1	2.0	0.0	2.0	0.0	1.0	10.0
Cablevision Lightpath, Inc.	1	0	5.0	8.0	2.0	0.0	2.0	0.0	1.0	10.0
Cablevision of Brookhaven	0	0	5.0	14.0	2.0	0.0	2.0	0.0	1.0	10.0
Cablevision of Dutchess County	1	0	5.0	5.9	2.0	0.0	2.0	35.0	0.6	9.6
Cablevision of Hauppauge	1	0	5.0	6.0	2.0	0.0	2.0	0.0	1.0	10.0
Cablevision of Long Island	8	0	5.0	6.0	2.0	7.3	2.0	0.0	1.0	10.0
Charter Communications	1	0	5.0	12.0	2.0	0.0	2.0	0.0	1.0	10.0
City of Jamestown Board of Public Utiliti	2	1	0.0	13.0	2.0	0.0	2.0	1.0	1.0	5.0
Clearview Energy, Inc.	0	0	5.0	0.0	2.0	0.0	2.0	35.0	0.6	9.6
Clinton Hills Owners Corp	0	0	5.0	0.0	2.0	0.0	2.0	18.5	0.9	9.9
Columbia Utilities Power, Llc (electric)	2	0	5.0	3.3	2.0	0.0	2.0	0.0	1.0	10.0
Columbia Utilities Power, Llc (gas)	1	0	5.0	0.0	2.0	0.0	2.0	0.0	1.0	10.0
Comcast Cable of New York - CATV	4	0	5.0	8.3	2.0	0.0	2.0	35.0	0.6	9.6
COMCAST Telephony Communications	1	0	5.0	0.0	2.0	0.0	2.0	7.0	1.0	10.0
Con Edison Solutions	1	0	5.0	11.0	2.0	0.0	2.0	0.0	1.0	10.0
Consumer Telcom, Inc.	1	0	5.0	0.0	2.0	0.0	2.0	7.0	1.0	10.0
Conversent Communications of New Yo	1	0	5.0	0.0	2.0	0.0	2.0	14.0	1.0	10.0
Cordia Communications Corp	6	1	3.3	6.1	2.0	0.0	2.0	6.0	1.0	8.3
Corning Natural Gas Corp.	3	0	5.0	4.8	2.0	0.0	2.0	0.0	1.0	10.0
Covista Communications, Inc.	1	0	5.0	20.5	1.3	0.0	2.0	48.0	0.3	8.6
CTC Communications Corp.	5	3	0.0	24.7	0.8	0.0	2.0	9.0	1.0	3.8
Delhi Telephone	1	0	5.0	0.0	2.0	0.0	2.0	12.0	1.0	10.0
DigiZip.Com, Inc.	1	0	5.0	0.0	2.0	0.0	2.0	7.0	1.0	10.0
Direct Energy Services LLC	0	0	5.0	8.0	2.0	0.0	2.0	0.0	1.0	10.0
Empire One Telecommunications, Inc.	0	0	5.0	50.0	0.0	0.0	2.0	0.0	1.0	8.0
Energetix, Inc.	1	0	5.0	1.0	2.0	0.0	2.0	0.0	1.0	10.0
Energy Plus Holdings LLC	0	0	5.0	38.0	0.0	0.0	2.0	14.0	1.0	8.0
Energy Service Providers, Inc.	2	0	5.0	8.0	2.0	0.0	2.0	1.0	1.0	10.0
Excel Telecommunications	1	0	5.0	2.0	2.0	0.0	2.0	0.0	1.0	10.0
Flat Rate Communications, Inc.	1	0	5.0	7.0	2.0	0.0	2.0	0.0	1.0	10.0
Friedlander Water Supply	0	0	5.0	52.0	0.0	0.0	2.0	0.0	1.0	8.0
Frontier Communications of NY/fka High	1	1	0.0	14.5	1.9	6.5	2.0	0.0	1.0	4.9
Frontier Communications of Sylvan Lake	1	0	5.0	0.8	2.0	0.0	2.0	0.0	1.0	10.0
Frontier Telephone of Rochester, Inc.	9	4	0.6	7.6	2.0	2.6	2.0	6.0	1.0	5.6
Gateway Energy Services Corp.	3	0	5.0	0.0	2.0	0.0	2.0	12.5	1.0	10.0
Grenadier Realty Corp	1	1	0.0	1.0	2.0	0.0	2.0	64.3	0.0	4.0
High Rise Energy Group, LLC	1	0	5.0	0.0	2.0	0.0	2.0	4.0	1.0	10.0
Hudson Energy Services, LLC	8	0	5.0	8.9	2.0	0.0	2.0	13.8	1.0	10.0
IDT America, Corp.	9	2	2.8	7.0	2.0	0.0	2.0	14.8	0.9	7.7
IDT Energy, Inc.	4	0	5.0	0.4	2.0	0.0	2.0	0.0	1.0	10.0
ILD Telecommunications, Inc.	0	0	5.0	0.0	2.0	0.0	2.0	35.5	0.5	9.5
Infinite Energy, Inc.	2	0	5.0	10.7	2.0	0.0	2.0	0.0	1.0	10.0
Jack Parker Corporation	0	0	5.0	0.0	2.0	29.7	0.0	45.2	0.3	7.3
Just Energy New York Corp	4	0	5.0	17.2	1.6	0.0	2.0	0.0	1.0	9.6
Kiamesha Artesian Spring Water Co., In	0	0	5.0	0.0	2.0	0.0	2.0	60.0	0.1	9.1
Knolls Water Co.	1	1	0.0	3.0	2.0	3.9	2.0	0.0	1.0	5.0
Lana Cooperative Apartments	0	0	5.0	0.0	2.0	0.0	2.0	53.0	0.2	9.2
Liberty Power Corp.	0	0	5.0	0.0	2.0	10.9	1.9	0.0	1.0	9.9
Long Island Water Corp	7	1	3.6	3.6	2.0	0.0	2.0	2.5	1.0	8.6
Major Energy Services LLC	2	0	5.0	2.0	2.0	0.0	2.0	0.0	1.0	10.0
Matrix Telecom, Inc.	1	0	5.0	0.0	2.0	31.0	0.0	7.0	1.0	8.0
MCI	5	1	3.0	10.0	2.0	16.8	1.4	3.7	1.0	7.4
Megapath Networks	0	0	5.0	45.0	0.0	0.0	2.0	0.0	1.0	8.0
Metromedia Long Distance, Inc.	1	0	5.0	7.0	2.0	0.0	2.0	0.0	1.0	10.0
Metropolitan Telecommunications	0	0	5.0	0.0	2.0	32.3	0.0	0.0	1.0	8.0
MXenergy	6	4	0.0	23.4	1.0	10.2	1.9	6.8	1.0	3.9
Next Gen Telephone Co.	1	0	5.0	2.0	2.0	0.0	2.0	0.0	1.0	10.0
NYSEG Solutions, Inc.	1	0	5.0	2.0	2.0	0.0	2.0	0.0	1.0	10.0
OneLink Communications, Inc.	0	0	5.0	0.0	2.0	0.0	2.0	29.0	0.7	9.7
Optimum Voice	2	0	5.0	12.0	2.0	0.0	2.0	0.0	1.0	10.0
Orchard Hill Water Co.	0	0	5.0	0.0	2.0	0.0	2.0	47.0	0.3	9.3

## Customer Service Response Index November 2009

<i>Service Provider</i>	<i>Initial Complaints</i>	<i>Escalated Complaints</i>	<i>CSM Index</i>	<i>Complaint Response Time</i>	<i>CRM Index</i>	<i>E. Complaint Response Time</i>	<i>ERM Index</i>	<i>Avg. Age of Cases Pending</i>	<i>PCM Index</i>	<i>CSRI</i>
PAETEC Communications, Inc.	2	1	0.0	6.5	2.0	0.0	2.0	6.0	1.0	5.0
Penelec (A First Energy Company)	2	0	5.0	5.0	2.0	0.0	2.0	0.0	1.0	10.0
Phipps House Services, Inc	0	0	5.0	0.0	2.0	22.2	0.6	39.0	0.5	8.1
Plymouth Rock Energy LLC	0	0	5.0	19.0	1.5	0.0	2.0	0.0	1.0	9.5
Primus Telecommunications, Inc.	1	0	5.0	3.0	2.0	0.0	2.0	0.0	1.0	10.0
Pulse Telecom LLC	0	1	0.0	17.0	1.7	0.0	2.0	29.0	0.7	4.4
Qtel, LLC	0	0	5.0	21.0	1.3	0.0	2.0	0.0	1.0	9.3
Resdntl Comms. Netwrk of NY	1	1	0.0	2.0	2.0	0.0	2.0	11.0	1.0	5.0
Robison Energy Of Westchester	1	0	5.0	3.0	2.0	0.0	2.0	0.0	1.0	10.0
Roosevelt Island Associates	0	0	5.0	0.0	2.0	0.0	2.0	54.0	0.2	9.2
Rural Atlantic Water Co.	0	0	5.0	0.0	2.0	0.0	2.0	36.0	0.5	9.5
Smart One Energy, LLC	2	0	5.0	0.0	2.0	0.0	2.0	14.0	1.0	10.0
Spark Energy, L.P.	2	1	0.0	16.0	1.8	0.0	2.0	8.0	1.0	4.8
Spectrotel, Inc.	1	0	5.0	39.0	0.0	0.0	2.0	8.0	1.0	8.0
Sprint Communications	1	0	5.0	12.0	2.0	0.0	2.0	0.0	1.0	10.0
St. Lawrence Gas	1	0	5.0	0.0	2.0	0.0	2.0	1.0	1.0	10.0
Stellar Management Company	0	0	5.0	0.0	2.0	0.0	2.0	28.0	0.7	9.7
Taconic Telephone Corp.	4	0	5.0	1.8	2.0	0.0	2.0	0.0	1.0	10.0
Talk America, Inc.	1	0	5.0	3.0	2.0	0.0	2.0	0.0	1.0	10.0
Talkspan Inc.	1	1	0.0	5.0	2.0	0.0	2.0	28.0	0.7	4.7
Tiffany Mews	0	0	5.0	0.0	2.0	40.0	0.0	7.0	1.0	8.0
Time Warner - Albany Division	7	1	3.6	5.1	2.0	0.0	2.0	10.0	1.0	8.6
Time Warner - Binghamton	2	0	5.0	18.6	1.5	0.0	2.0	0.0	1.0	9.5
Time Warner - Buffalo Division	2	0	5.0	0.2	2.0	0.0	2.0	8.0	1.0	10.0
Time Warner - Rochester	1	0	5.0	27.1	0.2	0.0	2.0	29.0	0.7	7.9
Time Warner - Syracuse Division	1	0	5.0	5.6	2.0	2.1	2.0	0.0	1.0	10.0
Time Warner ResCom of New York,LLC	9	0	5.0	11.2	2.0	0.0	2.0	2.5	1.0	10.0
Titan Gas, LLC	0	0	5.0	0.0	2.0	0.0	2.0	0.0	1.0	10.0
Trinsic	0	0	5.0	0.0	2.0	0.0	2.0	15.0	0.9	9.9
Tristate Bell Inc	1	0	5.0	22.3	1.1	0.0	2.0	0.0	1.0	9.1
Twin City Capital, Llc D/b/a Small Busin	1	0	5.0	8.0	2.0	0.0	2.0	0.0	1.0	10.0
U.S. Gas & Electric, Inc.	1	0	5.0	0.0	2.0	0.0	2.0	8.0	1.0	10.0
United Communications Systems, Inc.	1	0	5.0	0.0	2.0	0.0	2.0	7.0	1.0	10.0
United Water-New Rochelle	4	3	0.0	10.2	2.0	0.0	2.0	6.0	1.0	5.0
United Water-New York	4	4	0.0	19.2	1.4	0.0	2.0	4.5	1.0	4.4
USA Datanet Corporation	1	0	5.0	0.0	2.0	0.0	2.0	19.0	0.9	9.9
VarTec Telecom, Inc. dba Clear Choice	1	0	5.0	10.0	2.0	0.0	2.0	0.0	1.0	10.0
Vectren Retail, Llc D/b/a Vectren Source	1	0	5.0	7.0	2.0	0.0	2.0	0.0	1.0	10.0
Verizon Communications (LD)	1	0	5.0	0.0	2.0	0.0	2.0	17.0	0.9	9.9
Verizon Communications (PayPhones)	1	0	5.0	15.1	1.8	0.0	2.0	6.0	1.0	9.8
Village of Freeport Electric	3	0	5.0	7.0	2.0	0.0	2.0	13.0	1.0	10.0
Village of Ilion	1	0	5.0	2.0	2.0	0.0	2.0	0.0	1.0	10.0
Village of Silver Springs	2	0	5.0	10.0	2.0	0.0	2.0	1.0	1.0	10.0
Warwick Valley Telephone Company	1	1	0.0	2.0	2.0	0.0	2.0	0.0	1.0	5.0
Woodhull Municipal Gas Company	0	0	5.0	0.0	2.0	0.0	2.0	32.0	0.6	9.6
XChange Telecom	2	0	5.0	1.0	2.0	0.0	2.0	14.0	1.0	10.0
XO Communications, Inc.	2	1	0.0	8.2	2.0	0.0	2.0	0.0	1.0	5.0
ZTELEPHONY, LLC D/B/A WORLDNET	0	0	5.0	0.0	2.0	0.0	2.0	47.0	0.3	9.3

**2009**  
**Credit Adjustments Received**  
**For Consumers**

*As a result of our investigation into consumers' complaints, when staff determines that a consumer was overbilled, the utility is directed to refund to the consumer, any monies it collected above and beyond what was allowed by tariffs, rules and regulations.*

*The chart below identifies the credits obtained on behalf of consumers.*

JAN '09	\$	214,982.94
FEB '09	\$	133,061.32
MAR '09	\$	412,974.01
APR '09	\$	482,377.84
MAY '09	\$	181,789.36
JUNE '09	\$	160,864.19
JULY '09	\$	187,106.27
AUG '09	\$	143,142.45
SEPT '09	\$	177,760.45
OCT '09	\$	103,227.44
NOV '09	\$	201,680.09
DEC '09		
<b>2009 Total</b>	<b>\$</b>	<b>2,398,966.36</b>

## Number of Initial Complaints Received Against ESCO's

FULL NAME	2008	2009	2009											
			Dec-09	Nov-09	Oct-09	Sep-09	Aug-09	Jul-09	Jun-09	May-09	Apr-09	Mar-09	Feb-09	Jan-09
Accent Energy Midwest, LLC	214	69		2	5	2	6	4	4	9	4	9	8	16
ACN Energy, Inc.	2	0		0	0	0	0	0	0	0	0	0	0	0
Agway Energy Services, LLC	4	6		0	1	0	2	0	1	1	0	0	0	1
Ambit Energy	82	65		3	4	0	3	2	7	5	22	7	6	6
Amerada Hess Corp.	1	1		0	0	0	1	0	0	0	0	0	0	0
Ameristar Energy, LLC	1	0		0	0	0	0	0	0	0	0	0	0	0
BluCo Energy, LLC	6	11		1	0	0	0	1	1	1	1	4	1	1
BlueRock Energy, Inc.	1	0		0	0	0	0	0	0	0	0	0	0	0
Brown's Fuel	2	1		0	0	0	0	0	0	0	1	0	0	0
Clearview Energy, Inc.	0	4		0	1	0	3	0	0	0	0	0	0	0
Colonial Energy, Inc.	0	1		0	0	0	0	0	0	1	0	0	0	0
Columbia Utilities Power, LLC	338	19		2	1	1	2	0	0	1	4	5	2	1
Columbia Utilities, LLC - gas	50	12		1	1	0	2	1	1	2	1	1	1	1
Con Edison Solutions	17	10		1	2	0	2	0	2	1	0	0	2	0
Constellation NewEnergy	0	1		0	0	0	0	1	0	0	0	0	0	0
Direct Energy Services, LLC	38	48		0	3	2	4	2	7	3	4	6	5	12
Dominion Retail, Inc.	0	2		0	0	1	0	0	0	1	0	0	0	0
Energetix, Inc.	3	12		1	1	0	0	0	2	3	2	2	1	0
Energy Cooperative of New York	1	0		0	0	0	0	0	0	0	0	0	0	0
Energy Plus Holdings	30	23		0	3	0	2	0	4	4	2	3	2	3
Energy Service Providers	13	9		2	1	3	0	0	0	1	1	0	1	0
FFC Energy	0	1		0	0	0	0	0	0	1	0	0	0	0
Gateway Energy fka Econergy	53	33		3	1	4	3	7	1	2	4	2	4	2
Great Eastern Energy	6	3		0	0	0	0	0	2	1	0	0	0	0
Green Mountain Energy	1	0		0	0	0	0	0	0	0	0	0	0	0
High Rise Energy Group, LLC	0	1		1	0	0	0	0	0	0	0	0	0	0
Hudson Energy Services, LLC	232	175		8	12	19	12	17	11	16	10	24	20	26
IDT Energy, Inc.	286	134		3	5	5	6	8	7	13	16	26	24	21
Infinite Energy, Inc.	16	25		2	1	4	2	0	3	1	4	4	1	3
Integrus Energy Services, Inc.	0	5		0	0	1	0	1	0	0	0	1	1	1
Interstate Energy Resources Inc.	1	0		0	0	0	0	0	0	0	0	0	0	0
Interstate Gas Supply of New York	5	15		0	0	0	0	0	0	1	0	6	8	0
Just Energy (fka U.S. Energy)	209	223		3	23	22	18	11	21	25	29	23	23	25
Liberty Power Corp.	105	38		0	1	0	3	4	5	7	3	5	7	3
Major Energy Services, LLC	26	39		2	2	2	3	6	6	1	6	3	5	3
MX Energy, Inc.	135	144		6	5	6	13	11	8	8	13	25	20	29
Natgasco, Inc.	1	1		0	0	0	0	0	0	0	0	0	1	0
National Fuel Resources, Inc.	1	1		0	0	0	0	0	0	0	0	1	0	0

Not all ESCO's listed above are operating in New York. ESCO's not listed have no complaints for the current year covered by the chart

## Number of Initial Complaints Received Against ESCO's

FULL NAME	2008	2009	2009												
			Dec-09	Nov-09	Oct-09	Sep-09	Aug-09	Jul-09	Jun-09	May-09	Apr-09	Mar-09	Feb-09	Jan-09	
NOCO Natural Gas LLC	4	1		0	0	0	0	0	0	0	0	0	1	0	0
NYSEG Solutions, Inc.	19	8		1	0	0	0	0	2	1	0	0	2	2	0
Plymouth Rock Energy, LLC	11	10		0	4	1	0	0	0	0	1	1	2	1	0
Pro-Energy Marketing, LLC	1	0		0	0	0	0	0	0	0	0	0	0	0	0
Robison Energy of Westchest	0	1		1	0	0	0	0	0	0	0	0	0	0	0
S.J. Fuel Co., Inc.	4	2		0	0	1	0	0	0	0	0	0	1	0	0
Spark Energy, L.P.	255	117		2	6	6	4	10	8	6	19	23	12	21	
Strategic Energy, LLC	6	0		0	0	0	0	0	0	0	0	0	0	0	
Stuyvesant Energy, LLC	1	1		0	0	0	0	0	0	0	0	0	1	0	
Suez Energy Resources Na, I	0	3		0	0	0	0	0	1	0	1	0	0	1	
Titan Gas, LLC	12	18		0	1	1	0	3	1	1	6	1	3	1	
U.S. Gas & Electric, Inc.	40	66		1	0	1	4	1	2	3	9	8	21	16	
Vectren Retail, LLC	5	13		1	0	0	2	2	1	4	2	1	0	0	
Wholesale Energy New York,	0	4		0	0	0	1	0	0	0	0	2	0	1	
<b>Total</b>	<b>2238</b>	<b>1376</b>	<b>0</b>	<b>47</b>	<b>84</b>	<b>82</b>	<b>98</b>	<b>94</b>	<b>107</b>	<b>123</b>	<b>166</b>	<b>198</b>	<b>183</b>	<b>194</b>	

## Number of Escalated Complaints Received Against ESCO's

FULL NAME	2008	2009	Dec-09	Nov-09	Oct-09	Sep-09	Aug-09	Jul-09	Jun-09	May-09	Apr-09	Mar-09	Feb-09	Jan-09
Accent Energy Midwest, LLC	40	21		2	2	1	0	0	4	1	0	3	3	5
ACN Energy, Inc.	0	0		0	0	0	0	0	0	0	0	0	0	0
Agway Energy Services, LLC	1	0		0	0	0	0	0	0	0	0	0	0	0
Ambit Energy	12	11		0	1	0	0	0	1	1	3	3	2	0
BluCo Energy, LLC	2	2		0	0	0	0	1	1	0	0	0	0	0
Brown's Fuel	0	0		0	0	0	0	0	0	0	0	0	0	0
Clearview Energy, Inc.	0	4		0	1	1	1	1	0	0	0	0	0	0
Columbia Utilities Power, LLC - elec	58	4		0	0	0	0	0	0	1	1	1	0	1
Columbia Utilities, LLC - gas	9	0		0	0	0	0	0	0	0	0	0	0	0
Con Edison Solutions	4	1		0	0	0	1	0	0	0	0	0	0	0
Direct Energy Services, LLC	3	5		0	0	0	0	1	1	0	1	0	0	2
Energetix, Inc.	0	0		0	0	0	0	0	0	0	0	0	0	0
Energy Plus Holdings, LLC	3	0		0	0	0	0	0	0	0	0	0	0	0
Energy Service Providers	3	1		0	0	0	0	0	0	0	1	0	0	0
FFC Energy	0	0		0	0	0	0	0	0	0	0	0	0	0
Gateway Energy fka Econergy	16	7		0	1	1	1	2	1	0	0	0	0	1
Great Eastern Energy	0	1		0	0	0	0	0	1	0	0	0	0	0
Green Mountain Energy	1	0		0	0	0	0	0	0	0	0	0	0	0
Hudson Energy Services, LLC.	70	67		0	4	9	4	2	7	6	5	9	14	7
IDT Energy, Inc.	36	14		0	0	0	0	1	3	2	1	1	3	3
Infinite Energy, Inc.	4	3		0	1	0	0	0	0	0	1	0	0	1
Interstate Gas Supply of New York, I	0	5		0	0	0	0	0	0	0	1	2	2	0
Just Energy (fka U.S. Energy Saving	20	33		0	0	2	1	0	3	7	7	4	5	4
Liberty Power Corp.	25	14		0	0	0	2	1	2	1	2	0	3	3
Major Energy Services LLC	1	9		0	0	1	1	0	3	0	1	0	2	1
MX Energy, Inc.	59	52		4	2	1	4	6	2	0	7	11	8	7
Natgasco, Inc.	0	1		0	0	0	0	0	0	0	0	0	1	0
National Fuel Resources, Inc.	3	0		0	0	0	0	0	0	0	0	0	0	0
NOCO Natural Gas LLC	0	0		0	0	0	0	0	0	0	0	0	0	0
NYSEG Solutions, Inc.	1	0		0	0	0	0	0	0	0	0	0	0	0
Plymouth Rock	2	0		0	0	0	0	0	0	0	0	0	0	0
S.J. Fuel Co., Inc.	6	0		0	0	0	0	0	0	0	0	0	0	0
Spark Energy, L.P.	47	21		1	0	0	0	1	3	5	4	2	1	4
Strategic Energy, LLC	1	0		0	0	0	0	0	0	0	0	0	0	0
Stuyvesant Energy, LLC	0	0		0	0	0	0	0	0	0	0	0	0	0
Titan Gas, LLC	0	4		0	0	0	0	0	2	0	2	0	0	0
U.S. Gas & Electric, Inc.	8	6		0	0	0	1	0	0	1	0	0	4	0
Vectren Retail, LLC	0	2		0	0	0	0	0	1	1	0	0	0	0
Wholesale Energy New York, Inc.	0	3		0	0	0	0	0	3	0	0	0	0	0
<b>Total</b>	<b>435</b>	<b>291</b>	<b>0</b>	<b>7</b>	<b>12</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>38</b>	<b>26</b>	<b>37</b>	<b>36</b>	<b>48</b>	<b>39</b>

Not all ESCO's listed above are currently operating in New York. ESCO's not listed have no escalated complaints for the period covered by the chart.