

Monthly Report on Consumer Complaint Activity



July 2004

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Office of Consumer Services*

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Table of Contents

Table of Complaint Rates of Major New York Utilities	3
Credit Related Complaints vs. Total (Energy Utilities)	3
Summary of Complaints and Cases by Industry and Utility	4
Informal Hearings, Shared Meter Cases, Appeals and Rehearings	9
Summary of Customer Contacts recorded against ESCO's	10

COMPLAINT RATES* OF MAJOR NEW YORK UTILITIES

July 2004

Utility	Jun-04		Jul-04		Annual Complaint Volume			Y-T-D Complaint Volume			12 Month
	Rate*	No.	Rate*	No.	12 mos ending		%	Year-to-date		%	Compl. Rate* Jul-04
					Jul-03	Jul-04	Change	2003	2004	Change	
Central Hudson	2.4	7	1.0	3	25	30	20.0	16	16	0.0	0.9
Con Edison	2.1	76	2.1	77	619	766	23.7	472	463	-1.9	1.7
KeySpan of L.I.	0.2	1	0.4	2	44	55	25.0	34	29	-14.7	0.9
NYSEG	0.6	6	0.2	2	42	48	14.3	34	22	-35.3	0.4
Niagara Mohawk	2.0	33	1.8	31	279	353	26.5	245	190	-22.4	1.7
Orange & Rockland	2.3	5	0.9	2	27	27	0.0	22	17	-22.7	1.1
RG & E	1.5	6	1.8	7	65	87	33.8	59	53	-10.2	1.8
KeySpan of NY	1.2	14	1.7	20	86	129	50.0	62	85	37.1	0.9
National Fuel Gas	1.6	8	1.6	8	76	87	14.5	64	45	-29.7	1.4
Other Energy Utilities	N/A	0	N/A	1	78	36	-53.8	20	17	-15.0	N/A
ESCO's	N/A	12	N/A	1	46	32	-30.4	32	15	-53.1	N/A
Verizon	0.4	30	0.6	50	790	648	-18.0	638	302	-52.7	0.7
Citizens Telcom	0.3	1	0.3	1	9	20	122.2	10	9	-10.0	0.5
Frontier of NY	2.7	2	2.7	2	5	9	80.0	4	8	100.0	1.0
Alltel	0.0	0	1.2	1	5	3	-40.0	5	3	-40.0	0.3
Frontier Tel of Roch.	0.6	3	0.0	0	21	22	4.8	24	12	-50.0	0.4
Other LEC's	N/A	195	N/A	191	1652	1823	10.4	966	1087	12.5	N/A
DSL Providers	N/A	1	N/A	1			#DIV/0!			#DIV/0!	N/A
Pre-paid Calling Cards	N/A	0	N/A	0	0	0	#DIV/0!	0	0	#DIV/0!	N/A
LD Resellers	N/A	2	N/A	12	163	157	-3.7	119	88	-26.1	N/A
COCOT Vendors	N/A	3	N/A	4	30	46	53.3	20	23	15.0	N/A
Adelphia	N/A	1	N/A	5	18	26	44.4	11	18	63.6	N/A
Cablevision Systems	N/A	7	N/A	15	121	144	19.0	96	83	-13.5	N/A
Time-Warner	N/A	8	N/A	10	87	119	36.8	71	78	9.9	N/A
Other Cable Cos.	N/A	1	N/A	1	38	6	-84.2	15	7	-53.3	N/A
Long Island Water	1.4	1	0.0	0	10	6	-40.0	8	2	-75.0	0.7
UW - New Rochelle	0.0	0	3.3	1	2	11	450.0	1	8	700.0	3.0
New York Water	2.3	1	0.0	0	2	4	100.0	2	4	100.0	0.8
New York American	0.0	0	0.0	0	1	0	0.0	1	0	0.0	0.0
UW - New York	0.0	0	0.0	0	8	9	12.5	6	5	-16.7	1.1
Other Water Utilities	N/A	1	N/A	3	16	11	-31.3	8	11	37.5	N/A

All complaint rates are based on 2003 customer populations.

* - Complaints per 100,000 customer accounts

The number of cases received for and assigned to individual utilities are subject to review and could eventually change the numbers reflected in this report

The reduction is the number of complaints is attributed to the method in which complaints are now processed.

Please refer to the July and August 2002 Month Report which describes the Quick Response System and the process by which cases are now handled.

CREDIT COMPLAINTS vs. TOTAL COMPLAINTS

Major New York Energy Utilities

July-04

Utility	Apr-04			Last 12 Months			12 mos.	12 mos.
	Total	Credit	% Credit	Total	Credit	% Credit	Total C/Rate	Credit C/Rate
Central Hudson	3	0	0%	30	11	37%	0.9	0.3
Con Edison	77	16	21%	766	180	23%	1.7	0.4
KeySpan - LI	2	1	50%	55	10	18%	0.9	0.2
NYSEG	2	1	50%	48	23	48%	0.4	0.2
Niagara Mohawk	31	7	23%	353	198	56%	1.7	1.0
Orange & Rockland	2	1	50%	27	13	48%	1.1	0.5
RG & E	7	4	57%	87	69	79%	1.8	1.5
KeySpan - NY	20	3	15%	129	29	22%	0.9	0.2
National Fuel Gas	8	0	0%	87	52	60%	1.4	0.8

Note: This chart shows the correlation between all complaints received and cases concerning credit related issues such as: Deferred payment agreements, extensions for payment, threatened termination of service and termination of service to to non-payment.

No. OF CONSUMER COMPLAINTS RECEIVED
BETWEEN 07/01/2004 AND 07/31/2004

Service	Utility	Complaints
Electric	Con Edison	6
	Jamestown Board of Public Utilities	1
*****		-----
sum		7
Gas	Con Edison	3
*****		-----
sum		3
Telephone	AT&T Communications of New York, Inc.	1
	Budtel Assoc	1
	Phone Management Enterprises	1
	Telebeam	1
*****		-----
sum		4
Cable	Adelphia - Buffalo	4
	Adelphia Cable - Utica	1
	Cablevision of Long Island	2
	Cablevision of New York City	10
	Cablevision of Westchester	2
	MediaOne - Rockland	1
	Time Warner - Manhattan	9
	Time Warner - Syracuse	1
*****		-----
sum		30
DSL	AT&T Communications of New York, Inc.	1
*****		-----
sum		1
Electric	Central Hudson Electric & Gas	2
	Con Edison	69
	Jamestown Board of Public Utilities	1
	New York State Electric & Gas	2
	Niagara Mohawk Power Corp	27
	Orange & Rockland	1
	Rochester Gas + Electric	7
Village of Andover	1	
*****		-----
sum		110
Gas	Central Hudson Electric & Gas	1
	Con Edison	8
	KeySpan of Long Island	2
	KeySpan of New York	20
	National Fuel Gas Distribution	8
	Niagara Mohawk Power Corp	4
Orange & Rockland	1	
*****		-----
sum		44

No. OF CONSUMER COMPLAINTS RECEIVED
BETWEEN 07/01/2004 AND 07/31/2004

Service	Utility	Complaints
Telephone	ACN Communication Services, Inc.	1
	Allegiance Telecom of New York, Inc.	1
	AllTel Of New York	1
	AT&T Communications of New York, Inc.	80
	Broadview Networks	4
	Budtel Assoc	1
	Choice One Communications of New York Ir	4
	Citizens Telecom	1
	Communicate Technological Systems, L.L.C	1
	Conversent Communications of New York, L	1
	Cordia Communications Corp	1
	Covista of New York, Inc.	1
	Frontier Comm of AuSable Valley	1
	Frontier Comm of NY/fka Highland Tel	1
	International Discount Telecommunication	28
	LCI International Telecom Corp.	1
	McGraw Communications, Inc.	1
	MCIWorldCom	32
	Metropolitan Telecommunications dba MetT	1
	New Century Telecom, Inc.	1
	New Rochelle Telephone Corp.	4
	NOS Communications Inc.	1
	NOW Communications, Inc.	1
	PaeTec Communications, Inc.	1
	Phone Management Enterprises	1
	RCN Telecom Services of New York, Inc.	1
	Sprint Communications Company L.P.	7
	Tel-Save, Inc. (Talk.com)	3
	Telebeam	1
	Telecarrier Services, Inc.	3
	VarTec Telecom, Inc.	4
	Verizon Communications (LEC)	49
	Verizon Corp. (payphones)	1
World-Link Inc.	1	
ZTel Communications, Inc.	3	
*****	-----	
sum	244	
Water	Dutchess Estates	1
	Kiamesha Artesian Spring	1
	Sleepy Hollow Lake Wat Coy, Inc	1
	United Water-New York	1
*****	-----	
sum	4	
*****	-----	
sum	433	

No. OF CONSUMER CASES RECEIVED
BETWEEN 07/01/2004 AND 07/31/2004

Service	Utility	Cases
Cable	Adelphia - Adirondack	1
	Adelphia - Buffalo	7
	Adelphia - Olean	1
	Adelphia Cable - Auburn	2
	Adelphia Cable - Utica	2
	Adelphia Cable-International	1
	Adelphia Cable-Niagara	2
	Cablevision of Dutchess County	5
	Cablevision of East Hampton	1
	Cablevision of Long Island	20
	Cablevision of New York City	31
	Cablevision of Riverhead	2
	Cablevision of Southern Westchester	1
	Cablevision of Westchester	6
	Cablevision-Rockland	2
	Charter Comm. - Plattsburgh	1
	Charter Communications	1
	MediaOne - Westchester	1
	RCN of Southeast New York, Inc.	3
	Time Warner - Albany	7
Time Warner - Binghamton	1	
Time Warner - Manhattan	71	
Time Warner - Rochester	2	
Time Warner - Syracuse	5	
*****	-----	
sum		176
DSL	Allegiance Telecom of New York, Inc.	1
	AT&T Communications of New York, Inc.	6
	Frontier Telephone of Rochester, Inc.	2
	Verizon Advanced Data, Inc.	27
*****	-----	
sum		36
Electric	Central Hudson Electric & Gas	17
	Con Edison	290
	Econergy	5
	Energetix, Inc.	1
	Jamestown Board of Public Utilities	2
	Keyspan Energy Services, Inc.	3
	New York State Electric & Gas	59
	Niagara Mohawk Power Corp	188
	NYSEG Solutions	1
	Orange & Rockland	21
	Plattsburgh	1
	Rochester Gas + Electric	101
	Total Energy, Inc.	1
	Village of Arcade	1
Village of Groton	1	
Village of Hamilton	1	
Village of Spencerport	1	
*****	-----	
sum		694

No. OF CONSUMER CASES RECEIVED
BETWEEN 07/01/2004 AND 07/31/2004

Service	Utility	Cases
Gas	ACN Energy, Inc.	1
	Central Hudson Electric & Gas	5
	Columbia Energy Services Company	1
	Con Edison	21
	Corning Natural Gas	4
	Econergy	6
	Energetix, Inc.	1
	Great Eastern Energy	1
	Keyspan Energy Services, Inc.	3
	KeySpan of Long Island	24
	KeySpan of New York	81
	Metro Energy Group, LLC	1
	National Fuel Gas Distribution	61
	National Fuel Resources	1
	New York State Electric & Gas	5
	Niagara Mohawk Power Corp	14
	Orange & Rockland	2
	Rochester Gas + Electric	6
	*****	-----
sum		238
Prepaid	AT&T Wireless Services	1
	*****	-----
sum		1
Telephone	ACN Communication Services, Inc.	7
	Allegiance Telecom of New York, Inc.	4
	AllTel Of New York	1
	American Telecommunications Corporation	3
	ARC Networks, Inc.	2
	AT&T Communications of New York, Inc.	392
	Bell Atlantic-New York	2
	BridgeCom International, Ltd.	6
	Broadview Networks	14
	Broadwing Telecommunications Inc.	1
	Business Long Distance, Inc.	7
	Cablevision Lightpath, Inc.	3
	Choice One Communications of New York Ir	8
	Citizens Telecom	9
	Cleartel Communications Inc.	4
	Conversent Communications of New York, L	1
	Cordia Communications Corp	3
	Excel Telecommunications Inc.	9
	Frontier Comm of AuSable Valley	1
	Frontier Comm of NY/fka Highland Tel	3
	Frontier Comm of Seneca-Gorham, Inc.	1
	Frontier Telephone of Rochester, Inc.	23
	Gateway Technologies, Inc.	1
	Gillette Global Network	1
	IDT America, Corp.	1
	International Discount Telecommunication	75
	LCI International Telecom Corp.	2
	MCIWorldCom	154

No. OF CONSUMER CASES RECEIVED
BETWEEN 07/01/2004 AND 07/31/2004

Service	Utility	Cases
	Metropolitan Telecommunications dba MetT	10
	New Century Telecom, Inc.	1
	New Rochelle Telephone Corp.	3
	NOS Communications Inc.	3
	NOW Communications, Inc.	1
	Oneida County Rural Telephone	1
	PNG Telecommunications, Inc.	1
	Promise Vision Technology, Inc.	1
	QWest Communications Corporation	1
	RCN Telecom Services of New York, Inc.	1
	Resdntl Comms. Netwrk of NY dba RCN	5
	Sprint Communications Company L.P.	70
	Taconic Long Distance Service Corp.	1
	Taconic Telephone	2
	TC Systems, Inc. (PAY PHONES ONLY)	2
	Tel-Save, Inc. (Talk.com)	10
	Telecarrier Services, Inc.	11
	Telecom USA	2
	Telecon Communications Corp	6
	Touch 1 Communications, Inc.	1
	Tristate Bell Inc.	2
	Unknown COCOT Vender	1
	VarTec Telecom, Inc.	21
	Verizon Communications (LD)	8
	Verizon Communications (LEC)	595
	Verizon Corp. (payphones)	5
	Vernon Telephone	1
	Warwick Valley Telephone	1
	Winstar Gateway Network, Inc.	3
	Working Assets Funding Service, Inc.	1
	XO New York, Inc.	2
	ZTel Communications, Inc.	16
*****		-----
sum		1527
Water	Arbor Hills Waterworks	1
	Kiamesha Artesian Spring	2
	Long Island Water Corp.	7
	Rand Water CP - Dogwood Knolls	1
	Rowlands Hollow Water Co.	2
	United Water-New Rochelle	4
	United Water-New York	1
*****		-----
sum		18

sum		2692

Informal Hearings, Shared Meter Case, Appeals and Rehearings July 2004

Informal Hearing Cases

As of July 30, 2004, there were 66 cases in the Informal Hearing Unit. During the month 6 complaints were resolved with pre-hearing mediation, 14 informal hearings were scheduled, 6 hearings were postponed, 8 hearings were held, and 4 informal hearing cases were closed with written decisions.

Shared Meter Designee Cases

Under Section 52 of PSL (Shared Meter Law) only the Commission or its Designee can decide certain complaints. The majority of these cases concern the 12-month charge assessed to owners for failure to find and correct instances of shared metering. At the end of June, 161 shared meter complaints were pending. Thirty-five new complaints were received in July and 15 cases were closed.

Details about the cases closed in July follow. In a case where the utility found the shared area use to be minimal, the parties were unable to reach an agreement for the minimal shared use; therefore, the designee ordered an apportionment that was fair. The designee reduced the 12-month assessment to the minimum of 25% in 7 cases and to levels between 25% and 50% in 3 cases. The 12-month assessment billed to landlords were cancelled in 4 cases involving minimal use, extraordinary cost, or theft of service.

Appeals and Rehearings

At two sessions held during the month of July, the Commission approved OCS's recommended determinations of 4 appeal cases and 3 rehearing petitions. Two appeal determinations upheld in their entirety bills issued, by Con Edison and KeySpan-LI, to multiple-dwelling customers for unauthorized use of interruptible gas during a period of service interruption. A third appeal determination concludes that Jamestown Board of Public Utilities was not required to forfeit money to a residential customer under 16 NYCRR §11.3(c), because its actions were not shown to have actually deprived the customer of service. A fourth appeal determination upholds NYSEG's request for a security deposit from a delinquent nonresidential customer. One rehearing determination denies a customer's petition concerning a recent appeal determination. The 2 remaining rehearing determinations deny petitions from landlords served by Con Edison and by Central Hudson respectively; both petitions concerned determinations by the Commission's designee in shared meter cases.

During July, 2 appeals were accepted for review. In the first, Central Hudson appeals from an informal decision arguing that the hearing officer incorrectly concluded that a customer was served by a shared meter; in the second, a residential electric customer disputes a bill issued by Con Edison. Additionally, 2 requests were received for rehearing of decisions by the Commission's designee in shared meter cases, both involving Con Edison.

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

Table of Consumer Contacts filed against ESCO's

CODE	FULL NAME	2001	2002	2003	2004	Jul-04	Jun-04	May-04	Apr-04	Mar-04	Feb-04	Jan-04	Dec-03	Nov-03	Oct-03	Sep-03	Aug-03
D108	1st Rochdale Coop Group	2	1	1	1							1					
D105	ACN Energy, Inc.	3	1	4	2	1		1									1
D078	Advantage Energy Inc.	0	3	0	0												
D084	Constellation NewEnergy	1	0	0	0												
D001	Agway Energy Services Inc.	17	17	18	6				2	1	3		3		2		
D036	All Energy Marketing Co.	2	1	2	1							1					
D002	Amerada Hess	7	0	0	0												
D113	Brown Fuel, Inc	1	0	0	0												
D005	Castle Power Corporatoin	1	2	0	1					1							
D040	Columbia Energy Services Co.			1	8	1		2		2		3					
D086	Con Edison Solutions	4	55	43	9		2	1		4	1	1	1		1	3	6
D046	Econergy	158	123	133	146	16	29	19	35	32	8	7	13	8	9	7	9
D047	Empire Natural Gas Corp	2	0	0	0												
D087	Energetix, Inc.	148	17	25	57	2	2	15	34	3		1	3			1	
D054	Enron Energy Services	5	9	1	0												
D023	Federal Electric & Gas Co.	89	0	0	0												
D104	Great Eastern Energy	3	3	3	4	1			1	2							
D013	Interstate Energy Resources Inc.	11	2	4	0												
D015	Keyspan Energy Services, Inc.	97	154	194	30	6	3	2	3	8	2	6	19	22	33	21	12
D060	Main-Care Energy	1	0	1	0												
D107	Metro Energy Group	1	0	8	1	1											
D098	Metromedia Energy	6	1	0	0												
D018	Mirabito Fuel Group Inc.	1	3	9	1					1						1	
D020	Mitchell-Supreme Energy	6	3	2	3				3								
D021	National Fuel Resources, Inc.	10	76	18	1	1							1		2	1	
D023	New York Gas Co, Inc.		4	0	0												
D024	North American Energy	19	20	25	2				1		1		1	1			3
D026	North Atlantic Utilities Inc.	1	0	0	0												
D103	NYSEG Solutions	10	20	32	5	1		1		2	1			1		1	1
D067	PG&E Energy Trading	1	0	0	0												
D114	PRO-ENERGY RESOURCES		2	0	0												
D093	Robison Energy of Westchester	0	2	9	1		1						1				
D068	Select Energy of New York (aka Plub St)	1	2	0	0												
D112	Smart Energy Services	439	1249	129	0										2	4	13
D102	Telecon Energy Services Corp.	0	0	0	0												
D032	Total Gas & Electric (Energy)	158	116	46	15	3	4	5			1	2	2		3	3	1
D052	TXU Energy		2	1	0												1
D888	Unassigned Customer Contacts	26	30	8	0									1	2		
	Total	1231	1918	717	261		41	46	79	56	17	22	44	33	54	42	47

Not all ESCO's listed above are currently operating in New York. OCS answers questions and mediates complaints against ESCO's.
Customers are referred to their contract for resolution guidelines.