

Monthly Report on Consumer Complaint Activity



September 2000

Maureen O. Helmer, Chairman

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

October 18, 2000



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October 18, 2000

Dear Reader:

Welcome to the on-line version of our Monthly Complaint Statistics Report. We began to publish our monthly reports on-line, beginning with the June 2000 report. I am pleased to note that almost 2,000 people are viewing these reports each month as indicated in this table:

Number of Downloads	8/2000	9/2000
June 2000 Report	1,252	679
July 2000 Report	855	1,039

In the August Report we began reporting the number of complaints we received from customers of Energy Service Companies. Since we do not resolve customers' problems with ESCOs as we do for the customers of traditional energy companies, we are changing the report to show the total customer contacts we receive from ESCO customers.

Readers should exercise caution in reaching conclusions about any particular ESCO simply based on the number of customer contacts recorded. Since we do not know the size of each ESCO company's customer base, we cannot report a contact rate per 100,000 customers.

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

September 2000

Utility	Aug-00		Sep-00		Annual Complaint Volume			Y-T-D Complaint Volume			12 Month Compl. Rate* Sep-00
	Rate*	No.	Rate*	No.	12 mos ending	12 mos ending	%	Year-to-date	Year-to-date	%	
					Sep-99	Sep-00	Change	1999	2000	Change	
Central Hudson	1.1	3	2.6	7	174	87	-50.0	121	60	-50.4	2.7
Con Edison	5.4	195	3.7	133	1816	1807	-0.5	1346	1363	1.3	4.2
KeySpan of L.I. (BUG Ea	0.4	2	1.0	5	54	50	-7.4	45	41	-8.9	0.4
NYSEG	1.1	10	1.1	10	165	149	-9.7	130	107	-17.7	1.4
Niagara Mohawk	6.4	108	4.3	72	1549	937	-39.5	1311	615	-53.1	4.6
Orange & Rockland	11.0	26	5.5	13	118	138	16.9	97	104	7.2	4.9
RG & E	4.5	17	6.0	23	276	220	-20.3	215	162	-24.7	4.8
KeySpan of NY (BUG)	2.3	26	2.4	28	323	296	-8.4	236	234	-0.8	2.2
National Fuel Gas	3.9	20	3.3	17	261	187	-28.4	199	148	-25.6	3.0
Other Energy Utilities	N/A	9	N/A	5	60	53	-11.7	48	42	-12.5	N/A
ESCO's**	N/A	52	N/A	62	519	652	25.6	369	530	43.6	N/A
Bell Atlantic	9.6	738	7.3	560	3794	5215	37.5	3035	4034	32.9	5.7
Citizens Telcom	3.4	9	1.1	3	94	92	-2.1	68	69	1.5	2.9
Frontier of NY	0.0	0	0.0	0	19	10	-47.4	12	4	-66.7	1.3
Alltel	4.8	5	1.9	2	20	31	55.0	17	23	35.3	2.5
Frontier Tel of Roch.	3.1	20	3.7	24	367	221	-39.8	203	171	-15.8	2.8
Other LEC's	N/A	615	N/A	603	1227	6652	442.1	944	5391	471.1	N/A
OCC's / Resellers	N/A	351	N/A	270	3222	3652	13.3	2479	2936	18.4	N/A
COCOT Vendors	N/A	0	N/A	2	47	35	-25.5	39	24	-38.5	N/A
Adelphia	N/A	26	N/A	7	128	141	10.2	74	113	52.7	N/A
Cablevision Systems	N/A	76	N/A	44	723	519	-28.2	886	373	-57.9	N/A
Time-Warner	N/A	99	N/A	44	768	642	-16.4	808	487	-39.7	N/A
Other Cable Cos.	N/A	18	N/A	5	151	146	-3.3	113	98	-13.3	N/A
Long Island Water	8.2	6	5.5	3	14	17	21.4	9	15	66.7	1.9
UW - New Rochelle	6.6	2	13.2	4	28	17	-39.3	26	13	-50.0	4.7
New York Water	2.2	1	0.0	0	12	10	-16.7	7	7	0.0	1.9
New York American	0.0	0	0.0	0	3	0	-100.0	2	0	-100.0	0.0
UW - New York	3.1	2	6.1	4	41	49	19.5	27	36	33.3	6.2
Other Water Utilities	N/A	1	N/A	3	90	55	-38.9	71	72	1.4	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

September 2000

Utility	September 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	7	2	29%	87	25	29%	2.7	0.8
Con Edison	133	26	20%	1807	383	21%	4.2	0.9
KeySpan - LI	5	2	40%	50	10	20%	0.4	0.2
NYSEG	10	3	30%	149	41	28%	1.4	0.4
Niagara Mohawk	72	29	40%	937	231	25%	4.6	1.1
Orange & Rockland	13	5	38%	138	49	36%	4.9	1.7
RG & E	23	17	74%	220	152	69%	4.8	3.3
KeySpan - NY	28	6	21%	296	65	22%	2.2	0.5
National Fuel Gas	17	7	41%	187	83	44%	3.0	1.3

Complaint Trend Summary September 2000

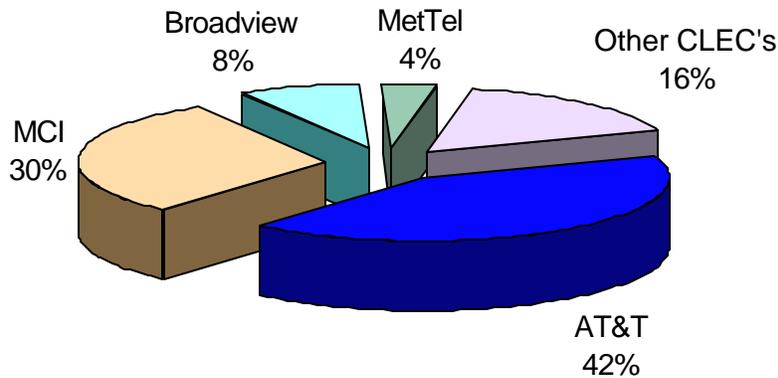
Energy

A review of the annual complaint volume showed a decline for most of the energy companies in the 12 months ending September 2000. Orange and Rockland, however, had a 17% percent increase. Complaints recorded in the most recent 12 month period as compared to the same period last year show that this increase is due to a greater number of complaints related to deferred payment agreements, bill responsibility, and estimated bills.

Communications

Complaints against Competing Local Exchange Companies continue to increase as a result of competition in the marketplace. The following chart depicts the percentage of each of four major LECs to the total of all LECs Y-T-D 2000.

CLECs	1/00 - 9/00	% to Total
AT&T	2256	41.8%
MCI	1623	30.1%
Broadview	436	8.1%
MetTel	192	3.6%
Other CLEC's	884	16.4%
TOTAL	5391	100.0%



Slamming

In September, the Commission initiated an enforcement action against AT&T for switching customers to its telephone service without obtaining the customer's authorization and complying with required verification procedures. Based on our investigation, the Commission found AT&T liable in the amount of \$53,000 for violating §92(e) of the Public Service Law. The investigation was based on 33 customer complaints made to the Commission between March 3, 1999 and June 29, 2000 that allege slamming by AT&T. In all cases, Commission staff interviewed the complainant to ascertain that the customer had not authorized the switch. AT&T was then informed in each case that the change in carriers had been submitted without the required authorization. AT&T was asked to provide verification in all cases but either failed to do so or the verification submitted did not support customer authorization of the switch.

AT&T is the third company that the Commission has found for unauthorized switches of accounts and services. The Commission will continue to pursue these investigations in its commitment toward zero-tolerance of slamming in NYS.

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.

A residential customer called the PSC in September stating that her cable company has failed to correct an on going problem since last May when her service was first installed. Because her cable had not been correctly installed, her reception was snowy and her remote did not work properly. A company technician had noted in the record that the customer had no service, and that the company should send out a special truck and issue credit adjustments. This had not yet been done and a customer service representative was rude to the customer. The customer asked the PSC to help her get good service and correct credit adjustments.

Another customer called the PSC about a misleading telemarketing call. A representative, selling local telephone service, promised the customer unlimited local calling for \$24.95, plus unlimited directory assistance. The customer received charges for directory calls and for local calls on per call basis. The telephone company has told the customer that they have no plan offering unlimited local calls. The company offered to issue a credit but for an amount less than what the customer believed was appropriate. The customer has asked the PSC to obtain the original credit promised by the company.

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

Informal Hearings

As of September 29, 2000, there were 21 complaints in pre-hearing. Five cases were resolved with pre-hearing mediation. September ended with 108 informal hearing cases in the unit. During the month, five hearing cases were resolved with negotiated settlements.

The following is a synopsis of a complaint closed during September:

A residential customer was billed unmetered service for 3 years due to the utility's allegation that he had tampered with his electric meter. Although the utility suspected a problem, it failed to properly follow up on its suspicions, and despite evidence that the home was inhabited, billed the customer for minimal use. The hearing officer found both the utility and customer had contributed to the underbilling of the account. With respect to the customer's action, he failed to provide regular access, did not protest the minimal bills, and submitted incorrect readings. However the hearing officer did not conclude the latter had been deliberate. The decision limited the backbilling to two years.

Shared Meter Designee Cases

Under Section 52 of PSL (the Shared Meter Law) only the Commission or its Designee can decide certain complaints. Most such cases concern the penalty assessed to owners for failure to find and correct instances of a shared meter. At the end of September there were 199 shared meter designee complaints pending. Twenty-three complaints were received during the month, and 14 were closed.

The following is a synopsis of a significant shared meter case decided during the month:

An informal hearing was held to determine whether a shared meter existed to an account for which the tenant and customer of record was deceased. The complaint was brought to us by the tenant's daughter who was also executor of the estate. The hearing officer determined that there was clearly use on the tenant's meter that had not been used within her apartment. However, since the claim was not filed with the utility until after the tenant's death, under the terms of the shared meter law, the daughter was not entitled to relief since she was neither the tenant, nor the account holder.

Appeals and Rehearings

At the September 20, 2000 session, the Commission approved five appeal determinations recommended by OCS. Two of these determinations concerned informal

decisions requiring Con Edison and NYSEG respectively to reduce electric demands alleged to be high because of resumption of service after outages, and adjust billing accordingly but not to apply interest to the adjustments. The utilities did not appeal, but a consultant appealed (on behalf of the customers) seeking to have interest applied to the adjustments. The recommended decisions deny the appeals because it was not clear the disputed demands resulted from resumption of service following outages, and in any event such a scenario is not a basis for requiring an adjustment, and therefore no interest was required. Two of the other appeal decisions uphold informal decisions rejecting high bill complaints by residential customers against Con Edison (gas) and against Long Island Water Corporation respectively. The fifth decision modifies an informal decision rejecting a residential customer's claim that she was not responsible for Brooklyn Union bills by reducing the customer's period of responsibility for that part of the period where she submitted information showing another residence.

Also in September, one appeal by a consultant against Con Edison concerning service class assignment was settled.

During September, two new appeals by residential customers concerning Con Edison accounts were accepted for review. One appeal concerns the propriety of the service deposit required on the customer's gas heating and electric account. The other appeal concerns high gas heating bills.

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 09/01/2000 AND 09/30/200**

Service	Utility	Complaints

Cable	Adelphia - Buffalo	4
	Adelphia Cable - Utica	1
	Adelphia Cable-International	1
	Adelphia Cable-Lancaster	1
	Cablevision of Brookhaven	1
	Cablevision of East Hampton	1
	Cablevision of Hauppauge (V-CABLE)	3
	Cablevision of Long Island	9
	Cablevision of New York City	17
	Cablevision of Riverhead	2
	Cablevision of Southern Westchester	5
	Cablevision of Westchester	2
	Cablevision of Yorktown	1
	Cablevision-Rockland	3
	MediaOne - Rockland	1
	MediaOne - US Cablevision	1
	MediaOne - Westchester	1
	RCN of Southeast New York, Inc.	2
	Time Warner - Albany	1
	Time Warner - Amsterdam	2
	Time Warner - Bethlehem	1
	Time Warner - Brooklyn	2
	Time Warner - Fredonia	1
	Time Warner - Glens Falls	4
	Time Warner - Ilion	1
	Time Warner - Ithaca	1
	Time Warner - Manhattan	5
	Time Warner - Orange County	4
	Time Warner - Paragon Manhattan	1
	Time Warner - Queens	5
	Time Warner - Rensselaer	1
	Time Warner - Rochester	4
	Time Warner - Saratoga	4
	Time Warner - Saugerties	1
	Time Warner - Staten Island	2
Time Warner - Sullivan County	1	
Time Warner - Syracuse	2	
Time Warner - Watertown	1	

		100
Electric	Central Hudson Electric & Gas	7
	Con Edison	127
	Frankfort	1

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 09/01/2000 AND 09/30/200**

Service	Utility	Complaints

Electric	Jamestown Board of Public Utilities	4
	New York State Electric & Gas	9
	Niagara Mohawk Power Corp	65
	Orange & Rockland	11
	Rochester Gas + Electric	19

		243
Gas	Con Edison	6
	KeySpan of Long Island	5
	KeySpan of New York	28
	National Fuel Gas Distribution	17
	New York State Electric & Gas	1
	Niagara Mohawk Power Corp	7
	Orange & Rockland	2
	Rochester Gas + Electric	4

		70
DSL	Covad Communications Company	1
	Earthlink, Inc.	2

		3
Telephone	ACC Rochester Telecom Corp.	1
	ACN Communication Services, Inc.	1
	ADVAMTEL, LLC dba Plan B Communications	6
	Allegiance Telecom of New York, Inc.	11
	AllTel Of New York	2
	America's Tele-Network Corp.	1
	American Nortel Communications, Inc.	1
	American Phone Services, Corp.	1
	AT&T Communications of New York, Inc.	441
	Bell Atlantic Communications, Inc.	3
	Bell Atlantic Network Data, Inc.	10
	BridgeCom International, Ltd.	2
	Broadview Networks	41
	Business Discount Plan, Inc.	2
	Choice One Communications of New York In	1
	Citizens Telecom	3
	Commonwealth Telecom	2
	Core-Comm-New York, Inc.	4
	Covad Communications Company	6
	Crescent Communications	1
Dunkirk & Fredonia Telephone	1	
Econ-o-call Inc.	1	
EqualNet Corporation	1	

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 09/01/2000 AND 09/30/200**

Service	Utility	Complaints

Telephone	erbia Network, Inc.	1
	Essential.com, Inc.	11
	Essex Communications, Inc.	1
	Essex Communications, Inc. d/b/a/ Elec C	2
	Excel Telecommunications Inc.	2
	Fairpoint Communications	3
	Focal Communications Corporation	1
	Frontier Comm of Seneca-Gorham, Inc.	2
	Frontier Comm of Sylvan Lake, Inc.	1
	Frontier Communications of Rochester, Inc	1
	Frontier Local Services, Inc.	1
	Frontier Telephone of Rochester, Inc.	24
	Gateway Technologies, Inc.	1
	Global Crossing Telecommunications, Inc.	5
	Intermedia Communications, Inc.	1
	LCI International Telecom Corp.	1
	Long Island Telephone Company	1
	Matrix Telecommunications	1
	MCImetro Access Transmission Services, I	1
	MCIWorldCom	141
	Metropolitan Telecommunications dba MetT	31
	Network Plus, Inc.	5
	NEXTLINK New York, L.L.C.	1
	NorthPoint Communications, Inc.	1
	One Call Communications Inc. dba Opticom	1
	Opticom Corporation	2
	PaeTec Communications, Inc.	1
	PT-1 Communications, Inc.	1
	QWest Communications Corporation	6
	RCN Telecom Services of New York, Inc.	3
	Resdntl Comms. Netwrk of NY dba RCN	15
	Sprint Communications Company L.P.	13
	Taconic Telephone	2
	Tel-Save, Inc dba The Phone Company of N	15
	Teleglobe USA, Inc.	1
	Teleport Communications	1
	Time Warner Connect	1
	Time Warner Telecommunications	1
	Upstate Hometel, L.L.C.	2
	USN Communications Long Distance, Inc.	2
	VarTec Telecom, Inc.	1
	Verizon	561
	Winstar Gateway Network, Inc.	1
	ZTel Communications, Inc.	47

		1460

**NO. OF COMPLAINTS RECEIVED AGAINST REGULATED COMPANIES
BETWEEN 09/01/2000 AND 09/30/200**

<i>Service</i>	<i>Utility</i>	<i>Complaints</i>

Water	Long Island Water Corp.	4
	Mountain Lodge Park	1
	Oakridge Water Company	1
	United Water-New Rochelle	4
	United Water-New York	4

		14

Total Complaints against Regulated Companies - September 2000		1890

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

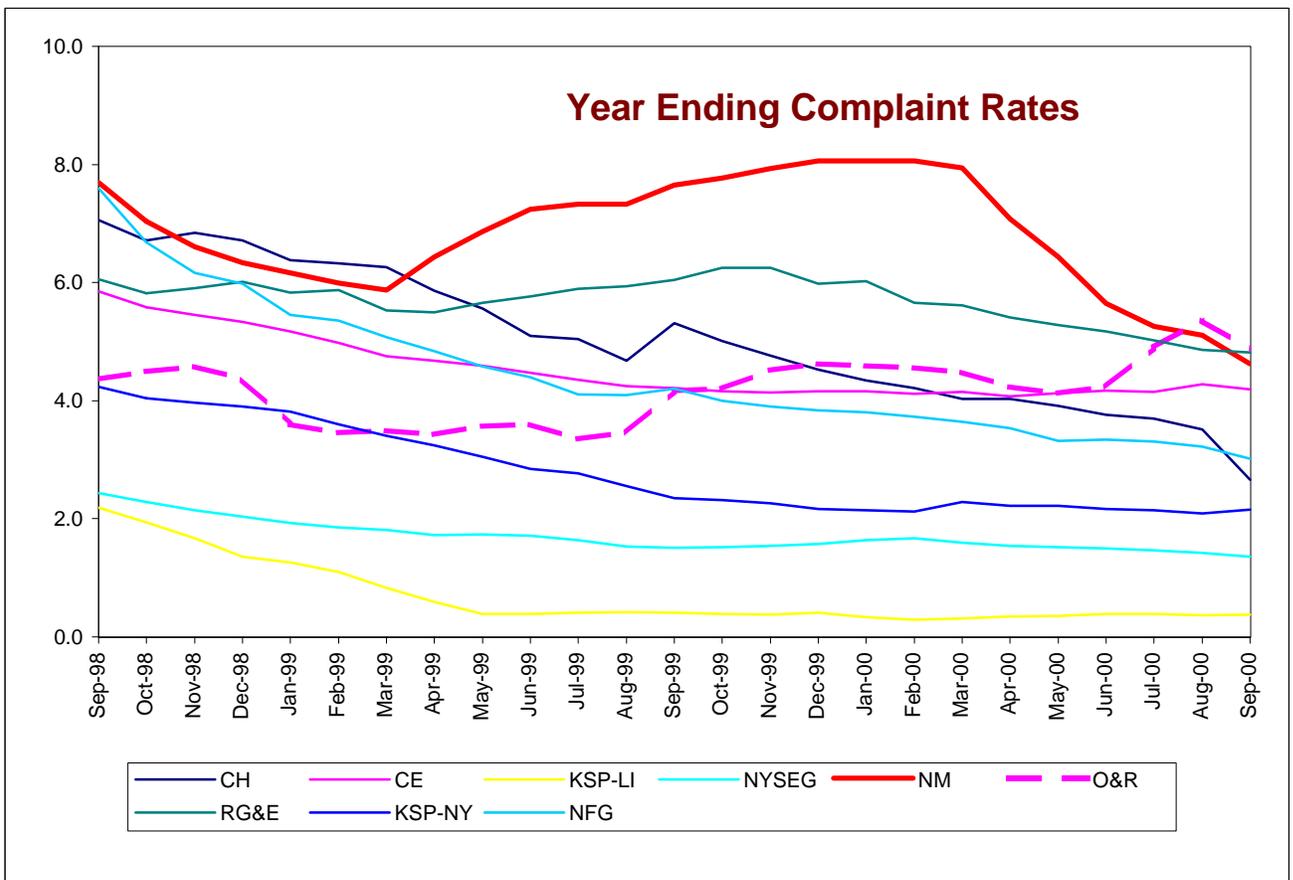
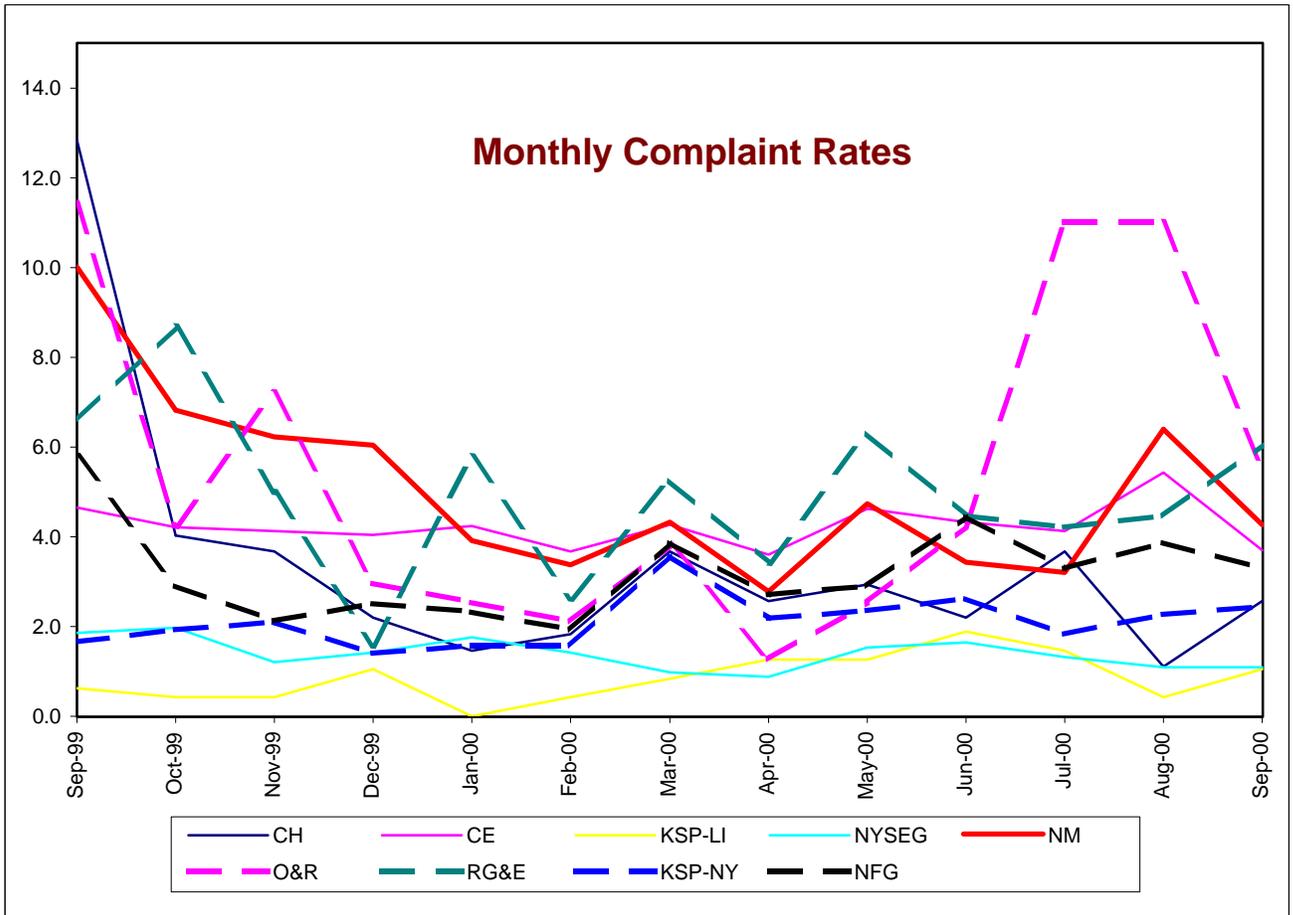
CODE	FULL NAME	1997	1998	1999	2000	Sep-00	Aug-00	Jul-00	Jun-00	May-00	Apr-00	Mar-00	Feb-00	Jan-00	Dec-99	Nov-99	Oct-99	Sep-99	Aug-99
D001	Agway Energy Services Inc.	2	3	7	4	4	2			1	1							2	
D002	Amerada Hess	0	0	2	0														
D005	Castle Power Corporatoin	0	2	0	0											1			
D013	Interstate Energy Resources Inc.	0	0	1	2						1			1			1		
D014	KBC Energy Services	0	2	3	0											1			1
D015	Keyspan Energy Services, Inc.	1	23	38	55	4	5	8	4	8	8	9	6	7	4	4	3	3	2
D019	Morania	0	1	0	0														
D020	Natgasco - A Mitchell-Supreme Co.	0	0	1	0														
D021	National Fuel Resources	0	0	8	7	2	1	1	1	1	1	1	1		1	3			
D023	New York Gas Co., Inc.	0	0	6	8	3	4	1	2				1				2		
D024	North American Energy	0	0	9	5	2				2		2		1	1	1		3	1
D032	Total Energy Inc.	0	21	125	86	17	21	10	7	4	15	11	9	9	6	8	9	4	12
D034	Wepco Gas	1	1	0	0														
D035	Williams Energy Services Co.	0	0	0	1							1							
D041	Con Ed of New York	0	0	1	1							1							
D046	Econnergy	0	79	73	148	11	9	19	24	23	23	19	19	12	12	11	9	3	6
D054	Enron Capital & Trading Resources	0	2	0	0														
D057	Iroquois Energy	0	5	5	4	1	1	1					1	1		1			
D062	MC2	1	20	3	0														
D074	Utilicorp Energy Solutions	0	0	3	0														1
D079	Wheeled Electric Power Co (WEPCO)	0	10	5	0											1	1		
D084	New Energy Ventures, LLC	0	6	4	1					1								1	
D086	Con Edison Solutions	0	271	108	70	3	1	8	6	8	29	17	1		3	8	4	8	9
D087	Energetix, Inc.	0	0	5	11	1		3	1	2	1	4			1				
D089	Duke Solutions, Inc.	0	2	1	0										1				
D090	Nev East, L.L.C.	0	2	0	1				1										
D092	Advantage Energy	0	0	0	1									1					
D093	Robison Energy of Westchester	0	1	7	3		1					1	1		1				1
D098	Metromedia Energy	0	11	26	13		1		1	2	1	5	2	1			5	1	8
D102	Telecon Energy Services Corp.	0	0	9	1							1			1			1	2
D103	NYSEG Solutions	0	0	9	10	2		1		1	1	3	1	3	2	4			1
D104	Great Eastern Energy	0	0	6	11	2	2		1		3	1	3	1	1	3			
D105	ACN Energy, Inc.	0	0	0	15		1		4		5	2	2	1					
D106	Orion Energy Services	0	0	0	1	10	1												
D888	Unassigned Customer Contacts	30	147	16	9		2	1	3			2		1		4	4		5
Total		35	609	481	468	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.

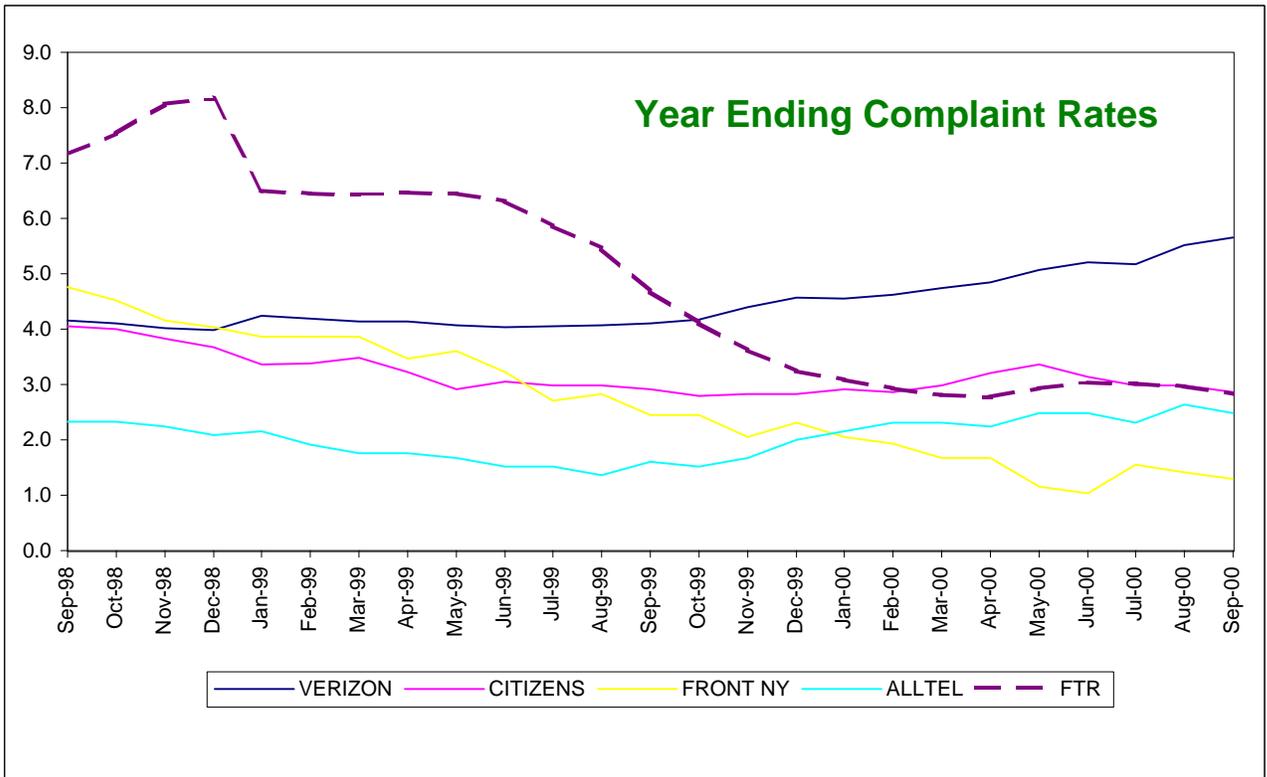
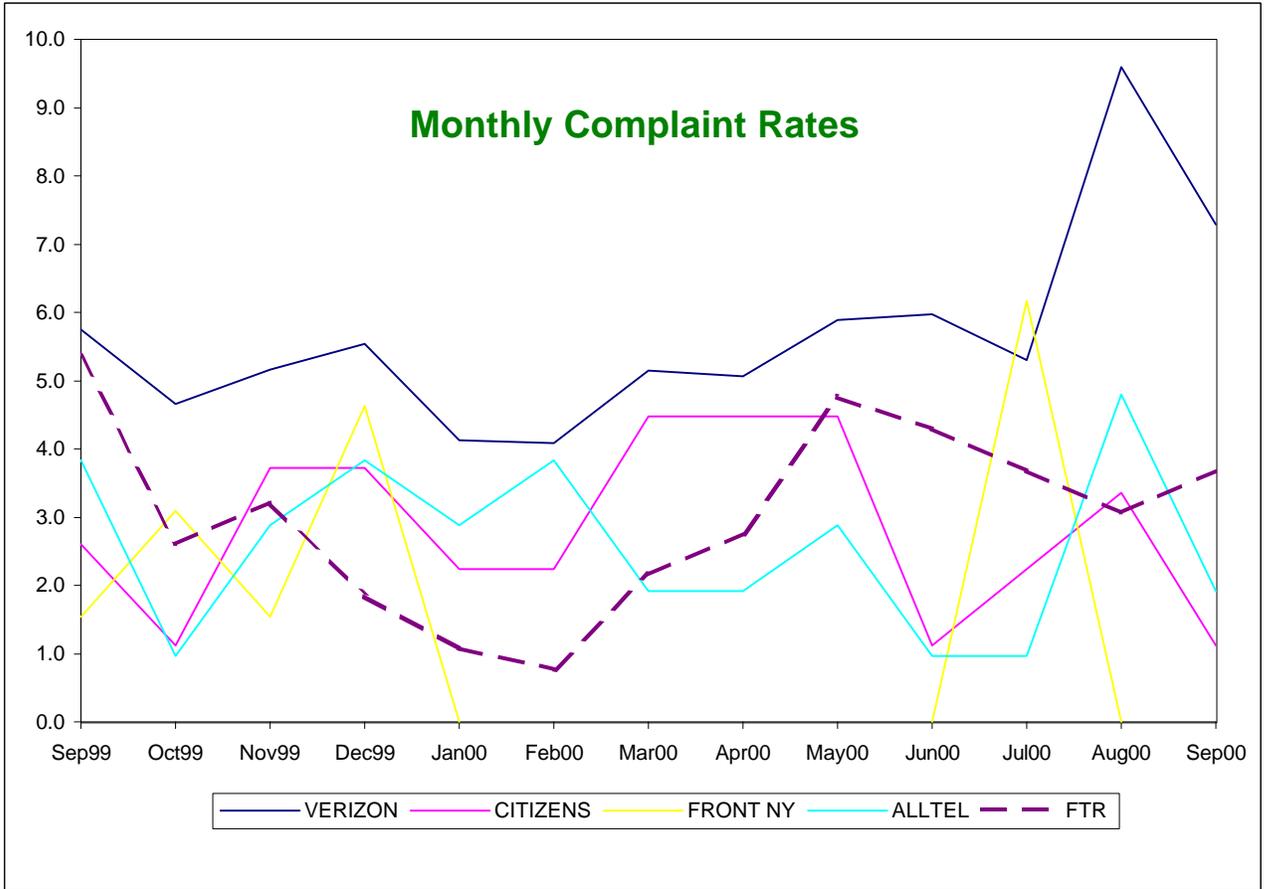
SLAMMING COMPLAINTS RECEIVED BY NYS PSC

CODE	FULL NAME	1994	1995	1996	1997	1998	1999	2000	Sep-00	Aug-00	Jul-00	Jun-00	May-00	Apr-00	Mar-00	Feb-00	Jan-00	Dec-99	Nov-99	Oct-99
5A45	United Services Telephone LLC					1														
6493	Uni-Tel Communications Group Inc.						1	2								1	1			
5717	Universal Communications Inc					2														
5860	US Sprint Communications Co./	17	60	7																
5528	US Wats. Inc.					1														
6137	USA Tele Corp.					6	3													
6048	USN Communications Long Distance				2	78	72	1									1		1	
5276	V.I.P Network Inc.			15																
5101	VarTec Telecom Inc.			6	0															
5120	Verizon				18	19	12	14	3	7				1	1	2			1	1
6290	Veterans of America Assn.				4															
6073	Vista Group International Inc.				12	41	8											1		
5172	Westinghouse Electric Corporation d/b/s				3	1														
5867	Wiltel Inc.	22	8	5	31	3	1													
5303	Winstar Gateway Network Inc.		3	76		1	1													
5770	Working Assets Funding Service			1	2		1													
5319	World Com Inc dba LDDS World			6	5	6		2						1		1				
5716	World Communications Inc.				6															
5203	WorldCom Network Service dba Wil						1													1
6307	Worldcom Technologies Inc.					1		2			1			1						
6124	Worldcom Inc.				9															
5516	Xtracom Inc.					1														
6447	Ztel Communications Inc.						54	169	8	13	11	11	14	17	31	31	33	26	15	11
	Complaints Assigned by CPC	250	2051	2180	1729	1904	1029	1237	137	164	124	134	148	121	184	125	100	104	111	97
	Unassigned Complaints	143	306	99	42	6	5	5	0	0	1	1	3	0	0	0	0	1	0	0
	Total	393	2357	2279	1771	1910	1034	1242	137	164	125	135	151	121	184	125	100	105	111	97

MAJOR ENERGY UTILITIES



MAJOR TELEPHONE UTILITIES



MAJOR WATER UTILITIES

