

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE**

#### **A APPLICATION FOR SERVICE**

##### **(1) Residential:**

###### **(a) Application**

An application for residential service may be oral or written. An oral application for service shall be deemed completed when the applicant provides his or her name, address, telephone number and address of prior account (if any) or prior account number (if any). The Company may require an applicant to complete a written application (for the applicable service classification) if:

- (i) There are arrears at the premises to be served and service was terminated for nonpayment or is subject to a final notice of termination; or
- (ii) There is evidence of meter tampering or theft of service; or
- (iii) The meter has advanced and there is no customer of record; or
- (iv) The application is made by a third party on behalf of the person(s) who would receive service.
- (v) Service will be rendered under a general service classification.

Whenever a written application for residential service is required, the Company shall so notify the applicant as soon as practicable after the request for service is made, and in no event more than two business days after such request, and shall state the basis for requiring a written application. A written application may require the submission of information required in an oral application and reasonable proof of the applicant's identity and responsibility for service at the premises to be served. All residential applicants that meet the conditions for requiring a written application may be asked to produce positive identification. Should the residential applicant refuse to provide positive identification, service may be denied to such applicants, pursuant to 16 NYCRR 11.3 or a deposit may be required pursuant to Rule 2.B.1.

A written application containing the required information shall be deemed completed when received by the Company.

No application or contract shall be modified or affected by any promise, agreement, or representation of any agent or employee of the Company which is not in conformance with the tariffs.

When accepted by the Company, the application, whether written or verbal, and the terms and conditions of this schedule, as permitted to be modified from time-to-time by the Public Service Commission, shall constitute the contract between the customer and the Company and shall bind and inure to the benefit of the heirs, executors, administrators, successors, or assigns, as the case may be, of the respective parties thereto. A customer of record, for whom the Company is unable to locate a written application but who has made payments for bills rendered by the Company for service rendered, shall be presumed to have made an oral application for service.

**GENERAL INFORMATION**  
**2. HOW TO OBTAIN SERVICE (Cont'd)**

**A. APPLICATION FOR SERVICE (Cont'd)**

**(1) Residential: (Cont'd)**

**(b) Former Indebtedness Paid - Residential**

The Company shall not be obligated to provide service to a residential applicant who owes the Company money for residential service provided to a prior account in his or her name unless:

- (i) The applicant makes full payment for residential service provided to any such prior account in his or her name; or
- (ii) The applicant agrees to make payments under a deferred payment plan of any amounts due for service to a prior account in his or her name; or
- (iii) The applicant has pending a billing dispute with respect to any amounts due for service to a prior account in his or her name and has paid any amounts required to be paid; or
- (iv) The applicant is a recipient of, or an applicant for, public assistance, supplemental security income benefits or additional state payments pursuant to the Social Services Law, and the Company receives from an official of the social services district in which the applicant resides, or is notified by such an official that it is entitled to receive, payment for services due to a prior account in the applicant's name together with a guarantee of future payments to the extent authorized by the social services law; or
- (v) The Commission or its authorized designee directs the provision of service.

**(c) Obligation to Serve - Residential**

The Company shall be obligated to provide service to any residential applicant who meets the requirements of Rule 2.A.(1)(a) and (b) above within five business days of receipt of a completed oral or written application for service except:

- (i) Where prevented by labor strikes or precluded by law;
- (ii) where precluded by consideration of public safety;
- (iii) where the applicant fails to pay, or agree in writing to pay, reasonably chargeable material and installation costs relating to temporary or permanent line extensions or service laterals as required by this tariff or fails to comply with the Residential Insulation Standards contained herein; or
- (iv) where precluded by physical impediments including:
  - adverse weather conditions;
  - inability to gain access to premises in the possession of the applicant or others;
  - incomplete construction of necessary facilities by the applicant or inspection thereof by the appropriate authorities; or
  - incomplete construction of necessary facilities by the Company; or
- (v) where an applicant for seasonal or short- term service fails to post a lawfully required deposit.

**GENERAL INFORMATION**  
**2. HOW TO OBTAIN SERVICE (Cont'd)**

**A. APPLICATION FOR SERVICE (Cont'd)**

**(1) Residential: (Cont'd)**

**(c) Obligation to Serve – Residential (Cont'd)**

The Company shall make reasonable efforts to eliminate conditions preventing extension of service and will pursue completion of any facilities it must construct with due diligence.

The Company shall extend service to an applicant for residential service whose application for service has previously been denied within two business days (or such later time as may be specified by the applicant) after the elimination of all the conditions which resulted in the denial of service or by direction of the Public Service Commission or its authorized designee, who may require such extension of service to be made within 24 hours.

**(d) Denial of Service – Residential**

The Company shall not deny a residential application for service without sending to the applicant within three business days of the receipt of the application for service a written notice which states the reason or reasons for the denial, specifies precisely what the applicant must do to qualify for service, and advise the applicant of the right to an investigation and review of the denial by the Public Service Commission or its authorized designee if the applicant considers the denial to be without justification. The Company shall advise the applicant of the appropriate address and telephone number of the Commission, including the Commission's hotline number and the times of its availability. An application for service not approved within three days shall be deemed denied.

**(e) Continuation of Service - Residential**

Whenever a residential customer moves to a different dwelling within the service territory of the Company and for which the Company's tariff specifies a residential rate, and requests utility service within 60 days, he or she shall be eligible to receive service at the different dwelling, subject to Rule 2.A.(1)(a) and (b) above, and such service will be considered a continuation of service in all respects, with any deferred payment agreement honored, and with all rights provided, however, that such customer's prior service was not terminated for nonpayment, meter tampering or theft of services.

**(f) Residential Penalty**

If the Company fails to initiate residential service within the time required by this section it will forfeit and pay to the applicant the sum of \$25.00 per day for each day that service is not supplied unless the Public Service Commission finds that the Company had good cause for not initiating service in the required time.

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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **A. APPLICATION FOR SERVICE (Cont'd)**

##### **(2) Nonresidential:**

###### **(a) Application**

As a prerequisite to providing service, the Company may require the applicant to:

- (i) Provide appropriate documentation to verify the information provided on the written application, including establishment of responsibility for the service as owner or occupant, the correct service classification, and the person who controls access to the meter;
- (ii) Comply with the Company's tariff or any applicable state, city or local laws or ordinances;
- (iii) Fulfill any applicable requirements of obtaining service found in Rules 2.A.(2)(a) and 2.B. of this tariff relating to line extension and service.
- (iv) Fulfill any applicable requirements of 16 NYCRR 98 and 99; and
- (v) Make full payment for all amounts due and payable that are not the subject of a pending billing dispute (pursuant to 16 NYCRR 13.15) or of an existing deferred payment agreement that is in good standing. This includes:
  - (aa) Service provided and billed in accordance with 16 NYCRR 13.11 to prior accounts and current accounts in the applicant's name or other accounts for which the applicant is legally responsible; or
  - (bb) Other tariff fees, charges or penalties; or

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **A. APPLICATION FOR SERVICE (Cont'd)**

##### **(2) Nonresidential (Cont'd)**

(a) (Cont'd)

(v) (Cont'd)

- (cc) Any reasonably chargeable material or installation costs relating to temporary or permanent line or main extensions or service laterals as authorized under 16 NYCRR 98 and required by the Company's tariff, provided the costs are itemized and given to the applicant in writing; or
- (dd) Any special service charges as applicable under the Company's tariff, provided the charges are itemized and given to the applicant in writing; or
- (ee) A security deposit if requested by the Company in accordance with Rule 2.B.

The Company shall provide service to any accepted applicant whose application for service was previously denied solely for failure to make full payment as provided in 2.A(2)(a) (v) above, as soon as reasonably possible, but no later than three business days, or such later time as may be specified by the applicant, after payment is made, or ten calendar days of the receipt of the original application, whichever is later, except as provided in Rule 2.A.(2)(c).

The Company shall advise any applicant who submits an incomplete application, in writing and within three business days of the receipt of the application, of the information and/or documents that must be submitted in order for the application to be considered complete. Such notice shall not itself be considered a denial of the application.

##### **(b) Former Indebtedness Paid -Non-Residential**

If a non-residential applicant or customer who is indebted to the Company attempts by some agency, relationship, or otherwise, to obtain service, the Company reserves the right to refuse service until full payment is made of all money due which are not either the subject of a pending billing dispute or of an existing deferred payment agreement that is in good standing, including:

- (i) Service provided and billed in the applicant's name or for which the applicant is legally responsible;
- (ii) other tariff fees, charges, or penalties;
- (iii) reasonably chargeable material and installation costs relating to temporary or permanent line extensions or service laterals as required by the Company's tariff, provided these costs are itemized and given to the applicant in writing;
- (iv) special services billable under the Company's tariff, provided these costs are itemized and given to the applicant in writing; and
- (v) a security deposit, if requested by the Company, as long as such deposit is in accordance with section 2.B. of this tariff.

**GENERAL INFORMATION**  
**2. HOW TO OBTAIN SERVICE (Cont'd)**

**A. APPLICATION FOR SERVICE (Cont'd)**

**(2) Nonresidential (Cont'd)**

**(c) Obligation to Serve - Non-Residential**

The Company shall either provide or deny service to any applicant as soon as reasonably possible, but no later than ten calendar days after receipt of a completed application for service except:

- (i) Where prevented by labor strikes, or other work stoppages;
- (ii) where precluded by consideration of public safety;
- (iii) where precluded by physical impediments including:
  - adverse weather conditions;
  - inability to gain access to premises in the possession of the applicant or others;
  - incomplete construction of necessary facilities by the applicant or inspection and certification thereof by the appropriate authorities; or
  - incomplete construction of necessary facilities by the utility;

The Company shall make reasonable efforts to eliminate conditions preventing extensions of service and will pursue completion of any facilities it must construct with due diligence. The Company shall provide service to any accepted applicant whose application for service was previously denied solely for failure to make full payment as provided in Rule 2.A.(2)(b), as soon as reasonably possible, but no later than three business days, or such later time as may be specified by the applicant, after payment is made, or ten calendar days after receipt of the original application, whichever is later, except as provided above.

**(d) Denial of Service – Non-Residential**

The Company shall not deny an application for service except in a written notice either delivered personally to the applicant or sent to the applicant's current business address or any alternative mailing address provided in the application. The written notice of denial shall state the reason(s) for denial, specify what the applicant must do to qualify for service and advise the applicant of the right to an investigation and review of the denial by the Commission or its authorized designee if the applicant considers the denial to be without justification, and provide the appropriate address and telephone number of the Commission.

**(3) Forms - Residential and Non-Residential:**

Forms of the applications, together with the schedule of rates, rules, and regulations, are made available upon request. Where more than one Service Classification is applicable, the applicant shall select a classification upon which his service will be based.

**(4) Retail Access Service:**

New residential or non-residential Customers wishing to initiate electric service may contact the Company or an alternative non-utility supplier (referred to herein as an ESCO). The process for applying for service from the Company is set forth above; however, the process for initiating service through an ESCO is set forth in Rule 11, General Retail Access - Multi Retailer Model.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE** (Cont'd)

**(5) Customer Consent to Contact:**

- a. By accepting electric service from the Company pursuant to the terms of this tariff, the customer hereby expressly consents to receive autodialed and prerecorded/automated calls and texts (collectively, "calls") closely related to the utility service, unless the customer opts out as described below.
- b. Such calls shall be limited to calls that warn/inform the customer about planned or unplanned service outages; provide updates about service outages or service restoration; ask for confirmation of service restoration or information about lack of service; provide notification of meter work, or other field work that affects the customer's utility service; notify customer of possible eligibility for subsidized or lower-cost services due to certain qualifiers such as, *e.g.*, age, low income or disability; or relate to handling, servicing, and billing for the customer's account. Calls may include contact from companies working on the Company's behalf to service the customer's account. Message and Data rates may apply.
- c. The customer may stop/opt out of these types of messages by contacting the Company to request removal of their phone number using the following:

**RG&E:**

Customer Service (1-800-743-2110)

Via email to: [customer\\_service@rge.com](mailto:customer_service@rge.com)

Via regular mail to the following address: Rochester Gas and Electric Corporation, Attention Customer Service, 89 East Ave, Rochester, NY 14649-0001

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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

Reserved for Future Use



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Rochester Gas and Electric Corporation  
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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)** Reserved for Future Use

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **B. CUSTOMER DEPOSIT**

##### **(1) Deposit Requirements**

###### **Residential**

- (a) The Company may require a customer deposit from:
  - (i) Seasonal or short-term customers taking service for a term that does not exceed one year; or
  - (ii) Applicants who do not provide proof of their identity upon application for service; or
  - (iii) A customer as a condition of receiving service if such customer is delinquent in payment of their utility bills. A customer is delinquent for the purpose of a deposit assessment if such customer:
    - (aa) Accumulates two consecutive months of arrears without making reasonable payment, defined as  $\frac{1}{2}$  of the total arrears, of such charges before the time that a late payment charge would become applicable, or fails to make a reasonable payment on a bi-monthly bill within 50 days after the bill is due; provided the Company requests such deposit within two months of such failure to pay; or
    - (bb) Had service terminated for non-payment during the preceding six months.

Customers included in Rule 2.B.1 shall be provided a written notice, at least 20 days before the deposit is assessed, that failure to make timely payments shall permit the Company to require a deposit from such customer. If a deposit from a customer who is delinquent by virtue of his or her failure to make a reasonable payment of arrears, is required, the Company shall permit such customer to pay the deposit in installments over a period not to exceed 12 months.

###### **Non-residential**

- (a) The Company may require a customer deposit from any new customer or from an existing customer:
  - (i) Who is delinquent. A customer is delinquent for the purpose of deposit assessment if two or more late payments were made within the previous 12 month period; or
  - (ii) Whose financial condition is such that it is likely that the customer may default in the future; provided, however, the Company must have reliable evidence of such condition; such as reports from accepted financial reporting services, or credit reporting agencies; or
  - (iii) Who has filed for reorganization or bankruptcy; or
  - (iv) Who has been rendered a backbill within the last 12 months for previously unbilled charges for service through tampered equipment.

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **B. CUSTOMER DEPOSIT (Cont'd)**

##### **(1) Deposit Requirements (Cont'd)**

##### **Non-residential (Cont'd)**

- (b) The Company shall offer an existing customer, from whom a deposit is required under Rule 2.B.(1)(a)(i) or (ii), the opportunity to pay the deposit in three installments, 50% down and two monthly payments of the balance.
- (c) A request for a deposit or deposit increase shall be in writing and shall advise the Customer:
  - (i) why the deposit is being requested;
  - (ii) how the amount of the deposit was calculated;
  - (iii) that the deposit is subject to later upward or downward revision based on the Customer's subsequent billing history;
  - (iv) that the Customer may request that the Company review the account in order to assure that the deposit is not excessive;
  - (v) the circumstances under which the deposit shall be refunded;
  - (vi) that the Customer shall receive annual notice of the interest credited to the account;
  - (vii) about the available deposit alternatives; and
  - (viii) that for an existing customer from whom the deposit is being requested because of delinquency or financial condition, the deposit may be paid in three installments.
- (d) The Company shall issue to every customer from whom a deposit is obtained, a receipt showing the date, the account number, the amount received, the form of the payment, and shall contain a notice explaining the manner in which interest shall accrue and be paid and that the receipt is neither negotiable nor transferable.

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **B. CUSTOMER DEPOSIT (Cont'd)**

##### **(2) Deposit Calculations**

###### **Residential**

Deposits from applicants and customers may not exceed two times the estimated average monthly bill for a calendar year, except in the case of space heating customers, where deposits may not exceed twice the estimated average monthly bill for the heating season to secure payment for services actually rendered, or for the rental of fixtures, instruments and facilities actually supplied.

###### **Non-Residential**

Deposits from applicants and customers may not exceed twice the average monthly bill, except in the case of customers whose usage varies widely such as space heating or cooling customers, or certain manufacturing and industrial processors, where the deposit will not exceed the cost of twice the average monthly usage for the peak season, except:

- (a) In the case of an existing customer who has 12 months or more of billing history, the amount of the deposit will be based on service used during the previous 12-month period as evidenced by the billing history.
- (b) In the case of a new customer or a customer with less than 12 months of billing history, the amount of the deposit will be based on one or more of the following, as available:
  - (1) the billing history of the customer;
  - (2) information provided in the application by the customer about the expected load and use of service;
  - (3) information contained in a load study of the premises prepared by the utility; and
  - (4) the billing history of the previous customer, provided there have been no significant changes in the load.

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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

**Reserved for Future Use**

ISSUED BY: Joseph J. Syta, Vice President, Controller and Treasurer, Rochester, New York

## GENERAL INFORMATION

### 2. HOW TO OBTAIN SERVICE (Cont'd)

#### **B. CUSTOMER DEPOSIT (Cont'd)**

##### (3) Deposit Review

##### Non-Residential

The Company shall, at the first anniversary of the receipt of the deposit and at least biennially thereafter, review the billing history of every customer who has a deposit with the Company, to assure the amount of the deposit conforms with Rule 2.B.(2)(c). The Company reserves the right to review the deposit at any other time at the Company's option.

- (a) If a review shows that the deposit held falls short of the amount the Company may require by 25% or more, the Company may require the payment of a corresponding additional deposit amount from the customer.
- (b) If a review shows that the deposit held exceeds the amount the Company may lawfully require by 25% or more, the Company shall refund the excess deposit to the customer in accordance with Rule 2.B.(2).

Upon request of a customer for a downward revision of the deposit, which request is substantiated by both the customers' billing history and by a permanent documented change in load and consumption, the Company shall refund any portion of the deposit in excess of the amount the utility may lawfully require in accordance with Rule 2.B.(6) to the customer.

##### (4) Deposit Alternatives

The Company shall accept deposit alternatives which provide a level of security equivalent to cash, such as irrevocable bank letters of credit and surety bonds.

## GENERAL INFORMATION

### 2. HOW TO OBTAIN SERVICE (Cont'd)

#### **B. CUSTOMER DEPOSIT (Cont'd)**

(5) Interest

The Company shall allow to each depositor simple interest at the rate per annum prescribed by the Public Service Commission on the amount deposited.

- (a) Interest to residential customers shall be paid upon the return of the deposit, or where the deposit has been held for a period of one year, the interest shall be credited to the customer on the first billing for service rendered after the end of such period.
- (b) Interest to non-residential customers shall be paid upon the return of the deposit, or where the deposit has been held for a period of one year or more, the interest shall be credited to the customer no later than the first bill rendered after the next succeeding first day of October and at the expiration of each succeeding one year period.

Interest shall be calculated on the deposit until the day it is applied as a credit to an account or the day on which a refund check is issued. If the deposit is credited in part and refunded in part, interest shall be calculated for each portion up to the day of credit and refund.

(6) Deposit Return

The Company has the right to require a future deposit in the event that the customer thereafter becomes delinquent.

Each depositor, upon ceasing to be a customer, shall promptly receive a refund of such deposit and all interest thereon not theretofore refunded or credited, upon surrendering the deposit certificate (or submitting satisfactory proof of the right to receive the deposit) and upon payment of all bills for which such deposit is security.

- (a) A residential customer shall promptly receive such refund of the deposit as stated herein by reason of non-delinquency for a one-year period from the payment of the deposit.
- (b) For non-residential customer:
  - i. The Company shall return a non-residential deposit or portion thereof plus the applicable interest in accordance with Rule 2.B.(3), as soon as reasonably possible, but no more than 30 calendar days after:
    - (1) the day an account is closed;
    - (2) the issuance date of the first cycle bill rendered after a three year period during which all bills were timely paid, provided there is no other basis for the Company to request a deposit under non-residential subparagraph Rule (1)(a) of this section; or
    - (3) a review pursuant to Rule 2.B. of this section shows that deposit reduction is warranted.

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **B. CUSTOMER DEPOSIT (Cont'd)**

(6) Deposit Return (Cont'd)

- (c) A deposit or portion thereof plus the applicable interest that is subject to return under Rule 2.B.
  - (1) will be credited to the account it secured in the amount of any outstanding charges;
  - (2) may be credited to the account it secured in the amount of the next projected cycle bill, if applicable; and
  - (3) may be credited to any other account of the customer not secured by a deposit, in the amount of the arrears on that account.
- (d) If a balance remains after the Company has credited the customer's account(s) in accordance with Rule 2.B., a refund check shall be issued to the customer.

Thereafter, the Corporation may again require a deposit as stated herein for residential customers or in the event of delinquency for a non-residential customer.

- (e) For non-residential customers delinquency is a late payment on two or more occasions within the previous 12-month period.
- (7) Termination of Service:  
A deposit shall not affect any right of the Corporation to terminate service to a customer.
- (8) Residential Customers on Assistance Programs:  
The Company shall not require any person it knows to be a recipient of public assistance, supplemental security income, or additional State payments to post a security deposit, nor shall it require or hold a deposit from any residential applicant or customer it knows is 62 years of age or older unless such customer has had service terminated by the Corporation for nonpayment of bills within the preceding six months.
- (9) New Applicant Deposit Complaint:  
The Corporation will extend service to any new applicant for service who has initiated a complaint on a deposit requested by the corporation and will continue to supply service during the pendency of the complaint, provided that the applicant keeps current on bills for service rendered and pays a reasonable amount as a deposit if the complaint challenges only the amount requested.



## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **C. APPROVAL OF INSTALLATION**

Before service is supplied at any location, a Certificate of approval from a competent inspection body, and/or any legally constituted authorities having jurisdiction, must be furnished by each applicant. The customer's electric equipment must be maintained according to the rules of the National Electric Code and the rules and regulations of the Company. If additional wiring or equipment is installed on such premises, the customer shall notify the Company, before its connection to the Company's service, and secure approval as indicated above.

As a guide for the applicant or the electrical contractor regarding an installation, the Company has prepared "Requirements for the Installation of Electric Services and Meters", copies of which are on file at the local offices. As issued and as modified from time to time, these specifications shall be enforced.

#### **D. ACCESS TO PREMISES**

- (1) Any employee or agent of the Company who exhibits a photo-identification badge and written authority as provided in Section 65(9) of the Public Service Law has the authority, to enter at all reasonable times the Customer's premises supplied with gas for the purpose of:
  - (a) reading a meter to ascertain the quantity of electricity supplied; and
  - (b) inspecting and examining the meters, wires and works for supplying electricity. Inspecting and examining the meters, wires and works for supplying electricity to residential customers is limited to a non-holiday workday between 8 a.m. and 6 p.m., or at such other reasonable times as requested by a customer except
    - (i) inspection and examination of any such equipment where an emergency may threaten the health and safety of a person, the surrounding area, or the Company's distribution system; or
    - (ii) inspection and examination of any such equipment may be conducted between the hours of 8 a.m. and 9 p.m. on any day when there is evidence of meter tampering or theft of services.

A properly identified employee authorized to inspect and examine apparatus, may not enter a locked premises without the permission of the person lawfully in control on the premises, nor use any manner of force to carry out inspection and examination, except when an emergency may threaten the health or safety of a person, the surrounding area, or the Company's distribution system, or where authorized by a court order.

- (2) Duty to Inspect:

The Company shall conduct a field inspection of non-residential apparatus as soon as reasonably possible and within 60-calendar days, except where prevented by circumstances beyond the Company's control when there is:

  - (a) A request contained in a service application; or
  - (b) A reasonable customer request; or
  - (c) The issuance of a field inspection order in accordance with a Company bill review procedure; or
  - (d) Notification from any reasonable source that service may not be correctly metered; or
  - (e) A directive by Commission or its authorized designee.

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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **D. ACCESS TO PREMISES (Cont'd)**

- (3) **Meter Testing:**  
The Company shall maintain and test Company- or customer-owned meters according to the Company's internal operating practices and the PSC's rules and regulations. Customers may request the Company to make special, unscheduled tests of the accuracy of an installed meter at the customer's expense. The Company may elect to test the meter in place at the customer's site or at the Company central test facility.
- (4) **Penalty:**  
A non-residential customer or any other person, at any time, who directly or indirectly prevents or hinders a duly authorized officer or agent of this Company from entering the premises or from making an inspection or examination at any reasonable time, may be billed a \$100.00 penalty charge for each such offense as provided in Section 65(9)(b) of the Public Service Law.
- (5) **Other Rights:**  
Nothing contained in this section shall be construed to impair the Company's rights as to any other person who prevents access to the Company – or customer-owned meters and/or equipment.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **E. SUBMETERING OF ELECTRIC SERVICE**

(1) **General**

Except as provided for under Rule 2.E.(2) and 2.E.(3), electric service shall not be supplied under any Service Classification of this Schedule for resale, remetering (or submetering) or other redispotion. On and after January 1, 1977, residential dwelling units shall be separately metered. Electric service shall not be provided to rent-inclusive residential buildings where the internal wiring has not been installed prior to January 1, 1977.

- a) Master Metering Option for Senior Living Facilities Senior Living Facility, Defined: A Senior Living Facility ("SLF") is defined as a housing facility for senior citizens where the configuration resembles traditional apartment units. An SLF, by itself, serves the particular needs of senior citizens, with most or all services provided for a monthly fee.

Master Metering Option: A SLF being newly constructed, may choose master metering of the entire facility instead of having each dwelling unit separately metered.

Conversion: A SLF that was constructed with each dwelling unit separately metered may convert the facility's metering configuration to master metering. All costs associated with a conversion shall be borne by the SLF. Any costs incurred by the Company to accommodate the conversion shall be charged to the SLF in accordance with the provisions of Section 4.G of this Schedule, Charges for Special Services.

(2) **Non-Residential**

A customer may purchase electricity for resale under any service classification of this rate schedule that would be applicable if such electricity were not for resale and said customer may resell the electricity purchased to tenants on an individually metered basis subject to approval by the Public Service Commission in response to individual proposals concerning electric service furnished to:

- A. Master metered, new or renovated non-residential buildings; and to commercial tenants who receive directly metered service; and
- B. Commercial occupants of cooperatives, condominiums, campgrounds, recreational trailer parks or recreational marinas whose occupants were purchasing individually metered electric service on May 21, 1980.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **E. SUBMETERING OF ELECTRIC SERVICE (Cont'd)**

(3) **Submetered Multi-unit Residential Premises**

Submetering, remetering, or resale of electric service shall be permitted as provided in subparagraphs (a) through (d) of this Rule.

- (a) Electric service shall only be provided to a multi-unit residential premises in which individual dwelling units in the premises receive submetered electric service if the submetering
  - (i) is and continues to be authorized by PSC order where a PSC order was necessary;
  - (ii) is and continues to be consistent with any conditions imposed by such order; and
  - (iii) is and continues to be consistent with 16 NYCRR Part 96.
- (b) Existing Direct Metered Multi-unit Residential Premises
  - (1) Electric service provided to individual residential units in existing multi-unit residential premises through direct metering may not be discontinued or replaced by master metering unless a Petition to Submeter is filed that:
    - (i) complies with the applicable requirements of 16 NYCRR 96.5 and 96.6;
    - (ii) seeks to convert such premises from direct metering to master-metering with submetering; and
    - (iii) demonstrates that the building or complex for which master metering with submetering is sought shall participate in building level demand response programs or shall employ on-site co-generation plant or an alternative, advanced energy efficiency design, the conversion to submetering may be authorized by the PSC.
  - (2) All costs associated with a conversion to master metering shall be borne by the customer converting to master metering. Such costs shall be determined in accordance with Rule 4.G. Charges for Special Services.
- (c) Assisted Living and Senior Living Facilities
  - (1) Assisted Living and Senior Living Facilities may be exempted from residential individual metering requirements if they meet all of the following criteria:
    - (i) The applicant shall submit sufficient documentation to enable the Company to determine the applicant's eligibility as an Assisted Living or Senior Living Facility.
      - (aa) An Assisted Living Facility is a multi-unit residential premises, identified as assisted living facilities and certified by the NYS Department of Health.

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **E. SUBMETERING OF ELECTRIC SERVICE (Cont'd)**

##### **(3) Submetered Multi-unit Residential Premises (Cont'd)**

(bb) A Senior Living Facility is a multi-unit residential premises in which energy-efficient housing or other services are provided, and shall be provided in the future, to resident senior citizens.

(ii) The Company shall inform the applicant if such documentation is insufficient to determine eligibility. Within 30 days of receipt of adequate documentation, the Company shall notify the applicant of its eligibility or ineligibility for master metering.

(2) All costs associated with a conversion to master metering shall be borne by the customer converting to master metering. Such costs shall be determined in accordance with Rule 4.G. Charges for Special Services.

(3) Assisted Living and Senior Living Facilities that no longer meet the above criteria or desire to convert to a different use shall no longer be exempt from individual metering requirements and shall either convert to individual metering or petition the PSC for approval of an alternative means of receiving electric service.

(d) Campgrounds, Recreational Trailer Parks, Marinas, and Parking Facilities  
Electric service may be provided to the facility owner or operator of campgrounds, recreational trailer parks, marinas and parking facilities for redistribution to individual campsites, trailer, boat hookups, or plug-in electric vehicle charging stations with or without submetering. Master metering and submetering, at the facility owner's or operator's option, may be installed and used for billing without PSC approval and are not subject to submetering service conditions.

##### **(4) Submetering in Master-metered Residential Cooperatives and Condominiums**

Master-metering with submetering in residential cooperatives or condominiums shall be authorized:

- (a) after filing a Notice of Intent to Submeter which includes the information, descriptions, plans, forms, certifications, and other materials and representations specified for such Notices in 16 NYCRR 96.5;
- (b) after individual notices to owners or shareholders are provided pursuant to 16 NYCRR 96.3(c); and
- (c) upon the PSC's determination and order approving such submetering as in the public interest and consistent with the provision of safe and adequate electric service to residents.

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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

Reserved for Future Use

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER – Residential and Non-Residential**

(1) General

The Company's offers of electric service included in and made pursuant to the provisions of the schedule and the service classifications to which it relates, including its offers in respect to extension of facilities, are each subject to and modified by the provisions, conditions, and limitations from time to time imposed by executive or administrative rules or orders issued from time to time by state or federal officers, commissions, boards or bodies having jurisdiction.

(2) Minimum Insulation Standards for the Provision of Electric Service

(a) Definitions

For the purpose of this rule, the following definitions shall apply:

- (i) Dwelling - A building designed or used as the living unit for one or more families. Mobile homes shall not be considered dwellings.
- (ii) Historical Building - Any building or structure designated historically significant by the State or local governing body, or listed (or determined by the Secretary of the Interior to be eligible to be listed) in "The National Register of Historic Places."

## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service (Cont'd)**

(b) **Applicability and Compliance**

All new dwellings shall not be eligible for electric service unless these dwellings comply with the New York State Energy Conservation Construction Code. Compliance with this Code shall be satisfied under any of the following circumstances:

- (i) A building permit is obtained for the dwelling from a building code authority or similar authority empowered by local law to issue building permits; or,
- (ii) An affirmation is given by the contractor or builder on a certificate of compliance (see Rule 7.E.(1)) that the construction of the dwelling shall comply with the Energy Conservation Construction Code within 30 days after occupancy; or,
- (iii) A modification or variance from the requirements of the Energy Conservation Construction Code is issued by the State Board of Review as constituted pursuant to the Executive Law.

For any dwelling constructed after April 1, 1977, but before January 1, 1979, electric service shall not be provided without compliance with the Minimum Insulation Standards promulgated by the Commission in Opinion 77-10 (Case 26286, November 2, 1977) as amended.



## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service (Cont'd)**

(c) **Waivers**

For any dwelling constructed after April 1, 1977, but before January 1, 1979, a waiver from these requirements may be granted by:

- (i) The Company when the overall heat loss for the building envelope does not exceed the total heat loss which would result from conformance to the individual requirements. The heat loss calculations shall be certified by a licensed engineer or architect.
- (ii) The Company, if the applicant for service can establish through two estimates, one of which may be a Company audit, that the purchase price and installation charge (excluding financing charges) will be greater than seven times the anticipated annual savings to be obtained, (based on the present cost of the fuel currently used in the dwelling).
- (iii) The Public Service Commission for just cause, in unusual circumstances, if the applicant for electric service has been denied a waiver pursuant to subsections (i) or (ii) above.

A copy of each waiver granted or denied shall be made available to the Commission, and each applicant denied a waiver shall be promptly informed by the Company of the right to appeal to the Commission.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service (Cont'd)**

(d) **Certificate of Compliance**

A Certificate of Compliance (see Rule 7.E.(1)) shall be used in all areas of the State where no local authority exists, to assure compliance with the insulation requirements of the Energy Conservation Construction Code.

Each Certificate of Compliance shall be signed by the builder or contractor and the owner shall receive a copy of such certificate.

(e) **Compliance Procedures**

In areas where there is no local building code authority, upon a complaint by a dwelling owner or tenant concerning non-compliance with the provisions of Rule 2.F.(2)(b), the Company shall perform an on-site inspection to determine conformance with the standards concerning roofs, walls, foundation walls, floors, windows and doors. The result of this inspection shall be provided in writing to the owner (and tenant when applicable) of the dwelling.

Whenever the Company finds, as a result of such inspection or notification by the local building code authority, more than one outstanding complaint against any particular contractor wherein a dwelling constructed by such contractor or builder was found to be in non-compliance with the applicable standards, the Company shall refuse to provide electric service to any construction site of that contractor or builder until all existing violations are corrected. The Company shall undertake random inspections of the future construction work of a past non-complying contractor or builder until such time as the Company is satisfied that the applicable standards are being met.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service**  
(Cont'd)

(f) **Penalties for Non-Compliance**

In the event the Company finds that any dwelling fails to comply with Rule 2.F.(2)(b), the Company shall impose a 25% surcharge on any bill for electric service to the customer until such violations are corrected.

The effective date of the surcharge rate shall be:

- (i) Immediately after notice, in the event the owner is directly responsible for the non-compliance.
- (ii) 90 days after notice, in the event the owner has not contributed to the deficiencies. No surcharge shall be applied if the owner brings the dwelling into compliance within 90 days.

In the event the owner is not billed for the provision of electric service, no surcharges shall be applied to the bills of the non-owner occupants of the dwelling. Instead, after notification to the owner that the dwelling is not in compliance, a surcharge shall be billed to the owner. The surcharge shall be 25% of the electric bills for the dwelling that is not in compliance.

In the event that circumstances prevent collecting the surcharge amount from the owner of the non-complying dwelling, the Company may refuse future connections for service to new tenants in the dwelling until it is brought into compliance.

Furthermore, if the owner is an occupant of the dwelling, but is not billed for any electric service, the surcharge shall be imposed on the bill for service to the unit occupied by the owner.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service (Cont'd)**

(g) **Applicability and Conditions for Existing Dwelling Converting to Electric Space Heat**

An existing dwelling shall not be supplied electric service for the purpose of converting to electric space heat unless:

- (i) The roof/ceiling has at least six inches of insulation or insulation with an R value of 19 or greater;
- (ii) The dwelling has storm windows, or thermal windows with multiple glazing; and
- (iii) The entrances have storm doors or thermal doors.

(h) **Waivers**

The Company may waive the requirements in Rule 2.F.(2)(g) where:

- (i) The applicant for service can establish through two estimates, one of which may be a Company audit, that the purchase price and installation charge (excluding interest charges) shall be greater than seven times the anticipated annual savings to be obtained (based on the present cost of the fuel currently used in the building); or
- (ii) The dwelling is an historical building; or
- (iii) Other measures have been taken so that the overall heat loss for the dwelling envelope does not exceed the total heat loss which would result from conformance with the minimum requirements of Rule 2.F.(2)(g). Such a heat loss calculation must be certified by a licensed architect or engineer.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service (Cont'd)**

(h) **Waivers (Cont'd)**

In the case of a dwelling having a flat roof, compliance with the roof insulation standard shall not be required if four or more inches of insulation are already in place or if insulation can be installed only by means of cutting an opening in the roof.

In the case of a dwelling having six or more stories, storm windows shall not be required as long as the Company certifies that the dwelling's windows are caulked and weatherstripped. This certification shall be made in writing to the Commission. A storm window shall not be required on any window opening onto a fire escape.

Copies of waivers granted or denied by the Company shall be made available to the Commission. Applicants denied waivers shall be informed of their right to appeal that denial to the Commission.

The Commission may grant a waiver of the requirements to Rule 2.F.(2)(g) for just cause after an applicant for electric service has been denied a waiver by the Company.

(i) **Certificate of Compliance**

A dwelling's compliance with Rule 2.F.(2)(g) shall be certified either by (1) the owner, (2) a contractor of the owner's choice who has inspected the dwelling, or (3) a Company representative who has inspected the dwelling at the owner's request. (See Rules 7.E.(2) and 7.E.(3))

The Company shall provide the Certificate of Compliance to the applicant at the time of application for service, so that the applicant shall be apprised of the requirements for service and the methods by which compliance can be certified.

## GENERAL INFORMATION

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **F. LIMITATIONS OF SERVICE OFFER (Cont'd)**

(2) **Minimum Insulation Standards for the Provision of Electric Service** (Cont'd)

(j) **Penalties for Non-Compliance**

The Company shall impose a 25% surcharge on any bill for electric service to any dwelling which has converted to electric space heat, and which does not comply with the standards set forth in Rule 2.F.(2)(g).

The effective date of the surcharge rate shall be:

- (i) Immediately after notice, in the event the owner is directly responsible for the non-compliance.
- (ii) 90 days after notice, in the event the owner has not contributed to the deficiencies. No surcharge shall be applied if the owner brings the dwelling into compliance within 90 days.

In the event the owner is not billed for the provision of electric service, no surcharges shall be applied to the bills of the non-owner occupants of the dwelling. Instead, after notification to the owner that the dwelling is not in compliance; a surcharge shall be billed to the owner. The surcharge shall be 25% of the electric bills for the dwelling that is not in compliance.

In the event that circumstances prevent collecting the surcharge amount from the owner of the non-complying dwelling, the Company may refuse future connections for service to new tenants in the dwelling until it is brought into compliance.

Furthermore, if the owner is an occupant of the dwelling, but is not billed for any electric service the surcharge shall be imposed on the bill for service to the unit occupied by the owner.

## GENERAL INFORMATION

### 2. HOW TO OBTAIN SERVICE (Cont'd)

#### **G. KIND OF SERVICE**

While the Company will at all times endeavor to furnish service under any of its standard classes of distribution best suited to the customer's requirements, nothing in this Schedule shall be interpreted as requiring the Company to render service other than that established as standard for the district in which the customer's premises are located, or to tap its transmission and distribution system except as found feasible by its engineers, or to make exceptions to its standard requirements in regard to installation of electric motors or other electrical apparatus.

#### **H. POWER QUALITY**

##### **(1) Investigations**

At the customer's request, the Company will perform an investigation of power quality problems (e.g. dim lights when a large appliance cycles on, etc.). If the investigation by the Company determines that the power quality problems are not the result of the electric supply services provided by the Company, any continued investigation to determine what customer-owned equipment or facility is the cause of the degradation in power quality will be the responsibility of the customer.

##### **(2) High Inrush Current Devices**

###### **(a) Voltage Disturbances**

Except for customers served under Service Classification No. 7, customers taking service for operation of arc-furnaces, welders, X-ray machines or any other devices having a highly fluctuating or large instantaneous demand which causes undue voltage disturbance on the circuit from which service is taken, thereby interfering with the service taken by such customer or other customers, shall install or pay for corrective equipment and facilities to avoid such interference with service or, failing to do so, shall pay in addition to the applicable charge for service, \$2.88 per kilovolt ampere per month for such additional corrective equipment.

For customers taking service under Service Classification No. 7 for operation of arc-furnaces, welders, X-ray machines or any other devices having a highly fluctuating or large instantaneous demand which causes undue voltage disturbance on the circuit from which service is taken, thereby interfering with the service taken by such customer or other customers, the provisions of Rule 2 of the Minimum Demand Charge section of Service Classification No. 7 apply.

###### **(b) Motors**

All motors of five horsepower or less connected to the Company's lines shall normally be single phase, and motors over five horsepower shall normally be three phase, but customers should contact Company in advance to ascertain the applicable conditions. Single phase motors rated in excess of one-half horsepower must be connected for 240 (208) volt operation. All motors connected to Company's lines shall be of a type that shall not require starting current deemed unreasonably by Company, or shall have starting devices to restrict the starting current within the limits considered reasonably by the Company, or both.

(Continued on the next leaf)

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## **GENERAL INFORMATION**

### **2. HOW TO OBTAIN SERVICE (Cont'd)**

#### **H. POWER QUALITY (Cont'd)**

##### **(3) Correction/Remediation**

If the customer causes or contributes to a power quality condition that adversely affects the Company's system or other customers, the Company shall notify the customer of such condition. The customer shall be responsible for correcting that condition in a manner deemed adequate by the Company, by:

- (a) Installing and maintaining at its own expense, corrective equipment on its facilities to remedy the condition; or
- (b) Paying the costs and expenses for installation of corrective equipment by the Company, on its side of the point of delivery, to effect such correction.

#### **I. APPLICATION OF OTHER EXTENSION PLANS**

Where the Company acquires facilities from another utility and the customers are served from a line extension constructed under a surcharge plan, the Company will continue to bill such customers the same surcharges as previously paid, or surcharges computed in accordance with the provision of the plan outlined in this Schedule, whichever may be lower.

#### **J. RESERVED FOR FUTURE USE**