

Monthly Report on Consumer Complaint Activity



May 2005

William M. Flynn, Chairman

*Sandra S. Sloane, Director
Office of Consumer Services*

June 22, 2005



Monthly Report on Consumer Complaint Activity

May 2005

Table of Contents

If You Have a Complaint About Your Utility Service	3
Customer Service Response Index (Quick Reference Guide)	4
Table of Complaint Rates of Major New York Utilities	5
Credit Related Complaints vs. Total (Energy Utilities)	5
Customer Service Response Index	6
Informal Hearings, Shared Meter Cases, Appeals and Rehearings	10
Summary of Customer Contacts recorded against ESCO's	11



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

May 2005

Utility	Apr-05		May-05		Annual Complaint Volume			Y-T-D Complaint Volume			12 Month Compl. Rate* May-05
	Rate*	No.	Rate*	No.	12 mos ending		%	Year-to-date		%	
					May-04	May-05		Change	2004		
Central Hudson	1.7	5	0.3	1	25	29	16.0	6	15	150.0	1.0
Con Edison	1.6	59	1.6	60	770	718	-6.8	194	303	56.2	1.8
KeySpan of L.I.	0.2	1	1.2	6	62	45	-27.4	14	22	57.1	0.7
NYSEG	0.3	3	0.3	3	57	33	-42.1	8	11	37.5	0.3
Niagara Mohawk	0.9	15	1.7	29	394	253	-35.8	67	101	50.7	1.4
Orange & Rockland	0.5	1	1.4	3	30	25	-16.7	4	8	100.0	1.2
RG & E	0.0	0	0.0	0	104	43	-58.7	23	13	-43.5	1.0
KeySpan of NY	1.2	15	1.4	17	120	190	58.3	22	81	268.2	1.4
National Fuel Gas	1.4	7	1.4	7	94	63	-33.0	15	22	46.7	1.2
Other Energy Utilities	N/A	2	N/A	4	24	23	-4.2	35	13	-62.9	N/A
ESCO's	N/A	51	N/A	55	547	476	-13.0	220	238	8.2	N/A
Verizon	0.3	27	0.3	27	942	404	-57.1	161	148	-8.1	0.4
Citizens Telcom	0.0	0	0.3	1	19	17	-10.5	5	8	60.0	0.5
Frontier of NY	0.0	0	2.7	2	6	13	116.7	5	7	40.0	1.5
Alltel	0.0	0	0.0	0	6	2	-66.7	2	1	-50.0	0.2
Frontier Tel of Roch.	0.4	2	0.4	2	31	22	-29.0	6	9	50.0	0.4
Other LEC's,CLEC's, IXC's	N/A	138	N/A	129	1943	2032	4.6	802	607	-24.3	N/A
DSL Providers	N/A	4	N/A	0	44	29	-34.1	13	13	0.0	N/A
Adelphia	N/A	1	N/A	3	19	21	10.5	12	10	-16.7	N/A
Cablevision Systems	N/A	8	N/A	9	114	146	28.1	61	49	-19.7	N/A
Time-Warner	N/A	7	N/A	8	84	154	83.3	60	66	10.0	N/A
Other Cable Cos.	N/A	11	N/A	1	86	N/A	#VALUE!	12	16	33.3	N/A
Long Island Water	0.0	0	1.4	1	11	3	-72.7	0	3	#DIV/0!	0.3
UW - New Rochelle	3.3	1	0.0	0	3	8	166.7	3	1	-66.7	2.2
New York Water	2.3	1	0.0	0	2	3	50.0	3	1	-66.7	0.6
Aquarion of NY/New York Ame	0.0	0	0.0	0	1	0	0.0	0	0	0.0	0.0
UW - New York	0.0	0	1.5	1	9	1	-88.9	1	2	100.0	0.1
Other Water Utilities	N/A	2	N/A	2	9	N/A	#VALUE!	6	5	-16.7	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

May 2005

Utility	May 2005			Last 12 Months			12 mos.	12 mos.
	Total	Credit	% Credit	Total	Credit	% Credit	Total C/Rate	Credit C/Rate
Central Hudson	1	0	0%	29	16	55%	1.0	0.5
Con Edison	60	12	20%	718	153	21%	1.8	0.3
KeySpan - LI	6	2	33%	45	11	24%	0.7	0.2
NYSEG	3	0	0%	33	13	39%	0.3	0.1
Niagara Mohawk	29	10	34%	253	83	33%	1.4	0.4
Orange & Rockland	3	2	67%	25	10	40%	1.2	0.4
RG & E	0	0	#DIV/0!	43	23	53%	1.0	0.5
KeySpan - NY	17	6	35%	190	53	28%	1.4	0.4
National Fuel Gas	7	4	57%	63	27	43%	1.2	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 May 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>
Time Warner ResCom of New York, LLC	9	0	5.0	6.1	2.0	0.0	2.0	1.0	1.0	10.0
Time Warner - Syracuse Division	11	0	5.0	7.2	2.0	2.1	2.0	0.0	1.0	10.0
Verizon Advanced Data, Inc.	23	0	5.0	9.7	2.0	0.0	2.0	6.7	1.0	10.0
Rochester Gas & Electric Corp.	104	0	5.0	2.1	2.0	1.7	2.0	3.9	1.0	10.0
New York State Electric & Gas Corp.	73	3	4.6	7.6	2.0	9.4	2.0	4.2	1.0	9.6
Citizens Communications (ILEC)	19	1	4.5	5.6	2.0	8.7	2.0	7.2	1.0	9.5
Broadview Networks, Inc.	20	1	4.5	5.0	2.0	9.6	2.0	11.0	1.0	9.5
Central Hudson Gas & Electric Corp.	17	1	4.4	6.8	2.0	11.3	1.9	7.5	1.0	9.3
Verizon Communications (LEC)	333	28	4.2	7.5	2.0	7.6	2.0	6.4	1.0	9.2
National Fuel Gas Distribution	75	9	3.8	4.0	2.0	2.3	2.0	7.2	1.0	8.8
Time Warner - New York City Divisic	60	7	3.8	10.3	2.0	11.0	1.9	8.0	1.0	8.7
Cablevision of Long Island	16	1	4.4	4.9	2.0	18.6	1.2	5.0	1.0	8.6
Orange & Rockland	21	3	3.6	2.3	2.0	2.7	2.0	0.0	1.0	8.6
Accent Energy Midwest, LLC	16	3	3.1	15.0	1.9	0.0	2.0	6.6	1.0	8.0
IDT America Corp.	23	5	2.8	15.0	1.9	0.0	2.0	5.8	1.0	7.7
Frontier Telephone of Rochester, In	8	2	2.5	5.1	2.0	3.2	2.0	0.0	1.0	7.5
BridgeCom International, Ltd.	12	3	2.5	13.1	2.0	0.0	2.0	11.1	1.0	7.5
Sprint Communications	20	1	4.5	11.1	2.0	105.8	0.0	10.8	1.0	7.5
VarTec Telecom, Inc.	12	3	2.5	7.2	2.0	7.2	2.0	14.2	0.9	7.4
Cablevision of New York City	27	7	2.4	10.4	2.0	9.6	2.0	6.4	1.0	7.4
Niagara Mohawk - A National Grid Cc	217	30	3.6	10.6	2.0	22.0	0.8	13.2	1.0	7.4
AT&T (C)	188	46	2.6	10.5	2.0	15.0	1.6	13.7	1.0	7.2
Trinsic	13	2	3.5	25.6	0.6	0.0	2.0	7.3	1.0	7.1
Choice One Communications of New Yc	8	1	3.8	6.7	2.0	36.0	0.0	1.0	1.0	6.8
MCI	120	34	2.2	13.3	2.0	14.8	1.6	11.3	1.0	6.8
Talk America, Inc.	9	3	1.7	13.4	2.0	0.0	2.0	7.0	1.0	6.7
Econnergy	13	4	1.9	8.4	2.0	0.0	2.0	24.5	0.8	6.7
KeySpan of New York	86	19	2.8	13.3	2.0	22.5	0.6	16.2	0.9	6.3
KeySpan of Long Island	18	7	1.1	7.1	2.0	2.5	2.0	2.6	1.0	6.1
Con Edison of New York	287	64	2.8	15.9	1.8	29.1	0.0	27.8	0.7	5.3
Optimum Voice	9	2	2.8	32.6	0.0	0.0	2.0	43.6	0.4	5.2
BullsEye Telecom, Inc.	8	4	0.0	11.3	2.0	7.9	2.0	8.7	1.0	5.0
New Rochelle Telephone Company	15	4	2.3	30.5	0.0	0.0	2.0	36.2	0.5	4.8
Cordia Communications Company	29	13	0.5	22.6	1.1	28.0	0.0	50.5	0.2	1.8

Customer Service Response Index May 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>
1st Rochdale Cooperative Group	1	0		0.0		0.0		125.5		
ACC Binghamton Telecom Corp.	0	0		0.0		0.0		78.0		
ACC Business	1	0		13.0		0.0		0.0		
Acceris Communications, Inc.	5	0		7.0		0.0		7.5		
ACN Communication Services, Inc.	5	0		14.5		0.0		27.0		
Adelphia Cable - Aurora	1	1		6.0		0.0		0.0		
Adelphia Cable - Buffalo	3	2		19.0		0.0		0.0		
Adelphia Cable - Harbor Vue	1	0		12.0		0.0		0.0		
Adelphia Cable - Niagara	0	0		0.0		0.0		0.0		
Adelphia Cable - Springville	1	0		0.0		0.0		16.0		
Adelphia Cable - Utica	1	0		0.0		0.0		0.0		
Agway Energy Services, LLC.	0	0		14.0		0.0		0.0		
Allegiance Telecom of New York, Inc	2	1		5.7		0.0		1.0		
Alliance Group Services, Inc.	1	0		0.0		0.0		6.0		
AllTel of New York	2	0		5.0		0.0		12.0		
Alpha Phone Inc.	1	0		0.0		0.0		1.0		
American Communications Network, In	0	0		18.0		0.0		0.0		
American Pay Phone, Inc.	0	1		0.0		0.0		8.0		
American Phone Services, Corp.	0	1		21.0		0.0		0.0		
American Telecommunications Corpora	2	0		2.0		0.0		1.0		
America's Tele-Network Corp.	0	0		0.0		0.0		121.0		
Amerinet Telecommunications Group,	0	0		13.0		0.0		0.0		
AmeriVision Communications, Inc.	1	0		0.0		0.0		8.0		
Aquarion Water Company of NY	0	0		134.0		0.0		0.0		
ARC Networks, Inc.	4	0		3.2		0.0		0.0		
ATX Communications	0	0		45.0		0.0		0.0		
Bath Municipal Electric & Gas	1	0		5.0		0.0		0.0		
Bay City Metering	0	0		0.0		0.0		5.0		
Business Network Long Distance, Inc	3	0		1.0		0.0		0.0		
Cablevision - MediaOne - Rockland	3	1		10.4		0.0		14.0		
Cablevision - MediaOne - US Cablevi	1	0		0.0		0.0		9.0		
Cablevision - MediaOne - Westcheste	7	0		9.4		0.0		8.0		
Cablevision Lightpath, Inc.	0	0		0.0		4.0		0.0		
Cablevision of Dutchess County	1	0		9.1		0.0		0.0		
Cablevision of Hauppauge	1	0		7.9		0.0		0.0		
Cablevision of Rockland	2	0		4.0		9.6		4.5		
Cablevision of Southern Westchester	2	0		13.1		0.0		5.0		
Cablevision of Westchester	5	0		5.6		0.0		1.0		
Cambridge Water Works Company	0	0		0.0		0.0		405.0		
Charter Comm. - Plattsburgh	1	0		1.0		0.0		0.0		
Charter Communications	1	0		0.0		0.0		5.0		
Chazy & Westport Telephone Corp.	1	1		7.0		0.0		0.0		
Citizens Long Distance & LEC	0	0		0.0		0.0		5.0		
City of Jamestown Board of Public U	3	1		16.5		0.0		0.0		
ClearTel Communications, Inc.	3	0		89.0		0.0		11.0		
Coastal Communications	1	0		0.0		0.0		5.0		
Columbia Energy Services Company	2	0		1.0		0.0		1.0		
Comcast Telecommunications, Inc.	0	0		0.0		0.0		436.0		
Communicate Technological Systems,	2	1		27.0		0.0		51.3		
Con Edison Solutions	0	0		81.0		0.0		0.0		
CondorPhone	0	0		228.0		0.0		0.0		
Conserve	0	0		0.0		0.0		61.0		
Conversent Communications of New Yc	1	0		22.0		0.0		5.0		
Cooper Square Realty	0	0		0.0		0.0		152.0		
Core-Comm-New York, Inc.	1	0		0.0		0.0		5.0		
Corning Natural Gas Corp.	3	1		5.7		0.0		6.0		
Corporatepage.com, Inc.	0	0		0.0		0.0		273.0		
Covista Communications, Inc.	4	0		36.7		0.0		69.3		
Crescent Communications, Inc.	1	0		0.0		0.0		42.0		
CTC Communications Corp.	1	1		20.0		0.0		7.0		
Dara Owners Corp.	0	0		0.0		0.0		238.0		
DavelTel, Inc.	0	1		0.0		2.0		0.0		
Earthlink, Inc.	0	0		0.0		0.0		43.0		
Eclipse Telecommunications, Inc.	0	0		0.0		0.0		114.0		
Edwards Telephone	0	0		74.0		0.0		0.0		
Empire Telephone Corp.	0	0		66.5		0.0		0.0		

Customer Service Response Index May 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>
Energy Service Providers, Inc.	0	0		0.0		0.0		58.0		
Esodus Communications, Inc.	0	0		0.0		0.0		58.0		
Excel Telecommunications, Inc.	3	0		11.0		0.0		20.0		
FPC Energy	0	0		0.0		0.0		56.0		
Frontier Communications of AuSable	1	0		2.8		0.0		0.0		
Frontier Communications of NY/fka H	3	2		21.7		3.8		1.0		
Frontier Communications of Rocheste	2	0		3.5		0.0		0.0		
Frontier Communications of Sylvan I	2	0		4.5		0.0		0.0		
Future Focus Telecommunications	0	0		0.0		0.0		434.0		
GE Capital Communications Services,	0	0		0.0		0.0		513.0		
Global Network Comms.	0	0		0.0		0.0		196.0		
GNC Public Communications	0	0		0.0		0.0		134.7		
Granite Telecommunications, LLC	0	0		0.0		0.0		49.0		
GTE Long Distance	1	0		0.0		0.0		28.0		
ILD Telecommunications, Inc.	2	0		45.5		0.0		3.0		
International Satellite Communicati	0	0		0.0		0.0		153.0		
Keyspan Energy Services, Inc.	1	0		0.0		0.0		281.3		
Kiamesha Artesian Spring Water Co.,	0	0		0.0		0.0		118.0		
LCI International Telecom Corp.	2	0		9.5		0.0		3.5		
Levy Associates	0	0		0.0		0.0		502.0		
Liberty Power Corp.	4	1		28.0		0.0		8.2		
Local Phone Company	0	0		0.0		0.0		70.0		
Long Distance Services of N.Y.	0	0		0.0		0.0		295.5		
Long Island American Water	6	1		7.8		0.0		31.3		
M & L Milevoi	0	1		0.0		0.0		12.0		
Mascom Inc	0	0		0.0		0.0		189.0		
Metro Teleconnect Companies, Inc.	0	0		0.0		0.0		212.0		
Metropolitan Telecommunications	7	2		10.4		1.9		13.0		
MFS Telephone of New York, Inc.	0	0		0.0		0.0		246.0		
Mid Hudson Cablevision, Inc.	0	1		12.0		0.0		21.0		
Milestone Communications	0	0		0.0		0.0		71.0		
Mirabito Fuel Group, Inc.	2	0		0.0		0.0		12.0		
Mountain Lodge Park Water Corp.	1	0		0.0		0.0		0.0		
MTG Communications, Inc	0	0		0.0		0.0		191.0		
MX Energy, Inc	5	0		3.3		0.0		28.3		
National Access Long Distance	0	0		190.0		0.0		0.0		
National Aqueous	0	0		0.0		0.0		275.2		
NeTel, Inc Tel3 Communications.	0	0		0.0		0.0		75.0		
Network Plus, Inc.	0	0		0.0		0.0		93.0		
New Century Telecom, Inc.	2	0		47.8		0.0		61.0		
New York Coin Telephone Company, In	0	0		0.0		0.0		174.0		
New York Water Service	1	0		0.0		0.0		14.0		
Next Gen Telephone Co.	1	0		3.0		0.0		23.0		
North American Energy, Inc.	1	0		4.0		0.0		0.0		
NorthPoint Communications, Inc.	0	0		0.0		0.0		356.0		
NOS Communications, Inc.	1	0		0.0		0.0		8.0		
NOW Communications Inc	1	0		0.0		0.0		196.6		
NYSEG Solutions, Inc.	3	0		17.3		0.0		1.0		
OLYMPIC POWER, INC.	0	0		0.0		0.0		48.0		
One Call Communications, Inc.	1	0		0.0		0.0		0.0		
OneLink Communications, Inc.	3	1		32.0		0.0		14.8		
Opticom Corporation	0	0		0.0		0.0		64.0		
Packet 8	1	0		0.0		0.0		27.0		
PAETEC Communications, Inc.	0	0		21.0		0.0		61.0		
Penelec (A First Energy Company)	1	0		0.0		0.0		1.0		
Phone Management Enterprises, Inc.	0	0		0.0		0.0		30.0		
Primelink, Inc.	1	1		10.0		0.0		64.0		
Primus Telecommunications, Inc.	1	0		0.0		0.0		22.0		
Pro Energy Development, LLC.	0	1		39.0		0.0		0.0		
PT-1 Communications, Inc.	0	0		0.0		0.0		369.5		
Qwest Communications Corporation	2	0		6.2		0.0		0.0		
RCN Telecom Services, Inc.	2	0		10.0		0.0		21.0		
Reconex, Inc. (USTEL/1-800-Reconex)	1	1		32.3		0.0		0.0		
Reignmaker Communications	1	0		12.0		0.0		0.0		
Resdntl Comms. Netwrk of NY	2	1		11.0		0.0		7.5		
Reserve Gas Co.	1	0		0.0		0.0		27.0		

Customer Service Response Index May 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>
Ridge Road Water Co., Inc.	0	1		11.0		0.0		29.0		
Robison Energy Of Westchester	1	0		18.0		0.0		0.0		
Rowlands Hollow Water Works, Inc.	0	0		0.0		0.0		322.0		
Saratoga Water Services, Inc.	0	0		0.0		0.0		0.0		
Secures Technologies	0	0		59.5		0.0		320.0		
ServiSense.com, Inc.	0	0		0.0		0.0		206.0		
Spectrotel, Inc.	2	1		43.5		0.0		17.0		
St. Lawrence Gas	3	1		1.0		0.0		10.0		
Supra Telecommunications & Informat	1	0		0.0		0.0		15.0		
SusCom Communications - LEC	6	1		3.3		0.0		0.0		
Syniverse Networks, Inc.	0	0		42.0		0.0		0.0		
Taconic Telephone Corp.	1	0		5.0		0.0		33.0		
TC Systems, Inc. (Pay Phones Only)	0	0		0.0		0.0		311.5		
Tech Valley Communications	1	1		4.0		7.7		0.0		
Telebeam	0	1		0.0		0.0		306.0		
Telecarrier Services, Inc.	6	3		75.5		0.0		360.7		
Telecom USA	1	0		0.0		0.0		26.0		
Telecon Communications Corp	0	0		11.0		0.0		397.0		
TELEDIAS Communications, Inc.	1	0		0.0		0.0		16.0		
Teleplex Coin Communications	0	1		0.0		0.0		0.0		
Tiffany Mews	0	0		0.0		0.0		348.0		
Time Warner - Albany Division	7	1		18.6		20.3		27.7		
Time Warner - Binghamton	4	0		8.2		18.2		66.0		
Time Warner - Rochester Division	4	0		8.3		0.0		29.5		
Tristate Bell Inc	1	0		18.0		0.0		0.0		
Unicell Corporation	0	0		30.0		0.0		0.0		
United American Technology, Inc.	1	1		14.0		0.7		0.0		
United Systems Access Telecom	3	1		4.0		15.3		10.5		
United Telecom of America, Inc.	0	1		25.0		0.0		16.0		
United Telecom, LLC	0	0		0.0		0.0		41.0		
United Water-New Rochelle	0	0		14.0		0.0		0.0		
United Water-New York	3	1		4.0		0.0		81.8		
US Energy Partners, LLC	0	0		0.0		0.0		0.0		
USA Payphone, Inc.	0	0		0.0		0.0		436.0		
USN Communications Long Distance, I	0	0		0.0		0.0		118.0		
Utility Solutions	0	0		399.0		0.0		72.0		
Verizon Communications (LD)	2	0		20.4		0.0		28.2		
Verizon Communications (PayPhones)	2	1		6.7		0.0		5.5		
Village of Andover	0	0		0.0		0.0		125.0		
Village of Little Valley	1	0		0.0		0.0		0.0		
Village of Wellsville	0	1		15.0		0.0		0.0		
Voice Com Telecommunications	0	0		0.0		0.0		194.0		
Vonage Communications	2	0		2.0		0.0		0.0		
Warwick Valley Telephone Company	0	0		0.0		0.0		145.0		
WorldLink Communications, Inc.	1	0		43.0		0.0		28.3		
XChange Telecom	2	0		2.5		0.0		0.0		
XO Communications, Inc.	2	0		12.0		0.0		0.0		
Zoom-I-Net Communications, Inc.	1	1		15.0		0.0		0.0		

Informal Hearings, Shared Meter Cases, Appeals and Rehearings May 2005

Informal Hearing Cases

At the end of May, there were 117 cases in the Informal Hearing Unit. During this month, 6 complaints were resolved with pre-hearing mediation, 14 informal hearings were scheduled, 3 hearings were postponed, 10 hearings were held, one complainant failed to appear for her hearing and 17 informal hearing complaints were closed by either a written decision or a settlement agreement.

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 May there were 236 shared meter complaints pending. Fifty-two (52) new complaints were received in May and 62 cases¹ were closed. Further information on the closed cases follows.

The designee reduced the 12-month assessment to the minimum of 25% in 37 cases, between 26% to 50% in 12 cases and between 51% to 75% in 4 cases. In 6 cases the twelve-month assessment was cancelled due to minimal use or theft-of-service and additional information was requested in 1 case.

Appeals and Rehearings

At its May 20, 2005 session, the Commission approved OCS's recommended determinations of 2 appeals and 3 rehearing petitions. One appeal determination concludes, contrary to the informal decision, that an electric shared meter condition did exist. The other appeal determination, which concerns billing of a residential electric and gas customer by Con Edison, finds that a customer cannot challenge minimum or customer charges required by a utility's tariff. The first rehearing determination upholds a Commission appeal determination (concerning electric service provided by NYSEG to certain community residences) that denied rebilling of electric service at a time-of-use rate. The two remaining rehearing determinations both concern decisions by the Commission's designee in shared meter cases involving Con Edison's electric service; in response to the rehearing petitions, the Commission in one case upholds and in the other case modifies the designee's decision.

During May, five appeals were accepted for review. In the first, a commercial customer receiving interruptible gas service from KeySpan disputes a charge for taking gas during an interruption. In the second, a residential Con Edison customer objects to the transfer of the unpaid balance from a prior electric account to his current account. In the third, a commercial customer of Choice One Communications disputes the rate at which it is billed. In the fourth and fifth, residential customers question, respectively, RG&E's charges for electricity and KeySpan's charges for gas.

Also during May, three rehearing petitions were accepted for review. A residential customer seeks rehearing of a Commission appeal determination concerning NYSEG's billing for electric service. A landlord seeks rehearing of a decision by the Commission's designee in a shared meter case involving Con Edison's electric service, and a tenant seeks rehearing of such a decision involving Central Hudson's electric service.

¹ Two out of the 62 cases were returned to TCR because the owners disputed the utility's determination that a shared meter existed.

**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	May-05	Apr-05	Mar-05	Feb-05	Jan-05	Dec-04	Nov-04	Oct-04	Sep-04	Aug-04	Jul-04	Jun-04	May-04
D108	1st Rochdale Coop Group	1	1	2	0								1					
D128	Accent Energy			3	19	19						3						
D105	ACN Energy, Inc.	1	4	3	8		2	6			1					1		1
D078	Advantage Energy Inc.	3	0	0	0													
D001	Agway Energy Services Inc.	17	18	12	7		1	1	2	3	4				2			
D036	All Energy Marketing Co.	1	2	1	0													
D002	Amerada Hess	0	0	0	0													
D113	Brown Fuel, Inc	0	0	0	1				1									
D005	Castle Power Corporatoin	2	0	1	0													
D040	Columbia Energy Services Co.		1	10	6			4	1	1					2	1		2
D086	Con Edison Solutions	55	43	18	2			1	1		3		1		5		2	1
D084	Constellation NewEnergy	0	0	0	0													
D046	Econnergy	123	133	221	115	16	21	26	18	34	21	6	13	11	24	16	29	19
D047	Empire Natural Gas Corp	0	0	0	0													
D087	Energetix, Inc.	17	25	71	14		1	2	5	6	5	1	3	3	2	2	2	15
D054	Enron Energy Services	9	1	0	0													
D023	Federal Electric & Gas Co.	0	0	0	0													
D138	FFC Energy	0	0	1	0							1						
D104	Great Eastern Energy	3	3	4	3		1		2							1		
D013	Interstate Energy Resources Inc.	2	4	0	0													
D015	Keyspan Energy Services, Inc.	154	194	50	1	1					1	3	11	0	5	6	3	2
D117	Liberty Power	0	0	2	5	5						2						
D060	Main-Care Energy	0	1	0	0													
D107	Metro Energy Group	0	8	1	0											1		
D098	Metromedia Energy	1	0	0	1				1									
D018	Mirabito Fuel Group Inc.	3	9	3	2	2							2					
D020	Mitchell-Supreme Energy	3	2	5	0							1		1				
D032	MX Energy, Inc. (Total Gas & Electric (En	116	46	23	17	5	1	5	3	3	2	3	1	1	1	3	4	5
D021	National Fuel Resources, Inc.	76	18	4	0								1	1	1	1		
D023	New York Gas Co, Inc.	4	0	0	0													
D024	North American Energy	20	25	3	6	1			2	3					1			
D026	North Atlantic Utilities Inc.	0	0	0	0													
D103	NYSEG Solutions	20	32	8	18	3	6	5	2	2	2	1				1		1
D067	PG&E Energy Trading	0	0	1	0										1			
D114	PRO-ENERGY RESOURCES	2	0	1	2	1		1			1							
D093	Robison Energy of Westchester	2	9	1	1	1											1	
D068	Select Energy of New York (aka Plub St)	2	0	0	0													
D112	Smart Energy Services	1249	129	0	0													
D102	Telecon Energy Services Corp.	0	0	0	0													
D052	TXU Energy	2	1	0	0													
D118	US Energy Partners	0	0	1	0							1						
D888	Unassigned Customer Contacts	30	8	7	10	1	1		3	5	6		0	1				
	Total	1918	717	457	238	55	34	51	40	58	46	22	33	18	44	33	41	46

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