

# Monthly Report on Consumer Complaint Activity



## September 2010

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Office of Consumer Services*

*October 6, 2010  
Revised November 24, 2010*



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October 6, 2010

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

## September 2010

Utility Companies	Initial Complaints (QRS)		Escalated Complaints (SRS)		Escalation Rate	12 Month Escalated Complaint Rate
	No.	Rate*	No.	Rate*		
Central Hudson	32	10.9	0	0.0	0%	0.2
Con Edison	486	12.7	54	1.4	11%	1.5
National Grid-Long Island	36	6.6	4	0.7	11%	0.4
NYSEG	51	5.2	1	0.1	2%	0.4
National Grid-Upstate	259	15.2	23	1.3	9%	0.8
Orange & Rockland	36	16.1	1	0.4	3%	0.4
RG & E	53	13.3	1	0.3	2%	0.4
National Grid-Metro NY	103	8.6	8	0.7	8%	0.8
National Fuel Gas	88	17.1	0	0.0	0%	0.1
AT&T of New York	30		8		27%	
Citizens Telecommunications of NY	11	4.8	2	0.9	18%	0.8
Frontier Communications of NY	3	6.0	2	4.0	67%	1.0
Frontier Telephone of Rochester	0	0.0	1	0.4	#DIV/0!	0.6
Optimum Voice	9		0		0%	
Time Warner Res-Com	26		7		27%	
Windstream Communications	1	1.5	0	0.0	0%	0.0
Verizon	508	7.5	70	1.0	14%	0.7
Cablevision Systems	35		3		9%	
Time-Warner Cable	123		19		15%	
United Water - Westchester	0	0.0	0	0.0	#DIV/0!	0.0
Long Island Water	7	9.6	0	0.0	0%	0.6
Aqua NY fka New York Water	6	13.5	0	0.0	0%	2.3
United Water - New Rochelle	3	9.6	1	3.2	33%	4.8
United Water - New York	6	8.5	0	0.0	0%	1.9

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 September 2010

<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	88	0	5.0	1.2	2.0	13.7	1.7	5.0	1.0	9.7
New York State Electric & Gas Corp.	51	1	4.8	3.3	2.0	10.6	1.9	2.3	1.0	9.7
Orange & Rockland	36	1	4.7	9.5	2.0	1.3	2.0	5.8	1.0	9.7
Cablevision of Long Island	15	1	4.3	12.1	2.0	2.1	2.0	7.8	1.0	9.3
Central Hudson Gas & Electric Corp.	32	0	5.0	6.1	2.0	18.1	1.2	4.9	1.0	9.2
National Grid - Upstate	259	23	4.1	5.3	2.0	5.7	2.0	19.5	0.9	9.0
National Grid - L I	36	4	3.9	10.6	2.0	3.4	2.0	11.7	1.0	8.9
National Grid - Metro Ny	103	8	4.2	7.1	2.0	14.2	1.6	13.3	1.0	8.8
Verizon Communications	508	70	3.6	11.0	2.0	10.3	1.9	13.9	1.0	8.5
Cablevision of New York City	13	2	3.5	8.0	2.0	7.1	2.0	5.8	1.0	8.5
Citizens Communications	11	2	3.2	11.2	2.0	12.1	1.8	2.2	1.0	8.0
Rochester Gas & Electric Corp.	53	1	4.8	3.2	2.0	48.2	0.0	7.9	1.0	7.8
Time Warner - New York City Division	96	15	3.4	13.6	2.0	16.6	1.4	15.6	0.9	7.7
AT&T	30	8	2.3	7.1	2.0	5.2	2.0	3.0	1.0	7.3
Time Warner ResCom of New York,LLC	26	7	2.3	13.4	2.0	14.9	1.6	8.8	1.0	6.9
Con Edison of New York	486	54	3.9	10.7	2.0	42.3	0.0	23.5	0.8	6.7

*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.

## Customer Service Response Index September 2010

<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>
Accent Energy Midwest, LLC	0	0		0.0		9.7		8.0		
Access Point, Inc.	1	0		0.0		0.0		17.0		
ACN Communication Services, Inc.	0	0		4.0		0.0		0.0		
Agway Energy Services, LLC.	1	0		18.3		3.0		0.0		
Akam Associates	0	0		0.0		0.0		83.0		
Ambit Energy	1	0		3.0		0.0		0.0		
Aqua New York	6	0		21.0		0.0		16.2		
Birch Communications, Inc.	2	0		7.0		0.0		8.0		
BluCo Energy, LLC	0	0		0.0		0.0		199.0		
Broadview Networks	5	0		7.7		8.1		3.0		
C.H.T. Place Llc	0	1		0.0		0.0		61.5		
Cablevision - MediaOne - Rockland	2	0		15.0		0.0		1.0		
Cablevision of Brookhaven	1	0		12.0		0.0		0.0		
Cablevision of Dutchess County	1	0		11.7		0.0		0.0		
Cablevision of Ramapo	0	0		0.0		0.0		0.0		
Cablevision of Southern Westchester	1	0		0.0		0.0		3.0		
Cablevision of Warwick	0	0		0.0		27.2		0.0		
Cablevision of Westchester	2	0		11.0		0.0		0.0		
Chaffe Water Works Company	0	0		0.0		0.0		143.0		
Chautauqua & Erie Telephone Corp.	0	0		10.0		0.0		0.0		
Choice One Communications of New Y	1	0		9.0		0.0		23.0		
City of Jamestown Board of Public Utiliti	1	0		21.7		1.0		58.0		
City of Salamanca Electric	2	1		1.0		0.0		19.5		
Columbia Utilities Power, Llc (electric)	1	0		3.0		0.0		0.0		
Columbia Utilities Power, Llc (gas)	0	0		0.0		0.0		0.0		
Comcast Cable of New York - CATV	1	0		0.0		0.0		4.0		
Comcast Phone of New York, LLC D/B/	1	0		1.0		71.9		1.0		
Communications Network Billing, Inc.	0	0		0.0		0.0		77.0		
Cordia Communications Corp	7	2		2.6		0.1		2.5		
Corning Natural Gas Corp.	1	0		7.0		0.0		0.0		
Covista Communications, Inc.	1	0		13.0		0.0		10.0		
CTC Communications Corp.	8	1		8.6		0.0		5.5		
DaveITel, Inc.	2	0		0.0		0.0		3.0		
Deposit Telephone	1	0		10.0		0.0		0.0		
Direct Energy Services LLC	1	2		13.0		1.1		3.0		
Empire One Telecommunications, Inc.	0	0		21.0		0.0		0.0		
Energetix, Inc.	1	0		1.3		0.0		0.0		
Energy Plus Holdings LLC	8	0		2.9		0.0		11.0		
Evercom Systems, Inc. Legal Departme	1	0		0.0		0.0		3.0		
Fairfield Towers Condominium Corpora	0	0		0.0		0.0		67.0		
Forest Park Water Co. Inc.	0	0		46.7		0.0		0.0		
Friedlander Water Supply	0	0		0.0		0.0		162.0		
Frontier Communications of AuSable V	1	0		6.0		0.0		0.0		
Frontier Communications of NY/fka Hig	3	2		17.5		7.9		0.0		
Frontier Communications of Rochester,	0	1		92.0		14.0		0.0		
Frontier Telephone of Rochester, Inc.	4	2		10.0		1.4		0.0		
Gateway Energy Services Corp.	1	0		0.0		0.0		5.5		
Great Eastern Energy	2	1		26.0		0.0		33.5		
Hazel Towers Co., L.P.	0	0		0.0		62.8		0.0		
Hopewell Service Corporation	0	0		0.0		0.0		66.0		
Hudson Energy Services, LLC	2	0		2.5		0.0		0.0		
IDT America, Corp.	1	0		15.0		10.0		3.0		
IDT Energy, Inc.	2	0		8.0		0.0		1.0		
Infinite Energy, Inc.	0	0		0.0		0.1		0.0		
InterGlobe Communications	0	0		21.0		0.0		0.0		
Jack Parker Corporation	0	0		0.0		21.0		1.0		
Just Energy New York Corp	8	1		9.7		0.0		5.0		
Kiamesha Artesian Spring Water Co., I	0	0		0.0		0.0		38.0		
Legacy Long Distance International, Inc	1	0		22.0		0.0		15.0		
Lettiere Water Co	1	0		2.0		0.0		0.0		
Liberty Power Corp.	3	0		14.0		0.0		8.3		
Long Island Water Corporation D/b/a L	7	0		6.6		0.9		0.0		
M&R ENERGY RESOURCES CORPO	1	0		0.0		0.0		0.0		
Major Energy Services LLC	4	0		7.8		0.0		0.0		
Matrix Telecom, Inc.	2	1		3.5		8.0		0.0		
MCI	2	0		8.7		26.2		0.0		
Metro Loft Management	0	0		0.0		0.0		65.0		
Metropolitan Telecommunications	0	2		23.0		215.8		47.5		
Mid Hudson Cablevision, Inc.	0	0		28.0		0.0		0.0		
MXenergy	1	1		17.0		28.1		42.3		
My Tel Co, Inc.	1	0		6.0		0.0		0.0		

## Customer Service Response Index September 2010

<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>
Natgasco, Inc. - A Mitchell-Supreme Cc	1	0		20.0		0.0		0.0		
National Aqueous	0	0		0.0		0.8		0.0		
Network US, Inc. d/b/a CA Affinity	0	0		79.0		0.0		38.0		
NYSEG Solutions, Inc.	3	0		6.0		0.0		1.7		
Oasis Power LLC, d/b/a Oasis Energy	1	1		19.0		0.9		3.0		
One Touch Communications	1	0		0.0		0.0		16.5		
Optimum Voice	9	0		12.0		11.8		5.3		
Orchard Hill Water Co.	0	0		0.0		0.0		151.0		
PAETEC Communications, Inc.	4	0		5.7		15.0		6.5		
Penelec (A First Energy Company)	1	0		0.0		0.0		2.0		
Phipps House Services, Inc	0	0		0.0		0.0		121.0		
Primus Telecommunications, Inc.	1	1		12.0		0.0		18.0		
Public Communications Services, Inc.	1	0		0.0		0.0		1.0		
PUBLIC POWER & UTILITY OF NY	0	0		38.0		0.0		0.0		
Resdntl Comms. Netwrk of NY	5	0		8.0		8.1		0.0		
Rural Atlantic Water Co.	0	0		0.0		0.0		64.0		
S.J. FUEL CO., INC.	1	0		1.0		0.0		0.0		
Saratoga Glen Hollow Water Corp.	0	0		0.0		0.0		8.0		
Spark Energy, L.P.	9	3		17.4		8.4		12.8		
Spectrotel, Inc.	1	0		0.0		0.0		30.0		
Sprint Communications	0	1		53.0		4.9		0.0		
St. Lawrence Gas	2	0		2.3		0.0		0.0		
Sterling Telecom, LLC	2	0		0.0		0.0		9.0		
Stonehenge Management	0	0		0.0		0.0		190.0		
Taconic Telephone Corp.	2	0		9.3		0.0		0.0		
Talkspan Inc.	0	0		0.0		0.0		48.0		
Tele Circuit Network	0	1		9.0		6.2		78.0		
The Future Condominium	0	0		0.0		0.0		66.0		
Time Warner - Albany Division	9	1		10.9		14.7		11.0		
Time Warner - Buffalo Division	2	1		13.3		0.0		0.0		
Time Warner - Rochester	7	1		2.4		0.0		16.2		
Time Warner - Syracuse Division	9	1		4.8		45.0		14.0		
Titan Gas, LLC	0	0		0.0		0.0		0.0		
Trinsic	1	0		5.0		0.0		0.0		
Tristate Bell Inc	1	0		5.0		0.0		0.0		
Trumansburg Telephone Co., Inc.	0	0		0.0		0.0		32.0		
U.S. Gas & Electric, Inc.	3	1		9.0		2.0		0.0		
United Systems Access Telecom	0	0		0.0		0.0		56.0		
United Water-New Rochelle	3	1		6.5		7.9		18.7		
United Water-New York	6	0		5.0		7.0		0.0		
Vectren Retail, Llc D/b/a Vectren Sourc	0	1		17.0		0.0		14.0		
Verizon Communications (LD)	1	0		13.0		0.0		0.0		
Verizon Communications (PayPhones)	1	0		4.0		15.2		0.0		
Village of Arcade	0	0		0.0		0.0		14.0		
Village of Endicott	2	0		2.0		0.0		0.0		
Village of Frankfort	1	0		7.0		0.0		0.0		
Village of Freeport Electric	1	0		0.0		0.0		1.0		
Village of Green Island Power Authority	0	1		4.0		0.0		0.0		
Village of Ilion	0	0		0.0		1.1		0.0		
Village of Rockville Centre Inc.	1	0		0.0		0.0		7.0		
Village of Wellsville	1	0		0.0		0.0		0.0		
Warwick Valley Telephone Company	1	0		5.0		0.0		0.0		
Whistle Tree Development Co, Inc.	0	0		0.0		0.0		177.0		
Windstream Communications, Inc.	1	0		1.0		0.0		52.0		
XChange Telecom	8	2		9.0		0.0		23.8		

**2010**  
**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 '10	\$	1,277,278.60
FEB '10	\$	237,758.28
MAR '10	\$	3,892,395.20
APR '10	\$	244,444.10
MAY '10	\$	276,095.94
JUNE '10	\$	258,159.49
JULY '10	\$	266,592.76
AUG '10	\$	152,313.50
SEPT '10	\$	332,399.27
OCT '10	\$	-
NOV '10	\$	-
DEC '10	\$	-
<b>2010 Total</b>	<b>\$</b>	<b>6,937,437.14</b>

**Number of Initial Complaints Received Against ESCO's**

CODE	FULL NAME	2010	2009	Sep-10	Aug-10	Jul-10	Jun-10	May-10	Apr-10	Mar-10	Feb-10	Jan-10	Dec-09	Nov-09	Oct-09	Sep-09
D128	Accent Energy Midwest, LLC	22	73	0	4	2	3	3	1	3	4	2	4	2	5	2
D105	ACN Energy, Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D001	Agway Energy Services, LLC	15	7	3	3	3	0	0	1	2	2	1	1	0	1	0
D230	Ambit Energy	22	69	2	3	1	1	2	0	4	4	5	4	3	4	0
D002	Amerada Hess Corp.	1	1	0	0	0	0	0	0	1	0	0	0	0	0	0
D240	Ameristar Energy, LLC	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0
D222	BluCo Energy, LLC	2	11	0	0	0	0	0	0	2	0	0	0	1	0	0
D217	BlueRock Energy, Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D113	Brown's Fuel	3	3	0	1	1	0	1	0	0	0	0	2	0	0	0
D238	Clearview Energy, Inc.	0	5	0	0	0	0	0	0	0	0	0	1	0	1	0
D038	Colonial Energy, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D231	Columbia Utilities Power, LLC - elec	13	19	1	3	2	1	2	2	0	2	0	0	2	1	1
D040	Columbia Utilities, LLC - gas	12	12	0	3	0	1	3	1	1	2	1	0	1	1	0
D086	Con Edison Solutions	3	12	0	0	0	1	0	0	0	2	0	2	1	2	0
D084	Constellation NewEnergy	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5308DI	Direct Energy Business, LLC	6	0	0	1	0	0	0	1	4	0	0	0	0	0	0
D176	Direct Energy Services, LLC	24	50	3	3	0	3	2	6	3	2	2	0	3	2	2
D175	Dominion Retail, Inc.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	1
D087	Energetix, Inc.	10	13	3	3	0	0	0	2	1	0	1	1	1	1	0
D183	Energy Cooperative of New York	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0
D243	Energy Plus Holdings	67	24	11	16	11	3	4	0	9	5	8	1	0	3	0
D137	Energy Service Providers	12	12	0	0	0	0	2	0	5	2	3	3	2	1	3
D138	FFC Energy	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D046	Gateway Energy fka Econnergy	15	37	1	0	0	1	1	2	4	2	4	4	3	1	4
D104	Great Eastern Energy	14	3	3	1	2	2	1	2	1	2	0	0	0	0	0
4877GR	Green Light Energy, Inc.	2	0	0	1	0	0	1	0	0	0	0	0	0	0	0
D127	Green Mountain Energy	2	1	0	1	0	0	1	0	0	0	0	1	0	0	0
D254	High Rise Energy Group, LLC	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0
D120	Hudson Energy Services, LLC.	20	180	2	0	3	2	1	3	2	1	6	5	8	12	19
D177	IDT Energy, Inc.	25	137	1	5	1	1	1	6	8	0	2	3	3	5	5
D167	Infinite Energy, Inc.	8	28	0	1	0	0	2	0	3	2	0	3	2	1	4
D234	Integrus Energy Services, Inc.	2	5	0	0	0	0	0	0	1	1	0	0	0	0	1
D013	Interstate Energy Resources Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D188	Interstate Gas Supply of New York, Inc.	3	15	0	0	0	0	1	1	1	0	0	0	0	0	0
D213	Just Energy (fka U.S. Energy Savings Corp)	115	238	10	7	11	8	10	21	26	10	12	15	3	23	22
D117	Liberty Power Corp.	14	39	4	2	2	0	0	2	1	3	0	1	0	1	0
D147	M&R Energy Resources Corp.	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
D214	Major Energy Services, LLC	28	41	4	1	3	2	3	4	4	2	5	2	2	2	2
D032	MX Energy, Inc.	48	149	3	5	4	3	10	6	7	3	7	5	6	5	6
D020	Natgasco, Inc.	1	3	1	0	0	0	0	0	0	0	0	2	0	0	0
D021	National Fuel Resources, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D148	NOCO Natural Gas LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D239	NorthEastern Energy Corp.	2	0	0	0	0	0	1	1	0	0	0	0	0	0	0
D103	NYSEG Solutions, Inc.	16	8	1	1	1	0	0	5	4	1	3	0	1	0	0
4921OA	Oasis Power, LLC	14	0	2	2	3	2	2	0	1	2	0	0	0	0	0
D237	Platinum Plus Energy Resources	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
D171	Plymouth Rock Energy, LLC	7	11	0	0	0	0	0	1	2	1	3	1	0	4	1
D114	Pro-Energy Marketing, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D263	Public Power & Utility of NY	6	0	3	3	0	0	0	0	0	0	0	0	0	0	0
D093	Robison Energy of Westchester	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0
5370SB	SBR Energy, LLC	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
D160	S.J. Fuel Co., Inc.	1	2	1	0	0	0	0	0	0	0	0	0	0	0	1
D186	Spark Energy, L.P.	93	119	19	17	8	4	10	7	12	11	5	2	2	6	6
D159	Strategic Energy, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D121	Stuyvesant Energy, LLC	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0
D162	Suez Energy Resources Na, Inc.	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
D223	Titan Gas, LLC	6	20	0	0	1	0	0	2	2	1	0	2	0	1	1
D119	U.S. Gas & Electric, Inc.	17	67	4	3	2	2	1	0	5	0	0	1	1	0	1
D198	Vectren Retail, LLC	3	13	1	1	0	0	0	0	0	1	0	0	1	0	0
D245	Wholesale Energy New York, Inc.	1	4	0	0	0	0	0	0	0	1	0	0	0	0	0
	<b>Total</b>	<b>681</b>	<b>1444</b>	<b>84</b>	<b>92</b>	<b>62</b>	<b>40</b>	<b>65</b>	<b>74</b>	<b>123</b>	<b>70</b>	<b>71</b>	<b>68</b>	<b>47</b>	<b>84</b>	<b>82</b>

**Number of Escalated Complaints Received Against ESCO's**

CODE	FULL NAME	2010	2009	Sep-10	Aug-10	Jul-10	Jun-10	May-10	Apr-10	Mar-10	Feb-10	Jan-10	Dec-09	Nov-09	Oct-09	Sep-09
D128	Accent Energy Midwest, LLC	9	22	2	1	1	0	2	1	0	2	0	1	2	2	1
D105	ACN Energy, Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D001	Agway Energy Services, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D230	Ambit Energy	3	11	1	1	0	0	0	0	0	0	1	0	0	1	0
D222	BluCo Energy, LLC	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
D113	Brown's Fuel	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D238	Clearview Energy, Inc.	0	4	0	0	0	0	0	0	0	0	0	0	0	1	1
D231	Columbia Utilities Power, LLC - e	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
D040	Columbia Utilities, LLC - gas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D086	Con Edison Solutions	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D176	Direct Energy Services, LLC	3	5	2	0	0	0	0	1	0	0	0	0	0	0	0
D087	Energetix, Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D243	Energy Plus Holdings, LLC	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
D137	Energy Service Providers	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0
D138	FFC Energy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D046	Gateway Energy fka Econnergy	3	7	1	0	0	1	0	0	1	0	0	0	0	1	1
D104	Great Eastern Energy	2	1	1	0	1	0	0	0	0	0	0	0	0	0	0
4877GR	Greenlight Energy, Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D127	Green Mountain Energy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D120	Hudson Energy Services, LLC.	4	68	1	1	0	0	0	0	0	1	1	1	0	4	9
D177	IDT Energy, Inc.	2	14	1	0	0	0	1	0	0	0	0	0	0	0	0
D167	Infinite Energy, Inc.	4	4	2	0	0	1	0	0	1	0	0	1	0	1	0
D188	Interstate Gas Supply of New York	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
D213	Just Energy (fka U.S. Energy Sav	15	34	4	1	2	1	1	1	2	1	2	1	0	0	2
D117	Liberty Power Corp.	2	14	0	0	0	0	0	1	1	0	0	0	0	0	0
D214	Major Energy Services LLC	1	9	0	0	0	0	0	1	0	0	0	0	0	0	1
D032	MX Energy, Inc.	20	55	6	1	3	4	0	0	3	2	1	3	4	2	1
D020	Natgasco, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D021	National Fuel Resources, Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D148	NOCO Natural Gas LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D103	NYSEG Solutions, Inc.	3	0	1	0	0	0	1	0	0	1	0	0	0	0	0
4921OA	Oasis Power, LLC	2	0	1	1	0	0	0	0	0	0	0	0	0	0	0
D171	Plymouth Rock	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0
D160	S.J. Fuel Co., Inc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D186	Spark Energy, L.P.	23	21	9	5	0	0	3	0	2	4	0	0	1	0	0
D159	Strategic Energy, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D121	Stuyvesant Energy, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D223	Titan Gas, LLC	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
D119	U.S. Gas & Electric, Inc.	1	6	1	0	0	0	0	0	0	0	0	0	0	0	0
D198	Vectren Retail, LLC	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
D245	Wholesale Energy New York, Inc.	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	100	298	33	11	7	7	8	6	10	12	6	7	7	12	16