

PSC No: 19 - Electricity
Rochester Gas and Electric Corporation
Initial Effective Date: July 25, 2022

Issued in compliance with Order in Case No. 22-M-0159, dated July 14, 2022.

Leaf No. 103
Revision: 6
Superseding Revision: 5

GENERAL INFORMATION

6. LIABILITY

A. CONTINUITY OF SUPPLY

The Company shall endeavor at all times to provide a regular and uninterrupted supply of service (except where the terms and conditions of a particular Service Classification provide otherwise), but in case the supply of service shall be interrupted or irregular or defective or fail from causes beyond the Company's control (including without limiting the generality of the foregoing, executive or administrative rules or orders issued from time to time by State or Federal officers, commissions, boards or bodies having jurisdiction), or because of the ordinary negligence of the Company, its employees, contractors, subcontractors, servants or agents, the Company shall not be liable therefore.

Customers requiring service which is uninterrupted, unreduced or unimpaired on a continuous basis should provide their own emergency or back-up capability.

Notwithstanding the foregoing, Section 4.Q governs the Companies' obligation to pay bill credits and reimbursement for spoiled food or medicine following a qualifying Widespread Prolonged Outage.

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

PSC No: 19 - Electricity
Rochester Gas and Electric Corporation
Initial Effective Date: April 1, 2014

Leaf No. 104
Revision: 3
Superseding Revision: 2

GENERAL INFORMATION

6. LIABILITY (Cont'd)

Reserved for Future Use

ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Rochester, New York

GENERAL INFORMATION

6. LIABILITY (Cont'd)

B. CUSTOMER'S EQUIPMENT

Neither by inspection nor non-rejection, nor in any other way, does the Company give any warranty, expressed or implied, as to the adequacy, safety or other characteristics of any structures, equipment, wires, conduit, appliances or devices owned, installed or maintained by the customer or leased by the customer from third parties.

C. COMPANY EQUIPMENT

The Company will not be liable for any injury, casualty or damage resulting in any way from the supply or use of electricity or from the presence or operation of the Company's structures, equipment, wires, conduit, appliances or devices on the customer's premises, except injuries or damages resulting from the negligence of the Company.

D. IMPROPER TURN OFF

In cases where intentional disconnections of individual customers are made in error, the Company will:

- (a) reimburse residential customers served either directly or indirectly for their losses actually sustained, not to exceed \$100 for any one consumer for any one incident, as the result of improper turn offs of service lasting more than 12 hours, when such losses consist of the spoilage of food or medicine for the lack of refrigeration.
- (b) reimburse non-residential customers served either directly or indirectly for their losses actually sustained, not to exceed \$2000 for any one customer for any one incident, as the result of improper turn offs of service lasting more than 12 hours when such losses consist of the spoilage of perishable merchandise for lack of refrigeration.

Customer claims in the above cases must be made within a 90-day period following the improper turn off incident.

E. INTEGRATED ENERGY DATA RESOURCE

The Company has provided non-anonymized and non-aggregated customer specific data to the State's Integrated Energy Data Resource ("IEDR") pursuant to the New York Public Service Commission's Order Addressing Integrated Energy Data Resource Matters issued on October 13, 2023 in Case 20-M-0082. If such data is improperly released from the IEDR as the result of a cyber-related incident, or inadvertently disclosed by the IEDR administrator or its agents or contractors due to an operational error, the Company will not be liable for such release or disclosure. Consistent with the Commission's policies regarding data ownership, the customer (not the utility), is the owner of the customer's data.