

# Monthly Report on Consumer Complaint Activity



## August 2005

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# If You Have a Complaint About Your Utility Service

The Office of Consumer Services (OCS) takes all utility consumer matters seriously, including complaints. When you contact our office with a complaint about a utility or other service provider, we take immediate steps through our Quick Response System (QRS) to address your concerns.

## The QRS Process

**We Contact Your Utility** - In an effort to ensure that utilities fulfill their obligation to provide effective customer service, we first ask the utility to contact you and resolve your concerns.

**Your Utility Contacts You** - As directed by OCS, the utility will contact you to:

- Discuss your concerns
- Provide you with the name and telephone number of a utility representative to call if you need further assistance
- Give you a date by which the company will get back to you about your concerns

**You Maintain Contact With Your Utility** - All future correspondence will come directly from the utility. If you have questions regarding your case please call your utility representative.

## The Follow-up

**Contact us if:**

- ◆ The utility does not contact you
- ◆ The utility does not provide its response to you within a reasonable timeframe
- ◆ The matter remains unresolved

If you have any questions regarding the process for addressing your concerns outlined above, please contact us at 1-800-342-3377.

# Customer Service Response Index

## Quick Reference Guide

In order to measure the effectiveness of each service provider's performance concerning issues brought to our attention by their customers the Office of Consumer Services has developed a Customer Service Response Index (CSRI). This index is reported on a monthly basis to compare the level of service and responsiveness delivered by each service provider under the Commission's jurisdiction. The CSRI is determined by measuring the following four metrics:

*The Consumer Satisfaction Metric (CSM)*; a ratio of the number of complaints to the number of QRS cases in the reporting month. All customer contacts begin as QRS cases. A complaint is recorded as a result of the customer being dissatisfied with the service provider's resolution of a case which was handled as a QRS case. A CSM score of 5 points are awarded when a service provider receives no 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 QRS Response Time Metric (QRM)*; the average number of days it took the service provider to respond to QRS cases closed in the reporting month. A QRM score of 2 points is awarded when a provider's average response time for QRS cases is 14 days or less. The response time on each case is calculated by subtracting the response date from the date the case was opened. The average response time for each service provider is calculated by adding all the response times for QRS cases closed in the reporting month and dividing by the number of QRS cases closed that month. No points are earned if the average response time for QRS cases is more than 28 days (twice the acceptable reply standard).

*The SRS Response Time Metric (SRM)*; the average number of days it took to respond to SRS cases closed in the reporting month. An SRM score of 2 points is awarded when a service provider's average response time for SRS cases is 10 days or less. The response time on each case is calculated by subtracting the SRS response date from the date the SRS case was opened. The SRM average response time for each provider is calculated by adding all the response times for SRS cases closed in the reporting month and dividing by the number of SRS cases closed that month. If the case was in rebuttal status (a request by staff for additional information subsequent to a service providers initial reply), the response time will be calculated by subtracting the response date from the date the case was rebutted by staff. No points are earned if the average response time for SRS cases is more than 25 days (two weeks past due).

*The Pending Case Metric (PCM)*; the average age of all cases awaiting response, determined on the last day of the reporting month. A PCM score of 1 point is awarded when a service providers' average age of cases is 14 days or less. The age of each case is determined by subtracting the last day of the reporting month from the date opened on all cases awaiting a utility response. The PCM average is calculated by adding the age of all pending cases at the months end and dividing by the number of open cases. No points are earned if the average age of cases exceeds 70 days (two months delinquent) and a negative score is applied and if the average age is between 70 and 90 days.

The final CSRI score is the sum of the four metrics. Complete CSRI data is posted for those service providers that average 10 or more QRS cases per month. For all other service providers, the performance in each area is reported monthly less the actual CSRI measure. The volume of activity for these companies would result in significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service providers performance.

# COMPLAINT RATES\* OF MAJOR NEW YORK UTILITIES

## August 2005

Utility	Jul-05		Aug-05		Annual Complaint Volume			Y-T-D Complaint Volume			12 Month Compl. Rate* Aug-05
	Rate*	No.	Rate*	No.	12 mos ending		%	Year-to-date		%	
					Aug-04	Aug-05		Change	2004		
Central Hudson	0.3	1	1.7	5	30	34	13.3	17	24	41.2	0.9
Con Edison	1.9	70	2.9	107	766	813	6.1	528	540	2.3	1.7
KeySpan of L.I.	0.0	0	0.6	3	55	41	-25.5	36	27	-25.0	0.7
NYSEG	0.2	2	0.6	6	48	39	-18.8	24	21	-12.5	0.3
Niagara Mohawk	0.8	14	1.2	21	353	253	-28.3	215	157	-27.0	1.3
Orange & Rockland	0.9	2	0.9	2	27	28	3.7	18	14	-22.2	1.0
RG & E	2.0	8	1.8	7	87	51	-41.4	58	33	-43.1	1.0
KeySpan of NY	1.9	24	2.6	32	129	228	76.7	103	157	52.4	1.4
National Fuel Gas	0.8	4	2.0	10	86	66	-23.3	52	40	-23.1	1.0
Other Energy Utilities	N/A	4	N/A	1	36		-100.0	17	27	58.8	N/A
ESCO's	N/A	64	N/A	73	514	567	10.3	294	448	52.4	N/A
Verizon	0.7	68	0.4	36	617	413	-33.1	344	279	-18.9	0.4
Citizens Telcom	0.3	1	1.6	5	20	21	5.0	10	15	50.0	0.6
Frontier of NY	0.0	0	0.0	0	10	8	-20.0	9	7	-22.2	0.9
Alltel	0.0	0	0.0	0	4	1	-75.0	3	1	-66.7	0.1
Frontier Tel of Roch.	0.2	1	0.7	3	20	21	5.0	14	13	-7.1	0.4
Other LEC's,CLEC's, IXC's	N/A	157	N/A	136	1980		-100.0	1175	1100	-6.4	N/A
DSL Providers	N/A	1	N/A	0	N/A		#VALUE!	N/A	13	#VALUE!	N/A
Adelphia	N/A	2	N/A	3	26	21	-19.2	20	15	-25.0	N/A
Cablevision Systems	N/A	10	N/A	12	143	146	2.1	95	82	-13.7	N/A
Time-Warner	N/A	8	N/A	14	125	154	23.2	89	98	10.1	N/A
Other Cable Cos.	N/A	1	N/A	1	6		-100.0	7	8	14.3	N/A
Long Island Water	0.0	0	2.7	2	6	7	16.7	2	7	250.0	0.8
UW - New Rochelle	0.0	0	3.3	1	12	8	-33.3	10	3	-70.0	2.2
New York Water	2.3	1	4.5	2	4	6	50.0	4	5	25.0	1.1
Aquarion of NY/New York Ame	0.0	0	9.1	1	0	1	0.0	0	1	0.0	0.8
UW - New York	2.9	2	0.0	0	9	6	-33.3	5	6	20.0	0.7
Other Water Utilities	N/A	0	N/A	2	11		-100.0	11	5	-54.5	N/A

All complaint rates are based on 2004 customer populations.

\* - Complaints per 100,000 customer accounts

The reduction in 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

## August 2005

Utility	August 2005			Last 12 Months			12 mos. Total C/Rate	12 mos. Credit C/Rate
	Total	Credit	% Credit	Total	Credit	% Credit		
Central Hudson	5	0	0%	34	10	29%	0.9	0.3
Con Edison	107	14	13%	813	138	17%	1.7	0.3
KeySpan - LI	3	2	67%	41	9	22%	0.7	0.1
NYSEG	6	1	17%	39	13	33%	0.3	0.1
Niagara Mohawk	21	9	43%	253	74	29%	1.3	0.4
Orange & Rockland	2	1	50%	28	11	39%	1.0	0.4
RG & E	7	3	43%	51	23	45%	1.0	0.5
KeySpan - NY	32	12	38%	228	74	32%	1.4	0.5
National Fuel Gas	10	3	30%	66	24	36%	1.0	0.4

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 non-payment.

**Customer Service Response Index  
August 2005**

<i>Service Provider</i>	<i>QRS Cases</i>	<i>SRS Compl.</i>	<i>CSM Index</i>	<i>Avg. QRS Response</i>	<i>QTM Index</i>	<i>Avg. SRS Response</i>	<i>SRM Index</i>	<i>Avg. Age of Cases</i>	<i>PCM Index</i>	<i>CSRI</i>
Cablevision of Westchester	11	0	5.00	3.30	2.00	0.00	2.00	1.70	1.00	10.00
Time Warner - Rochester Division	13	0	5.00	5.80	2.00	0.00	2.00	20.80	0.80	9.80
Time Warner - New York City Division	88	6	4.30	11.30	2.00	0.00	2.00	11.00	1.00	9.30
New York State Electric & Gas Corp.	79	6	4.20	9.80	2.00	9.00	2.00	6.90	1.00	9.20
Orange & Rockland	24	2	4.20	3.20	2.00	2.10	2.00	1.00	1.00	9.20
Liberty Power Corp.	10	1	4.00	6.80	2.00	0.00	2.00	19.00	0.90	8.90
Verizon Communications (LEC)	412	36	4.20	10.70	2.00	16.90	1.40	10.80	1.00	8.60
National Fuel Gas Distribution	70	10	3.60	7.80	2.00	1.10	2.00	9.80	1.00	8.60
Broadview Networks, Inc.	22	3	3.60	11.50	2.00	6.50	2.00	8.80	1.00	8.60
Sprint Communications	13	2	3.50	10.30	2.00	9.80	2.00	4.50	1.00	8.50
Cablevision of New York City	25	4	3.40	7.90	2.00	6.30	2.00	4.80	1.00	8.40
Niagara Mohawk - A National Grid Company	183	21	3.90	10.70	2.00	14.60	1.60	20.10	0.80	8.30
Cablevision of Long Island	34	6	3.20	6.40	2.00	5.30	2.00	5.00	1.00	8.20
Central Hudson Gas & Electric Corp.	32	5	3.40	12.40	2.00	12.30	1.80	7.50	1.00	8.20
Rochester Gas & Electric Corp.	107	7	4.30	3.10	2.00	21.40	0.80	11.10	1.00	8.10
Verizon Advanced Data, Inc.	32	0	5.00	13.50	2.00	27.50	0.00	10.30	1.00	8.00
KeySpan of Long Island	15	3	3.00	1.70	2.00	1.40	2.00	6.00	1.00	8.00
Frontier Telephone of Rochester, Inc.	14	3	2.90	4.00	2.00	2.10	2.00	10.00	1.00	7.90
AT&T	198	43	2.80	4.30	2.00	6.20	2.00	7.50	1.00	7.80
Time Warner - Syracuse Division	9	2	2.80	3.70	2.00	4.90	2.00	10.00	1.00	7.80
BridgeCom International, Ltd.	13	2	3.50	4.80	2.00	14.00	1.70	35.70	0.50	7.70
Citizens Communications (ILEC)	19	5	2.40	9.80	2.00	7.10	2.00	9.00	1.00	7.40
MCI	137	29	2.90	10.20	2.00	17.60	1.30	16.00	0.90	7.10
IDT America Corp.	28	8	2.10	9.30	2.00	0.00	2.00	4.60	1.00	7.10
Optimum Voice	16	4	2.50	8.70	2.00	0.00	2.00	40.90	0.40	6.90
KeySpan of New York	109	32	2.10	8.80	2.00	11.10	1.90	28.20	0.70	6.70
Time Warner ResCom of New York,LLC	13	4	1.90	16.00	1.80	7.10	2.00	11.70	1.00	6.70
Accent Energy Midwest, LLC	30	10	1.70	7.60	2.00	0.10	2.00	17.00	0.90	6.60
Cordia Communications Company	33	10	2.00	14.50	1.90	0.00	2.00	65.40	0.00	5.90
Verizon Communications (LD)	8	2	2.50	20.00	1.40	21.00	1.00	38.50	0.50	5.40
Time Warner - Albany Division	10	4	1.00	12.60	2.00	8.60	2.00	60.00	0.10	5.10
BullsEye Telecom, Inc.	9	6	0.00	5.80	2.00	0.00	2.00	16.00	0.90	4.90
Con Edison of New York	411	107	2.40	18.50	1.50	54.90	0.00	26.20	0.70	4.60
New Rochelle Telephone Company	8	5	0.00	16.50	1.70	0.00	2.00	76.70	-3.00	0.70

## Customer Service Response Index August 2005

Service Provider	QRS Cases	SRS Compl.	CSM Index	Avg. QRS Response	QTM Index	Avg. SRS Response	SRM Index	Avg. Age of Cases	PCM Index	CSRI
ACC Telecommunications, LLC	2	0		0.00		0.00		0.00		
Acceris Communications, Inc.	3	1		92.00		0.00		23.70		
ACN Communication Services, Inc.	3	1		11.40		0.00		49.00		
ACN Energy, Inc.	0	1		22.00		0.00		53.00		
Adelphia Cable - Auburn	1	0		0.00		0.00		0.00		
Adelphia Cable - Buffalo	3	1		4.50		0.00		35.00		
Adelphia Cable - Glens Falls	3	2		2.50		0.00		15.00		
Adelphia Cable - Harbor Vue	0	0		21.00		0.00		0.00		
Adelphia Cable - Lancaster	1	0		11.00		0.00		0.00		
Adelphia Cable - Niagara	3	0		0.70		0.00		0.00		
Adelphia Cable - Utica	1	0		0.00		0.00		30.00		
Alliegance Telecom of New York, Inc.	1	0		0.00		0.00		16.00		
AllTel of New York	5	0		1.80		0.00		3.00		
Alphaphone Inc.	2	1		9.70		0.80		30.00		
American Pay Phone, Inc.	0	0		0.00		45.20		0.00		
Amerinet Telecommunications Group, Inc.	0	1		42.00		8.00		0.00		
AmeriVision Communications, Inc.	0	0		86.00		0.00		0.00		
AMF Telecommunications, Inc.	0	0		0.00		0.00		37.00		
Aquarion Water Company of NY	0	1		22.00		0.00		27.00		
Aquarion Water Company of Sea Cliff	1	0		0.00		0.00		27.00		
Arbor Hills Waterworks	1	0		0.00		0.00		17.00		
ARC Networks, Inc.	2	1		3.00		0.00		0.00		
Armstrong Telephone Company - New York	1	0		0.00		0.00		3.00		
Bay City Metering	0	0		0.00		0.00		0.00		
Berkshire Telephone Corp.	1	1		11.00		0.00		13.00		
Business Network Long Distance, Inc.	1	0		7.00		0.00		0.00		
Cablevision - MediaOne - Rockland	2	0		12.50		0.00		8.00		
Cablevision - MediaOne - Westchester	2	0		3.70		0.00		0.00		
Cablevision of Brookhaven	1	0		10.00		0.00		0.00		
Cablevision of Dutchess County	4	0		1.50		0.00		1.00		
Cablevision of Hauppauge	1	0		7.70		0.00		0.00		
Cablevision of Port Chester	1	0		2.10		0.00		0.00		
Cablevision of Rockland	2	1		7.40		6.30		1.00		
Cablevision of Rockland/Ramapo, Inc.	0	0		32.00		0.00		0.00		
Cablevision of Southern Westchester	3	0		3.20		0.00		7.00		
Cablevision of Yorktown	3	1		14.40		0.00		2.00		
Capital Telephone Services	1	0		0.00		0.00		0.00		
Castle Cable TV, Inc.	0	0		34.00		0.00		0.00		
Chain Lakes Cablevision	2	0		0.00		0.00		15.00		
Charter Comm. - Plattsburgh	1	0		1.00		0.00		13.00		
Charter Communications	1	0		0.00		0.00		0.00		
Chazy & Westport Telephone Corp.	0	0		0.00		0.00		85.00		
Choice One Communications of New York, Inc	3	0		16.30		3.10		3.00		
City of Jamestown Board of Public Utilities	4	1		5.80		37.10		22.00		
City of Salamanca Electric	1	0		1.00		0.00		8.00		
ClearTel Communications, Inc.	3	0		31.40		0.00		48.00		
Columbia Energy Services Company	3	0		0.30		0.00		0.00		
Communicate Technological Systems, CTS, L	0	0		0.00		0.00		106.00		
Con Edison Solutions	0	0		7.00		0.00		0.00		
Conserve	0	0		0.00		0.00		76.80		
Convergent Telesis LLC	1	0		16.00		0.00		6.00		
Conversent Communications of New York, LLC	1	1		3.00		0.00		9.00		
Core-Comm-New York, Inc.	1	0		0.00		0.00		15.00		
Corporatepage.com, Inc.	0	0		0.00		0.00		365.00		
Covista Communications, Inc.	6	2		5.60		0.00		27.40		
Dara Owners Corp.	0	0		0.00		0.00		330.00		
Eclipse Telecommunications, Inc.	0	0		0.00		0.00		206.00		
Econnergy	8	1		7.80		5.10		0.00		
Emerald Green-Lake Louise Marie Water Co.	1	0		14.00		0.00		0.00		
Empire One Telecommunications, Inc.	1	0		0.00		0.00		43.00		
Empire Telephone Corp.	1	0		1.00		0.00		0.00		
Energetix, Inc.	1	0		2.00		0.00		0.00		
Energy Service Providers, Inc.	2	0		0.00		0.00		2.00		
ETS Payphones, Inc.	1	1		0.00		0.00		22.00		
Excel Telecommunications, Inc.	2	0		12.00		0.00		0.00		
Fairfield Towers Condominium Corporation	0	1		0.00		0.00		14.00		
FFC Energy	0	0		117.00		0.00		0.00		
Forest Park Water Co. Inc.	1	1		6.00		0.00		1.00		
Frontier Communications of AuSable Valley	1	1		29.00		0.00		1.00		
Frontier Communications of NY/fka Highland T	4	0		2.80		0.00		1.00		
Frontier Communications of Rochester, Inc.	0	0		4.90		0.00		0.00		
Frontier Communications of Seneca-Gorham,	1	0		6.10		0.00		0.00		
Frontier Communications of Sylvan Lake, Inc.	1	0		9.00		0.00		0.00		

*This report is considered confidential and is for information purposes only.  
Only the PSC Staff is authorized to disseminate or discuss this information with third parties.*

**Customer Service Response Index  
August 2005**

<i>Service Provider</i>	<i>QRS Cases</i>	<i>SRS Compl.</i>	<i>CSM Index</i>	<i>Avg. QRS Response</i>	<i>QTM Index</i>	<i>Avg. SRS Response</i>	<i>SRM Index</i>	<i>Avg. Age of Cases</i>	<i>PCM Index</i>	<i>CSRI</i>
Future Focus Telecommunications	0	0		0.00		0.00		526.00		
Global Network Comms.	0	1		0.00		0.00		159.00		
GNC Public Communications	0	0		0.00		0.00		226.70		
Granite Telecommunications, LLC	1	0		5.00		0.00		0.00		
Great Eastern Energy	0	0		33.00		0.00		0.00		
Groman Shores, Inc.	1	1		2.00		0.00		0.00		
Hudson Energy Services, LLC	2	0		0.00		0.00		0.00		
IDT Energy, Inc.	5	2		6.30		0.00		25.30		
Infinite Energy, Inc.	1	0		0.00		0.00		10.00		
Intelecom Solutions, Inc.	1	0		1.00		0.00		38.00		
InterGlobe Communications	1	0		3.00		0.00		0.00		
ITC DeltaCom Communications, Inc.	0	0		22.00		0.00		0.00		
J&N Communications	1	0		0.00		0.00		17.00		
Keyspan Energy Services, Inc.	2	0		0.00		0.00		7.50		
Kiamesha Artesian Spring Water Co., Inc.	0	0		6.00		0.00		0.00		
LCI International Telecom Corp.	0	0		10.00		0.00		0.00		
LDC Telecommunications, Inc.	0	0		0.00		0.00		76.00		
Lettiere Water Co	0	0		0.00		0.00		0.00		
Levy Associates	0	0		0.00		0.00		594.00		
Lightyear Network Solutions, LLC.	1	0		0.00		0.00		3.00		
Local Phone Company	1	0		0.00		0.00		22.00		
Long Island American Water	6	2		19.20		0.00		47.70		
M & L Milevoi	0	0		0.00		0.00		91.50		
Mahopac Water Company Inc.	0	0		0.00		0.00		35.00		
Mascom Inc	0	0		0.00		0.00		281.00		
Metro Teleconnect Companies, Inc.	0	0		0.00		0.00		304.00		
Metropolitan Telecommunications	5	2		9.40		2.30		0.00		
MFS Telephone of New York, Inc.	0	0		313.50		0.00		0.00		
Mid Hudson Cablevision, Inc.	1	0		0.00		0.00		17.00		
MIG Communications, Inc	0	1		0.00		0.00		22.00		
Mountain Lodge Park Water Corp.	0	0		0.00		0.00		85.00		
MTG Communications, Inc	0	0		0.00		0.00		283.00		
MX Energy, Inc	5	1		17.00		0.00		16.80		
National Aqueous	0	0		0.00		0.00		296.00		
NeTel Inc. (Tel3 Communications)	0	0		0.00		0.00		167.00		
New York Water Service	3	2		7.00		0.00		25.20		
Next Gen Telephone Co.	2	0		0.00		0.00		29.50		
NOS Communications, Inc.	1	0		21.00		0.00		7.00		
NOW Communications Inc	0	0		185.00		0.00		415.00		
NYSEG Solutions, Inc.	3	0		3.00		0.00		3.00		
OLYMPIC POWER, INC.	0	0		0.00		0.00		140.00		
OneLink Communications, Inc.	1	0		15.00		0.00		92.00		
Orchard Hill Water Co.	1	0		0.00		0.00		31.00		
PAETEC Communications, Inc.	1	0		0.00		0.00		15.50		
Penelec (A First Energy Company)	2	0		13.00		0.00		0.00		
Phone Management Enterprises, Inc.	0	0		0.00		0.00		122.00		
Primelink, Inc.	0	0		0.00		0.00		34.00		
Primus Telecommunications, Inc.	1	1		9.00		0.00		49.00		
PT-1 Communications, Inc.	0	0		0.00		0.00		461.50		
Pyne Company	0	0		0.00		0.00		81.50		
Qwest Communications Corporation	1	1		4.00		0.00		0.00		
Rand Water CP - Brandt's Farm	0	0		0.00		0.00		73.00		
RCN Telecom Services, Inc.	0	0		0.00		0.00		0.00		
Reconex, Inc. (USTEL/1-800-Reconex)	4	2		6.40		1.10		66.00		
Resdntl Comms. Netwrk of NY	2	1		7.50		0.00		8.50		
Robison Energy Of Westchester	1	0		1.00		0.00		0.00		
Rowlands Hollow Water Works, Inc.	0	0		0.00		0.00		414.00		
SBC Telecom, Inc.	1	0		0.00		0.00		2.00		
ServiSense.com, Inc.	0	0		0.00		0.00		298.00		
Spectrotel, Inc.	0	0		36.00		0.00		65.70		
St. Lawrence Gas	2	0		7.30		0.00		21.00		
State Telephone Company, Inc.	0	0		16.00		0.00		0.00		
Supercade Amusements Inc	0	0		0.00		0.00		60.00		
Supra Telecommunications & Information Syst	0	0		0.00		0.00		59.50		
SusCom Communications - CATV	5	0		3.40		0.00		0.00		
SusCom Communications - LEC	6	0		4.00		0.00		15.80		
Taconic Telephone Corp.	4	1		6.80		0.00		0.00		
Talk America, Inc.	3	3		16.10		0.00		37.50		
TDS Telecom-Port Byron Office	1	0		1.00		0.00		0.00		
TelCove Investment	1	0		0.00		0.00		29.00		
Telebeam	0	0		0.00		0.00		398.00		
Telecarrier Services, Inc.	5	3		6.00		0.00		226.90		
Telecon Communications Corp	2	0		32.00		0.00		331.30		

*This report is considered confidential and is for information purposes only.  
Only the PSC Staff is authorized to disseminate or discuss this information with third parties.*



**Customer Service Response Index  
August 2005**

<i>Service Provider</i>	<i>QRS Cases</i>	<i>SRS Compl.</i>	<i>CSM Index</i>	<i>Avg. QRS Response</i>	<i>QTM Index</i>	<i>Avg. SRS Response</i>	<i>SRM Index</i>	<i>Avg. Age of Cases</i>	<i>PCM Index</i>	<i>CSRI</i>
TELEDIAS Communications, Inc.	0	0		16.00		0.00		0.00		
Teleplex Coin Communications	0	1		0.00		0.00		1.00		
Teletech Inc.	1	1		2.00		0.00		22.00		
Tiffany Mews	0	0		0.00		0.00		440.00		
Time Warner - Binghamton	7	2		5.20		0.00		42.00		
Touch 1 Communications, Inc.	0	0		0.00		0.00		63.00		
Trinsic	8	1		16.00		0.00		0.00		
Tristate Bell Inc	3	0		1.00		0.00		12.00		
Tri-Tel Communications, Inc.	0	0		34.00		0.00		18.50		
United Systems Access Telecom	1	0		0.00		0.00		0.00		
United Telecom, LLC	1	1		56.50		0.00		29.00		
United Water-New Rochelle	2	1		0.00		62.90		46.50		
United Water-New York	3	0		13.00		0.00		56.00		
Unknown COCOT Vendor	2	1		0.00		0.00		20.30		
USN Communications Long Distance, Inc.	0	0		0.00		0.00		210.00		
Utility Solutions	0	0		0.00		0.00		121.50		
Valley Energy, Inc.	2	0		0.50		0.00		0.00		
VarTec Telecom, Inc.	0	1		20.00		0.00		28.00		
Verizon Communications (PayPhones)	1	1		8.60		25.70		0.00		
Village of Andover	0	0		0.00		0.00		217.00		
Village of Churchville	0	0		0.00		0.00		38.00		
Village of Frankfort	1	0		4.00		0.00		0.00		
Village of Freeport Electric	1	0		5.00		0.00		0.00		
Vonage Communications	6	1		8.40		0.00		23.20		
Warwick Valley Telephone Company	1	0		0.00		0.00		28.00		
Warwick Water Company	1	0		1.00		0.00		0.00		
World-Link Solutions, Inc	2	1		3.00		0.00		59.50		
XChange Telecom	4	0		1.30		0.00		2.00		
XO Communications, Inc.	4	2		13.00		0.00		5.30		

## **Informal Hearings, Shared Meter Cases, Appeals and Rehearings August 2005**

### **Informal Hearing Cases**

At the end of August, there were 116 cases in the Informal Hearing Unit. During this month, 5 complaints were resolved with pre-hearing mediation, 16 informal hearings were scheduled, 7 hearings were postponed, 7 hearings were held during which 5 settlements were reached and two complainants failed to appear for their hearings. Written decisions were issued in 8 informal hearing cases.

### **Shared Meter Designee Cases**

Under Section 52 of the 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 August there were 176 shared meter complaints pending.

Thirty (30) new complaints were received in August and 58 cases<sup>1</sup> were closed. Further information on the closed cases follows.

The designee reduced the 12-month assessment to the minimum of 25% in 32 cases, between 26% to 50% in 9 cases and between 51% to 75% in 2 cases. In 2 cases the charges were apportioned and the tenants received additional credit for the shared meter. In 1 case the assessment billed to the landlord was cancelled due to theft of service by a third party; in 2 cases the assessments were cancelled due to minimal use and cancelled in 1 case due to proof of extraordinary cost. In 1 case the landlord was responsible for the shared area charges billed. In 1 case the third party benefited and was responsible for the shared area charges. All charges were cancelled in 1 case because the utility did not follow the non-cooperation procedure established for landlords. In 1 case, the appeal to the designee was denied because it was late.

### **Appeals and Rehearings**

At its August 24, 2005 session, the Commission approved OCS's recommended determinations of 2 appeals and 2 rehearing petitions. One appeal determination concerns requests for time-of-day residential rebilling of Con Edison electric service sought by various community residences; rebilling was denied because the customers received notification through annual rate brochures of availability to them of residential rates and because the residences did not have time-of-use meters during the requested rebilling period. The other appeal determination upholds Niagara Mohawk's billing of a residential customer for electric service. Two rehearing determinations uphold the decisions of the Commission's designee in shared meter cases involving, respectively, Con Edison's electric and NFG's gas service.

In August, 4 appeals were accepted for review, including consolidated cross appeals by a community residence and by Con Edison in 2 cases concerning requests by various community residences for rebilling of electric service at the residential time-of-day rate. The circumstances of the other 3 appeals are as follows: A residential Verizon customer claims he was overbilled. A residential Niagara Mohawk customer disputes charges for an electric line extension. A residential customer disputes Con Edison's billing for gas and electric service.

Four rehearing petitions were also received in August. All concerned decisions by the Commission's designee about shared meter billing for electric service by Con Edison.

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<sup>1</sup>Two out of the 58 cases were not SMD and were returned to TCR. One case was closed because it was a duplicate. Two other cases were closed because staff did not receive information requested from the complaining party.

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

**Table of Consumer Contacts filed against ESCO's**

CODE	FULL NAME	2002	2003	2004	2005	Aug-05	Jul-05	Jun-05	May-05	Apr-05	Mar-05	Feb-05	Jan-05	Dec-04	Nov-04	Oct-04	Sep-04	Aug-04
D108	1st Rochdale Coop Group	1	1	2	0											1		
D128	Accent Energy			3	112	30	39	24	19						3			
D105	ACN Energy, Inc.	1	4	3	13	0	3	2		2	6			1				
D078	Advantage Energy Inc.	3	0	0	0	0												
D001	Agway Energy Services Inc.	17	18	12	8	0			1	1	1	2	3	4				2
D036	All Energy Marketing Co.	1	2	1	0	0												
D002	Amerada Hess	0	0	0	0	0												
D113	Brown Fuel, Inc	0	0	0	1	0						1						
D005	Castle Power Corporatoin	2	0	1	0	0												
D040	Columbia Energy Services Co.		1	10	12	3			3		4	1	1					2
D086	Con Edison Solutions	55	43	18	4	0	1	1			1	1		3		1		5
D084	Constellation NewEnergy	0	0	0	0	0												
D046	Econnergy	123	133	221	139	8		16	16	21	26	18	34	21	6	13	11	24
D047	Empire Natural Gas Corp	0	0	0	1	0		1										
D087	Energetix, Inc.	17	25	71	24	1	7	2		1	2	5	6	5	1	3	3	2
D137	Energy Service Providers, Inc.				2	2												
D054	Enron Energy Services	9	1	0	0	0												
D023	Federal Electric & Gas Co.	0	0	0	0	0												
D138	FFC Energy	0	0	1	0	0									1			
D104	Great Eastern Energy	3	3	4	4	0	1			1		2						
D`120	Hudson Energy Services, Inc.				2	2												
D177	IDT Energy, Inc.				8	5	2	1										
D167	Infinite Energy, Inc.				1	1												
D013	Interstate Energy Resources Inc.	2	4	0	0	0												
D015	Keyspan Energy Services, Inc.	154	194	50	3	2			1					1	3	11	0	5
D117	Liberty Power	0	0	2	25	10	2	8	5						2			
D060	Main-Care Energy	0	1	0	0	0												
D107	Metro Energy Group	0	8	1	0	0												
D098	Metromedia Energy	1	0	0	1	0							1					
D018	Mirabito Fuel Group Inc.	3	9	3	2	0			2							2		
D020	Mitchell-Supreme Energy	3	2	5	0	0									1		1	
D032	MX Energy, Inc. (Total Gas & Electric (Er	116	46	23	26	5	1	3	5	1	5	3	3	2	3	1	1	1
D021	National Fuel Resources, Inc.	76	18	4	1	0		1								1	1	1
D023	New York Gas Co, Inc.	4	0	0	0	0												
D024	North American Energy	20	25	3	7	0	1		1			2	3					1
D026	North Atlantic Utilities Inc.	0	0	0	0	0												
D103	NYSEG Solutions	20	32	8	34	3	7	6	3	6	5	2	2	2	1			
D067	PG&E Energy Trading	0	0	1	0	0												1
D114	PRO-ENERGY RESOURCES	2	0	1	2	0			1		1			1				
D093	Robison Energy of Westchester	2	9	1	2	1			1									
D068	Select Energy of New York (aka Plub St)	2	0	0	0	0												
D112	Smart Energy Services	1249	129	0	0	0												
D159	Strategic Energy, LLC				1	0		1										
D102	Telecon Energy Services Corp.	0	0	0	0	0												
D052	TXU Energy	2	1	0	0	0												
D118	US Energy Partners	0	0	1	2	0		1	1						1			
D888	Unassigned Customer Contacts	30	8	7	11	0			2	1		3	5	6		0	1	
	<b>Total</b>	<b>1918</b>	<b>717</b>	<b>457</b>	<b>448</b>	<b>73</b>	<b>64</b>	<b>67</b>	<b>61</b>	<b>34</b>	<b>51</b>	<b>40</b>	<b>58</b>	<b>46</b>	<b>22</b>	<b>33</b>	<b>18</b>	<b>44</b>

Not all ESCO's listed above are currently operating in New York.