

Monthly Report on Consumer Complaint Activity



November 2000

Maureen O. Helmer, Chairman

*Catherine W. Black, Director
Office of Consumer Services*

December 18, 2000



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December 18, 2000

Dear Reader:

The attached report is for November 2000. We are encouraged that each month nearly 2,000 people view our report.

I would like to share with you a question that was asked by one of those readers last month:

- Q.** The graphs located at the end of your report display “Monthly Complaint Rates” and “Year Ending Complaint Rates.” What is the difference and how are the numbers calculated?
- A.** A utility’s monthly complaint rate is calculated by dividing the number of complaints in the reporting month by the number of customers and then dividing that by 100,000. We perform the calculation and create the graph so we can compare the performance of the major companies in an industry while adjusting the effects of the varying customer populations. The year ending complaint rate is calculated by dividing the average number of complaints per month, for the last 12 months, by the number of customers and then dividing that by 100,000. This rate neutralizes any effects of seasonal complaints or anomalies that occasionally occur. The graph allows us to compare “average” performance of the major utilities in an industry.

If you have any questions, you can e-mail barry_bedrosian@dps.state.ny.us or me, catherine_black@dps.state.ny.us.

Sincerely,

Catherine W. Black
Director
Office of Consumer Services

COMPLAINT RATES* OF MAJOR NEW YORK UTILITIES

November 2000

Utility	Oct-00		Nov-00		Annual Complaint Volume Y-T-D			Complaint Volume			12 Month Compl. Rate* Nov-00
	Rate*	No.	Rate*	No.	12 mos ending Nov-99	12 mos ending Nov-00	% Change	Year-to-date 1999	Year-to-date 2000	% Change	
Central Hudson	1.8	5	2.2	6	156	75	-51.9	142	69	-51.4	2.3
Con Edison	4.4	158	4.4	157	1780	1818	2.1	1645	1673	1.7	4.2
KeySpan of L.I. (BUG E	0.6	3	2.1	10	50	58	16.0	49	53	8.2	0.4
NYSEG	1.0	9	0.8	7	169	132	-21.9	159	119	-25.2	1.2
Niagara Mohawk	4.9	82	4.3	72	1605	855	-46.7	1531	753	-50.8	4.2
Orange & Rockland	4.2	10	2.5	6	128	125	-2.3	124	118	-4.8	4.4
RG & E	4.2	16	2.9	11	285	195	-31.6	267	189	-29.2	4.3
KeySpan of NY (BUG)	2.5	29	1.7	19	311	295	-5.1	282	279	-1.1	2.1
National Fuel Gas	4.4	23	5.4	28	242	212	-12.4	225	199	-11.6	3.4
Other Energy Utilities	N/A	4	N/A	2	59	49	-16.9	57	50	-12.3	N/A
ESCO's**	N/A	75	N/A	115	506	754	49.0	457	720	57.5	N/A
Verizon	7.5	577	7.5	564	4051	5597	38.2	3790	5171	36.4	6.1
Citizens Telcom	1.9	5	1.9	6	91	90	-1.1	81	80	-1.2	2.8
Frontier of NY	3.1	2	3.1	0	16	9	-43.8	15	6	-60.0	1.2
Alltel	0.0	0	0.0	1	21	28	33.3	21	24	14.3	2.2
Frontier Tel of Roch.	1.7	11	1.7	15	283	206	-27.2	241	194	-19.5	2.6
Other LEC's	N/A	652	N/A	550	2343	7141	204.8	2248	6570	192.3	N/A
OCC's / Resellers	N/A	355	N/A	396	2558	3957	54.7	2336	3722	59.3	N/A
COCOT Vendors	N/A	3	N/A	3	49	33	-32.7	46	30	-34.8	N/A
Adelphia	N/A	13	N/A	13	128	143	11.7	111	139	25.2	N/A
Cablevision Systems	N/A	31	N/A	53	666	487	-26.9	594	456	-23.2	N/A
Time-Warner	N/A	37	N/A	46	724	618	-14.6	653	570	-12.7	N/A
Other Cable Cos.	N/A	5	N/A	12	160	142	-11.3	146	116	-20.5	N/A
Long Island Water	8.2	6	5.5	3	14	27	92.9	9	25	177.8	3.1
UW - New Rochelle	3.3	1	3.3	1	30	18	-40.0	27	15	-44.4	4.9
New York Water	2.2	1	0.0	0	10	11	10.0	7	8	14.3	2.1
New York American	0.0	0	0.0	0	2	0	-100.0	2	0	-100.0	0.0
UW - New York	6.1	4	4.6	3	39	52	33.3	2	43	2050.0	6.6
Other Water Utilities	N/A	6	N/A	4	100	30	-70.0	131	32	-75.6	N/A

All complaint rates are based on 1999 customer populations.

Customer populations are not available for cable companies.

* - Complaints per 100,000 customer accounts

** - ESCO numbers represent customer contacts, not complaints.

Readers should exercise caution in reaching conclusions based on contacts by ESCO customers.

CREDIT COMPLAINTS vs. TOTAL COMPLAINTS

Major New York Energy Utilities

November 2000

Utility	November 2000 Complaint Volume			Last 12 Months Complaint Volume			12 mos. Total	12 mos. Credit
	Total	Credit	% Credit	Total	Credit	% Credit	C/Rate	C/Rate
Central Hudson	6	1	17%	75	22	29%	2.3	0.7
Con Edison	157	25	16%	1818	342	19%	4.2	0.8
KeySpan - LI	10	1	10%	58	9	16%	0.4	0.2
NYSEG	7	1	14%	132	36	27%	1.2	0.3
Niagara Mohawk	72	24	33%	855	247	29%	4.2	1.2
Orange & Rockland	6	2	33%	125	49	39%	4.4	1.7
RG & E	11	7	64%	195	128	66%	4.3	2.8
KeySpan - NY	19	5	26%	295	61	21%	2.1	0.4
National Fuel Gas	28	10	36%	212	91	43%	3.4	1.5

Complaint Trend Summary November 2000

Energy

The total year-to-date (Y-T-D) volume has continued to decline for most energy companies. Niagara Mohawk had a 51% decrease in the most recent Y-T-D period compared to the same period last year. The most significant decline has been in customers' ability to reach the company. In February 1999, NIMO implemented a new customer service billing system. Customers immediately began reporting to the PSC their inability to reach the company by telephone. Staff monitored the situation and prompted Niagara Mohawk to supplement its staffing during that transition period. During this same Y-T-D period there also were fewer complaints about meter accuracy, delayed repairs and bills being delayed or not received.

Water

A review of the Y-T-D complaint volume for water companies indicates a 178% increase in Long Island Water's most recent Y-T-D period compared to the same period last year. This is due to a significant increase in complaints from customers about high bills.

Communications

With an increasing demand for high speed Internet service, many customers have been turning to Digital Subscriber Loop service to access the Internet. Obtaining DSL has proven to be problematic for many customers. For one, there are many players involved in deploying DSL service; a LEC, a data LEC (DLEC) and an ISP (Internet service provider) may all be party to successful implementation of a customer's DSL service.

Complaining about DSL has presented unique problems for customers because the service is marketed differently by each company, i.e., each has a different customer contact. Verizon has its own data affiliate and provides its own Internet service or partners with an ISP, who also markets the service. The customer contact could be Verizon, the data affiliate or the ISP. The DLECs also have their own marketing strategies. Customers can order DSL directly from the DLEC, but most just act as a middleman to connect the ISP with the Verizon customer. The ISP does all the customer contact but the DLEC controls all the OSS info for service and repairs. So the customer could complain right to the ISP or directly to the DLEC who must then interface with Verizon. Because Verizon still controls the wires leading into the house, the customer might complain to Verizon. If frustrated enough, the customer could complain to the PSC about all three companies. Another problem is that DSL, up until now, was provided on a separate line that was not assigned a telephone number. Therefore, identification has been a problem.

The Office of Consumer Services began assisting customers with their DSL complaints on September 19, 2000. Since that time we have logged 150 complaints concerning DSL service, of which 132 have been assigned to Verizon. Most of the complaints originated in the 718 area code.

Staff will continue to monitor DSL-related complaints.

What We Heard This Month

Here is a summary of two complaints received during the month, which exemplify the type of contacts handled at the PSC Customer Contact Center.

During November, a residential customer filed a complaint with the PSC about a delay in obtaining DSL service he ordered in June 2000. Before calling the PSC he had asked the company about the delay and was told that there is a problem with his copper line. The company said they didn't have enough copper wire in his area. The customer pointed out that he had had DSL before with another company and there should be no problem. He turned to the PSC for help in expediting his service order.

On November 10th a residential customer, elderly and ill, complained about her telephone service being switched without her authorization, a practice known as slamming. She said that she received a promotional check from the carrier and called the company to state that she did not want to switch her service. The company's representative advised her to return the promotional check, uncashed. Although she returned the check, the company still switched her service. The PSC placed the charges in dispute pending the outcome of the investigation.

November 2000 Informal Hearings, Shared Meter Cases, Appeals and Rehearings

Informal Hearings

As of November 30, 2000 there were 23 complaints in pre-hearing, and 93 hearing cases pending, for a total of 116 cases pending in the unit. Three cases were resolved with pre-hearing mediation. Fifteen cases were closed; four with settlements, one customer withdrew his complaint and 10 cases were closed with written decisions. A synopsis of some of the cases closed during November appears below:

A customer of a phone company has two phone numbers that he wanted to be unpublished. He contended that the utility was selling personal information without his permission, and was blackmailing him by requiring a fee for non-publication. He concluded this because he found personal information about himself published on a number of Internet "white pages-people search" sites, without the utility notifying him or obtaining his written consent. The complainant also argued that as a result of the publishing of his numbers, he received unwanted phone calls and junk mail. He sought to have the utility prohibited from selling a customer's name, address and phone number if the customer does not want them to be sold, and that the utility be directed to institute a process that allows a customer to have his/her personal information removed upon request. In addition the complainant was seeking to have the utility directed to waive the non-publish fee for both of his telephone numbers. The hearing officer directed the utility to offer the complainant the option to change, without charge, either or both existing telephone numbers to new numbers (that may be listed, unlisted or non-published as the complainant chooses); and to credit the monthly fee for non-published service from the date of the determination back to the date the service was initiated.

In another complaint the customer was disputing a charge of \$3,068.00 for unmetered electric service for four houses, which were on one meter. The utility produced a contract signed by the customer establishing his responsibility for the charge until such time as the houses were ready to be separately metered. The hearing officer sustained the charges based upon the terms and conditions of the contract.

Charges for unmetered service were assessed on three accounts in a building owned by the complainant. He claimed that his tenant(s) were responsible for payment of utility charges. The hearing officer found there was no evidence the tenants were liable for the rewiring of the premises to accommodate new meters. Moreover, the leases presented showed the premises leased were for a private house, not a two-family dwelling. Therefore, charges for unmetered service and all accrued late charges were upheld on all of the accounts.

Shared Meter Designee Cases

Under Section 52 of PSL (Shared Meter Law) only the Commission or its Designee can decide certain complaints. The majority of these cases concern the penalty assessed to owners for failure to find and correct instances of shared metering. At the end of November there were 221 shared meter complaints pending, an increase of 16 over the previous month.

Thirty-nine (39) new complaints were received in November, and 20 complaints were closed.

In six of the cases closed, the penalty was cancelled after staff made a finding that the use was minimal under our regulations and in one case the charges were cancelled because the owner requested the investigation. The designee reduced the penalty to the minimum of 25% in eight cases and to 50% in one case and sustained the penalty in one case.

Appeals and Rehearings

At the November 9, 2000 session, the Commission approved two determinations recommended by the Office of Consumer Services. The first determination granted an appeal by Long Island Lighting Company, finding that the utility had given adequate notice in 1988 of the availability of a new multiple dwelling water-heating rate. The second granted an appeal by Con Edison, finding that demand-billed electric customers were not entitled to have bills for periods including an outage reduced on the ground that high demands allegedly resulted from resumption of service following an outage.

During October, two new appeals and one rehearing request were accepted for review. The appeals, both by residential customers, concern alleged high bills from Con Edison for electric service and from NFG for gas service, respectively. The rehearing request seeks reconsideration of a Commission determination that the utility provided adequate notice to existing gas customers when it started offering a new gas interruptible rate.

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 11/01/2000 and 11/30/2000**

<i>Service</i>	<i>Utility</i>	<i>Complaints</i>
Cable	Adelphia - Adirondack	1
	Adelphia - Buffalo	5
	Adelphia Cable - Utica	4
	Adelphia Cable-International	1
	Adelphia Cable-Niagara	2
	Cablevision of Brookhaven	2
	Cablevision of Dutchess County	2
	Cablevision of East Hampton	2
	Cablevision of Hauppauge (V-CABLE)	1
	Cablevision of Long Island	10
	Cablevision of New York City	21
	Cablevision of Port Chester	2
	Cablevision of Southern Westchester	7
	Cablevision of Westchester	3
	Cablevision-Rockland	3
	Charter Communications	3
	MediaOne - US Cablevision	2
	Mid Hudson Cablevision, Inc.	1
	Public Service Commission	1
	RCN of Southeast New York, Inc.	5
	Time Warner - Albany	3
	Time Warner - Amsterdam	3
	Time Warner - Binghamton	1
	Time Warner - Brooklyn	1
	Time Warner - CableCom. - Johnstown	1
	Time Warner - Manhattan	10
	Time Warner - Mt. Vernon	3
	Time Warner - Newburgh	1
	Time Warner - Orange County	2
	Time Warner - Queens	8
	Time Warner - Rochester	2
	Time Warner - Saratoga	1
	Time Warner - Schenectady	3
Time Warner - Sullivan County	1	
Time Warner - Syracuse	1	
Time Warner - Tri County	2	
Time Warner - Troy	3	

		124
Electric	Central Hudson Electric & Gas	6
	Con Edison	141
	Massena Electric	1
	New York State Electric & Gas	6
	Niagara Mohawk Power Corp	64

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 11/01/2000 and 11/30/2000**

<i>Service</i>	<i>Utility</i>	<i>Complaints</i>
Electric	Orange & Rockland	5
	Rochester Gas + Electric	8

		231
Gas	Con Edison	16
	KeySpan of Long Island	10
	KeySpan of New York	19
	National Fuel Gas Distribution	28
	New York State Electric & Gas	1
	Niagara Mohawk Power Corp	8
	Orange & Rockland	1
	Rochester Gas + Electric	3

		86
Other	ADVAMTEL, LLC dba Plan B Communications	1
	Concentric Carrier Services, Inc.	1
	Covad Communications Company	2
	CTSI, Inc.	1
	Earthlink, Inc.	2
	Frontier Telephone of Rochester, Inc.	1
	NorthPoint Communications, Inc.	1
	Prism New York Operations, LLC	1
	Verizon Advanced Data, Inc.	67
	Verizon Communications Inc.	1

		78
Steam	Con Edison	1

		1
Telephone	1 Com, Inc.	3
	ACC Buffalo Telecom Corp.	1
	ACC Long Distance Corporation	2
	ACC National Telecom Corp.	1
	Adelphia Telecommunications, Inc.	1
	ADVAMTEL, LLC dba Plan B Communications	5
	Advanced Telecommunications Network, Inc.	1
	Alliance Telecom of New York, Inc.	20
	AllTel Of New York	1
	America's Tele-Network Corp.	2
	ASC Telecom, Inc.	1
	AT&T Communications of New York, Inc.	383

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 11/01/2000 and 11/30/2000**

<i>Service</i>	<i>Utility</i>	<i>Complaints</i>
Telephone	Birns Telecommunications	1
	Broadview Networks	30
	Cablevision Lightpath, Inc.	1
	Choice One Communications of New York, Inc.	4
	Citizens Telecom	6
	Citizens Telecommunications Co. of NY	1
	Commonwealth Telecom	3
	Core-Comm-New York, Inc.	5
	CTC Communications Corp.	2
	Earthlink, Inc.	1
	Econ-o-call Inc.	2
	Econophone, Inc.	2
	Econotek, LLC	1
	erbia Network, Inc.	2
	Essential.com, Inc.	1
	Essex Communications, Inc.	1
	Essex Communications, Inc. d/b/a/ Elec C.	3
	Excel Telecommunications Inc.	4
	Executone Information Systems, Inc.	1
	Fairpoint Communications	4
	Frontier Comm of AuSable Valley	1
	Frontier Comm of Sylvan Lake, Inc.	1
	Frontier Communications of Rochester, Inc.	1
	Frontier Telephone of Rochester, Inc.	15
	Global Crossing Telecommunications, Inc.	3
	Global NAPs, Inc.	1
	GTC Telecom	1
	Hancock Telephone	1
	IDT Corporate	1
	Intellicall Operator Services Inc.	1
	International Exchange Networks, Ltd.	1
	LCI International Telecom Corp.	5
	Long Island Telephone Company	4
	Matrix Telecommunications	1
	MCIWorldCom	200
	Metropolitan Telecommunications dba MetTel	27
	Middleburgh Telephone	1
	Network Plus, Inc.	11
	New York Payphone	1
	Nextel Long Distance (NXLD)	1
	NEXTLINK New York, L.L.C.	1
	Northeast Pay Phone, Inc.	1
	NOS Communications Inc.	1
	Prism New York Operations, LLC	1
	PT-1 Communications, Inc.	1

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 11/01/2000 and 11/30/2000**

<i>Service</i>	<i>Utility</i>	<i>Complaints</i>
Telephone	QWest Communications Corporation	9
	Resdntl Comms. Netwrk of NY dba RCN	8
	Robtel, Inc.	1
	RSL Com U.S.A. Inc.	2
	SmarTalk TeleServices, Inc.	1
	Southwestern Bell Communications Service	1
	Sprint Communications Company L.P.	25
	Taconic Telephone	1
	TC Systems, Inc. (PAY PHONES ONLY)	1
	Tel-Save, Inc dba The Phone Company of N	53
	Telebeam	1
	Teleglobe USA, Inc.	1
	Telergy Network Services, Inc.	2
	Telmex/Sprint Communications, L.L.C.	1
	Time Warner Telecommunications	1
	Tri-Tel Communications, Inc.	1
	Trumansburg Home Telephone	1
	Uni-Tel Communications Group, Inc.	1
	United States Telecommunications, Inc	1
	VarTec Telecom, Inc.	2
	VarTec Telecom, Inc. dba Clear Choice Co.	1
	Verizon Advanced Data, Inc.	3
	Verizon Communications Inc.	484
	Verizon Communications, Inc.	12
	Warwick Valley Telephone	2
	Winstar Gateway Network, Inc.	1
	ZTel Communications, Inc.	61

		1457
Water	Hunter Water Supply Corp.	1
	Long Island Water Corp.	4
	Meadows at Cross River HOA	1
	Sea Cliff Water Co.	1
	United Water-New Rochelle	1
	United Water-New York	3

		11

Total Complaints against Regulated Companies - November 2000		1988

SLAMMING COMPLAINTS RECEIVED BY NYS PSC

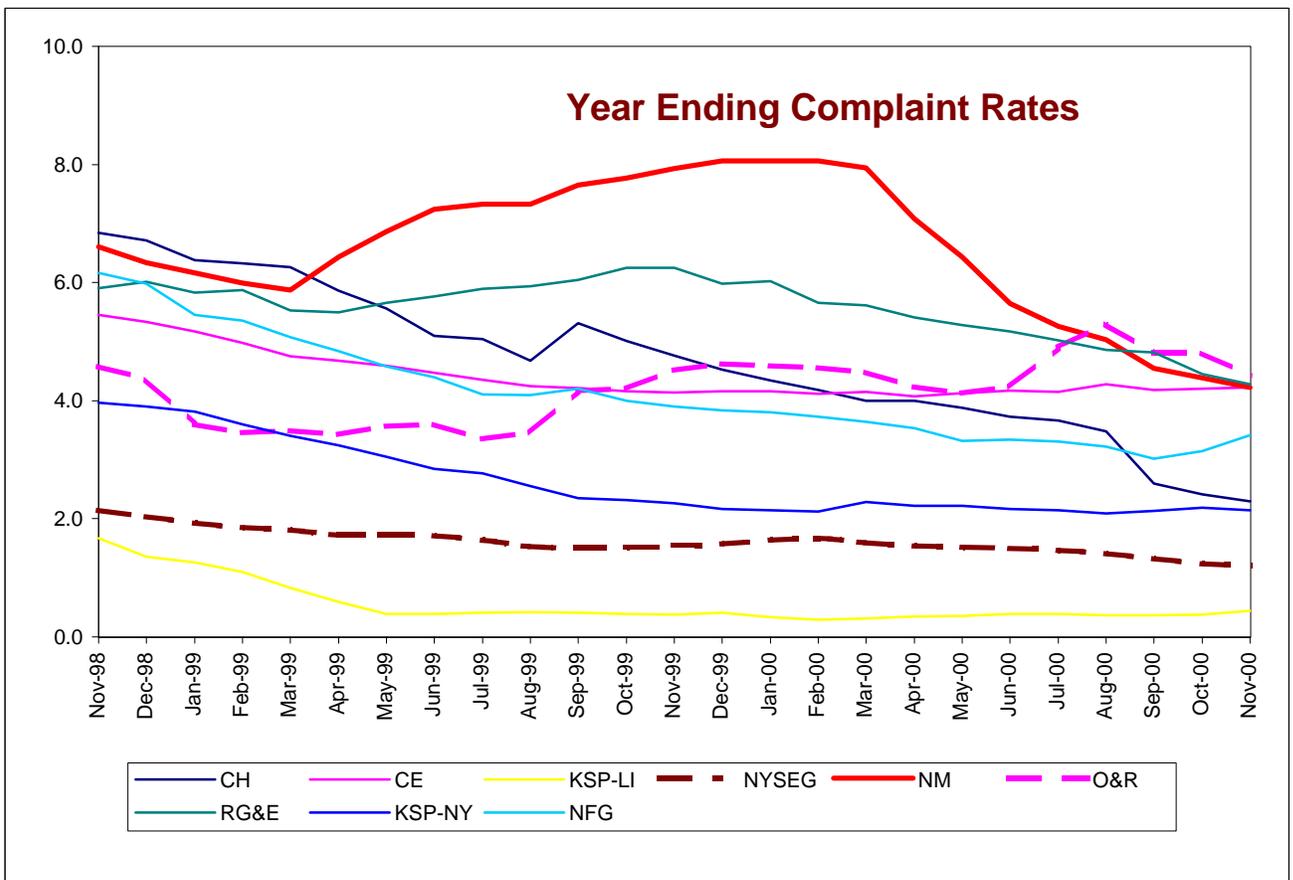
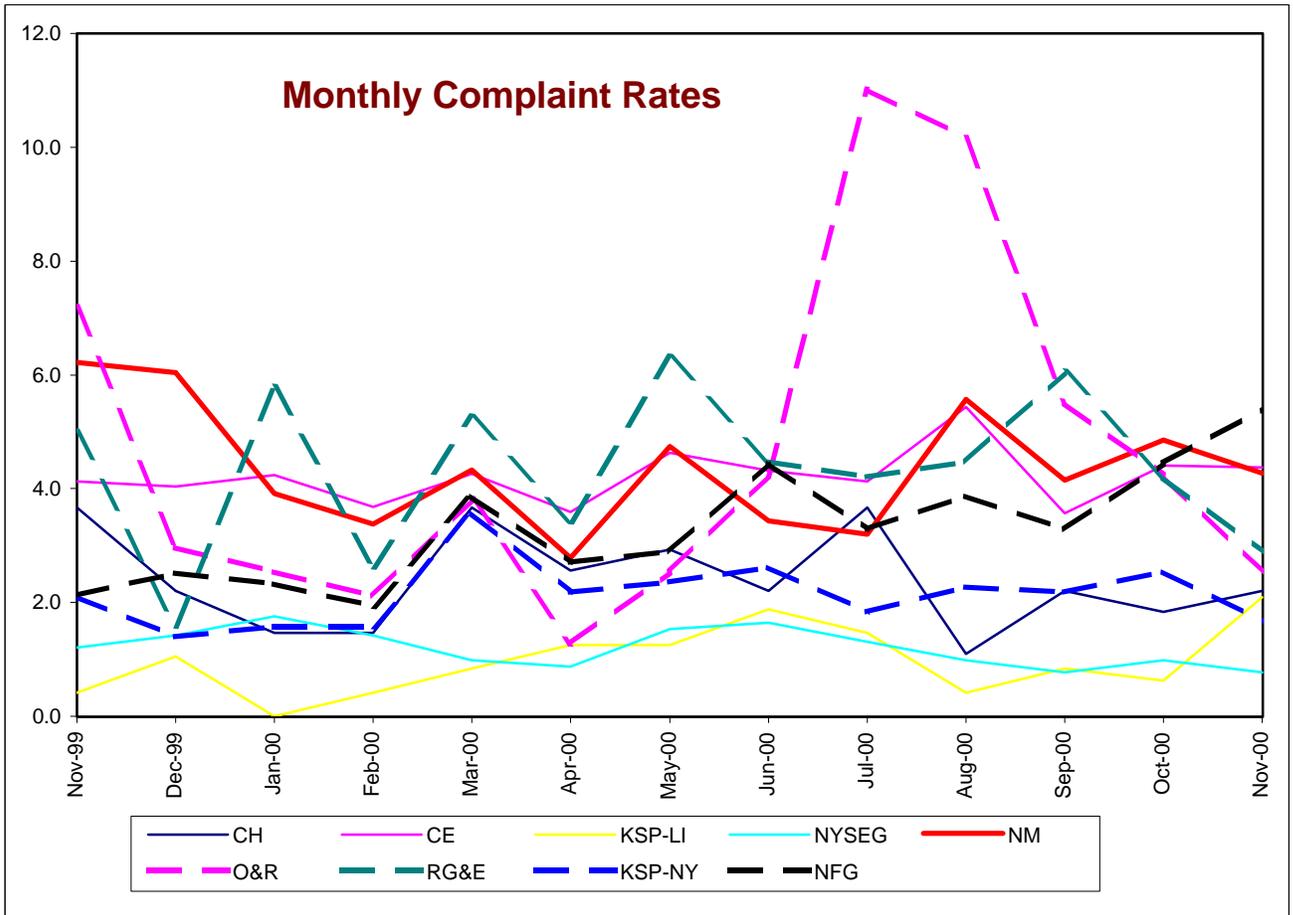
CODE	FULL NAME	1994	1995	1996	1997	1998	1999	2000	Nov-00	Oct-00	Sep-00	Aug-00	Jul-00	Jun-00	May-00	Apr-00	Mar-00	Feb-00	Jan-00	Dec-99	Nov-99	Oct-99	
6307	Worldcom Technologies Inc.					1		1								1							
6124	Worldcom Inc.				9																		
5516	Xtracom Inc.					1																	
6447	Ztel Communications Inc.						54	182	9	8	8	10	10	11	14	17	31	31	33	26	15	11	
	Complaints Assigned by CPCN	250	2051	2180	1729	1904	1029	1567	187	164	137	154	116	134	148	121	184	125	100	104	111	97	
	Unassigned Complaints	143	306	99	42	6	5	5	0	0	0	0	1	1	3	0	0	0	0	1	0	0	
	Total	393	2357	2279	1771	1910	1034	1572	187	164	137	154	117	135	151	121	184	125	100	105	111	97	

**Number of Customer Contacts related to Energy Service Companies
(ESCO's)**

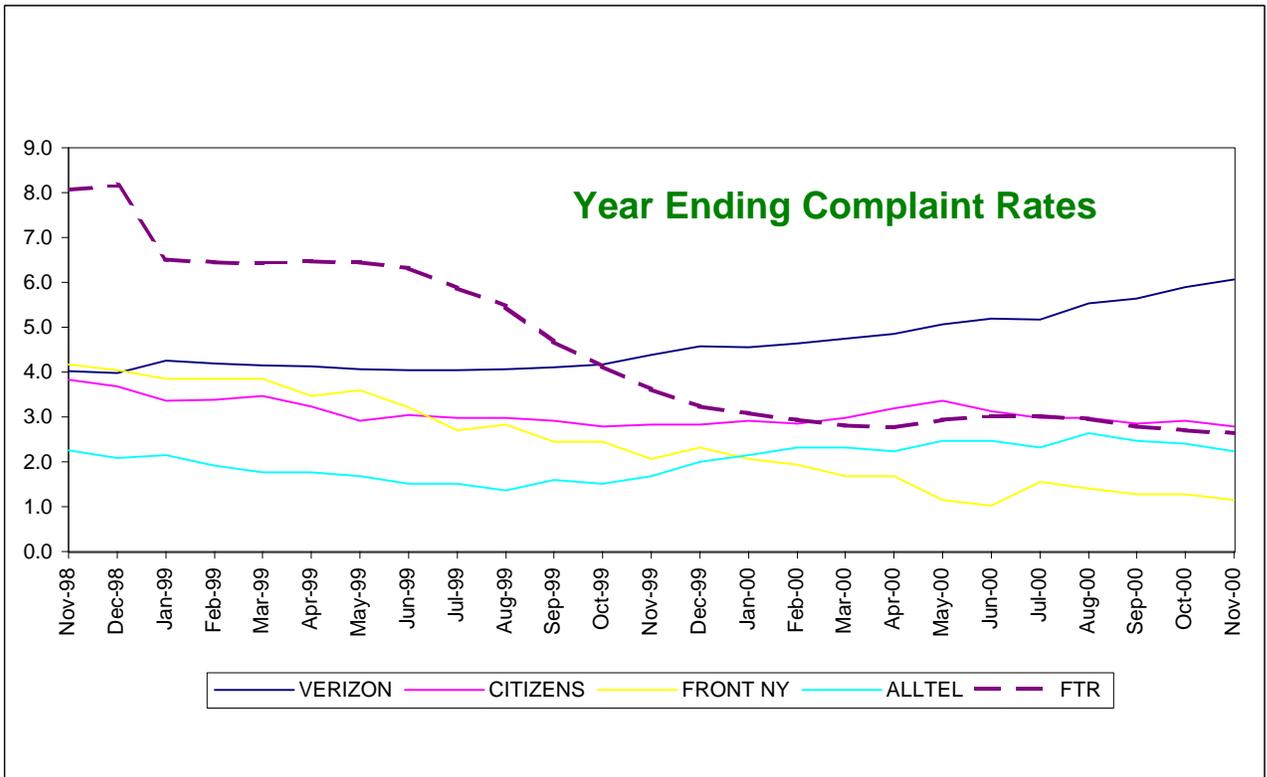
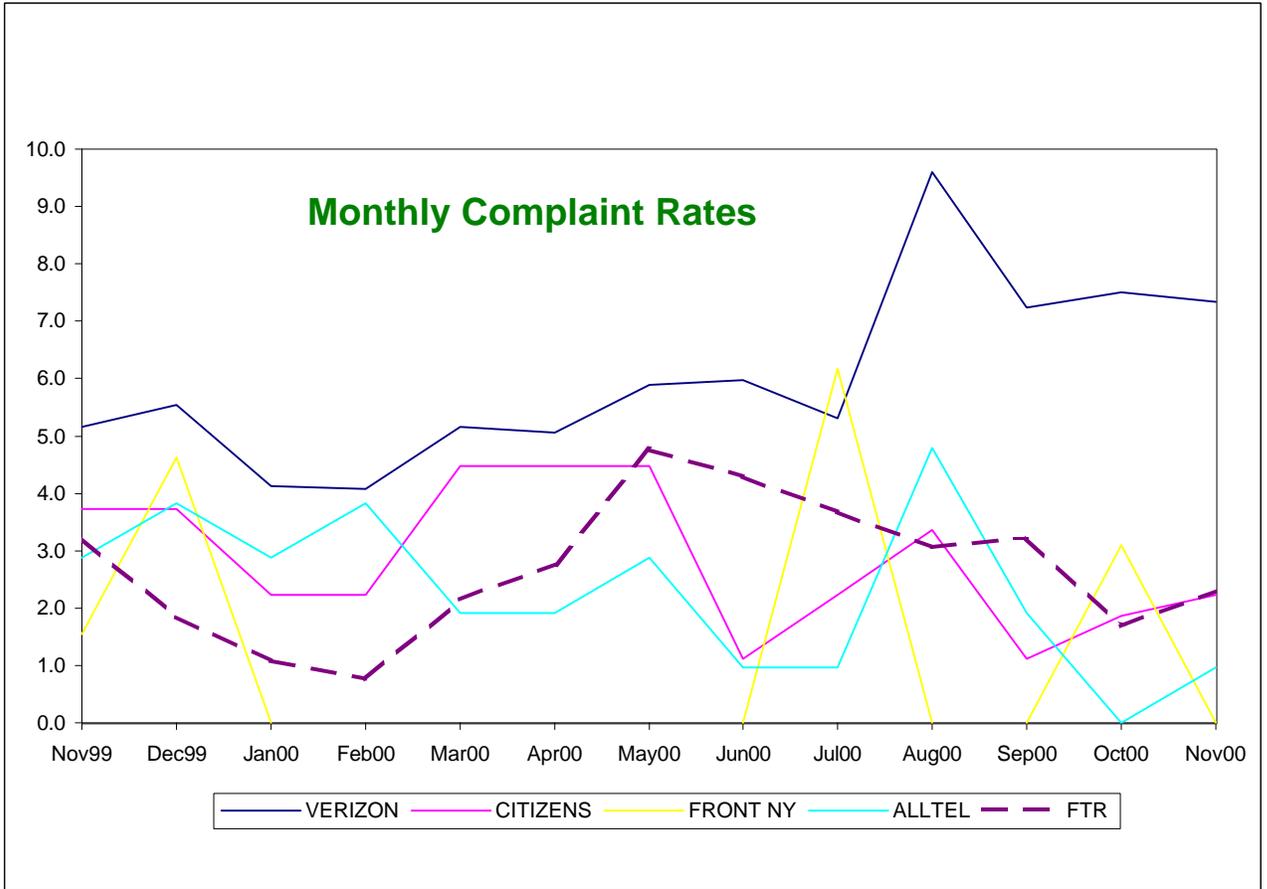
CODE	FULL NAME	1997	1998	1999	2000	Nov-00	Oct-00	Sep-00	Aug-00	Jul-00	Jun-00	May-00	Apr-00	Mar-00	Feb-00	Jan-00	Dec-99	Nov-99	Oct-99	Sep-99	Aug-99	
D001	Agway Energy Services Inc.	2	3	7	12	2	2	4	2				1	1							2	
D002	Amerada Hess			2															1			
D005	Castle Power Corporatoin		2																			
D013	Interstate Energy Resources Inc.			1	8	4	2						1			1				1		
D014	KBC Energy Services		2	3															1			1
D015	Keyspan Energy Services, Inc.	1	23	38	79	11	9	4	5	8	4	8	8	9	6	7	4	4	3	3	3	2
D019	Morania		1																			
D020	Natgasco - A Mitchell-Supreme Co.			1																		
D021	National Fuel Resources			8	12	1	2	2	1	1	1	1	1	1	1		1	3				
D023	New York Gas Co., Inc.		6	24	11	2	3	4	1	2				1					2			
D024	North American Energy		9	7			2					2				1	1	1		3		1
D032	Total Energy Inc.		21	125	140	20	17	17	21	10	7	4	15	11	9	9	6	8	9	4	4	12
D034	Wepco Gas	1	1																			
D035	Williams Energy Services Co.				1									1								
D041	Con Ed of New York			1	1									1								
D046	Econnergy		79	73	189	17	13	11	9	19	24	23	23	19	19	12	12	11	9	3	6	
D054	Enron Capital & Trading Resources		2																			
D057	Iroquois Energy		5	5	52	33	14	1	1						1	1						
D062	MC2	1	20	3	1	1																
D074	Utilicorp Energy Solutions			3																		1
D079	Wheeled Electric Power Co (WEPCO)		10	5															1	1		
D084	New Energy Ventures, LLC		6	4	1							1								1		
D086	Con Edison Solutions		271	108	80	1	6	3	1	8	6	8	29	17	1		3	8	4	8	9	
D087	Energetix, Inc.			5	14	2		1		3	1	2	1	4			1					
D089	Duke Solutions, Inc.		2	1													1					
D090	Nev East, L.L.C.		2		1					1												
D092	Advantage Energy			1												1						
D093	Robison Energy of Westchester		1	7	4	1			1					1	1		1					1
D098	Metromedia Energy		11	26	13				1		1	2	1	5	2	1			5	1	8	
D102	Telecon Energy Services Corp.		9	1										1			1			1	2	
D103	NYSEG Solutions		9	14	1	1	2			1		1	1	3	1	3	2	4				1
D104	Great Eastern Energy			6	14	1		2	2		1		3	1	3	1	1	3				
D105	ACN Energy, Inc.			16	1			1	1		4		5	2	2	1						
D106	Orion Energy Services			20	5	4	10		1													
D888	Unassigned Customer Contacts	30	147	16	15	3	3		2	1	3			2		1		4	4			5
Total		35	609	481	720	115	75	62	52	53	55	53	89	81	46	39	34	50	38	26	49	

This table shows the number of customer contacts that were recorded by the Office of Consumer Services. OCS answers questions but does not resolve complaints against ESCO's. Customers are referred to their contract for resolution guidelines.

MAJOR ENERGY UTILITIES



MAJOR TELEPHONE UTILITIES



MAJOR WATER UTILITIES

