

# Monthly Report on Consumer Services



**October 2006**

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# Monthly Report on Consumer Complaint Activity

## October 2006

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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

## October 2006

Utility	Sep-06		Oct-06		12 Month Compl. Rate* Oct-06
	Rate*	No.	Rate*	No.	
Central Hudson	0.7	2	0.0	0	1.0
Con Edison	2.4	89	2.6	95	2.3
KeySpan of Long Island	0.6	3	0.8	4	0.7
NYSEG	2.4	23	1.5	14	1.0
National Grid	1.0	17	0.9	16	0.9
Orange & Rockland	1.4	3	1.4	3	0.7
RG & E	1.3	5	1.3	5	1.0
KeySpan of New York	1.0	12	1.2	15	1.3
National Fuel Gas	0.6	3	0.4	2	0.8
All other Energy Utilities	N/A	3	N/A	2	N/A
ESCO's	N/A	44	N/A	40	N/A
Verizon	0.6	58	0.4	35	0.4
Citizens Telcom	0.0	0	0.3	1	0.3
Frontier of NY	0.0	0	0.0	0	0.1
Alltel	0.0	0	0.0	0	0.0
Frontier Tel of Rochester	0.4	2	0.0	0	0.3
All VoIP Cos.	N/A	0	N/A	0	N/A
All other LEC's,CLEC's, IXC's	N/A	87	N/A	83	N/A
Adelphia Cable	N/A	0	N/A	2	N/A
Cablevision Systems	N/A	2	N/A	9	N/A
Time-Warner Cable	N/A	12	N/A	18	N/A
All other Cable Cos.	N/A	0	N/A	2	N/A
Long Island Water	0.0	0	0.0	0	1.7
United Water - New Rochelle	0.0	0	0.0	0	3.5
New York Water	9.0	4	2.3	1	2.8
Aquarion Water Co. of New York	0.0	0	0.0	0	0.0
United Water - New York	1.5	1	1.5	1	1.6
All other Water Utilities	N/A	2	N/A	0	N/A

All complaint rates are based on Dec. 2004 customer populations. Updates occur in April.

\* - Complaints per 100,000 customer accounts where populations are reported by the utility

N/A = data not available because populations for these companies/industries are not available.

## CREDIT COMPLAINTS vs. TOTAL COMPLAINTS

### Major New York Energy Utilities

## October 2006

Utility	October 2006 Complaint Volume			Last 12 Months Complaint Volume			12 mos. Total C/Rate	12 mos. Credit C/Rate
	Total	Credit	% Credit	Total	Credit	% Credit		
Central Hudson	0	0	#DIV/0!	35	11	31%	1.0	0.3
Con Edison	95	14	15%	1013	148	15%	2.3	0.3
KeySpan - LI	4	1	25%	44	8	18%	0.7	0.1
NYSEG	14	2	14%	110	14	13%	1.0	0.1
National Grid	16	4	25%	192	44	23%	0.9	0.2
Orange & Rockland	3	1	33%	19	4	21%	0.7	0.2
RG & E	5	0	0%	48	18	38%	1.0	0.4
KeySpan - NY	15	3	20%	195	51	26%	1.3	0.3
National Fuel Gas	2	0	0%	47	14	30%	0.8	0.2

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

## Customer Service Response Index October 2006

<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>
Central Hudson Gas & Electric Corp.	39	0	5.0	8.0	2.0	3.7	2.0	6.7	1.0	10.0
Long Island American Water	11	0	5.0	1.9	2.0	0.0	2.0	19.8	0.9	9.9
National Fuel Gas Distribution	59	2	4.7	7.5	2.0	0.0	2.0	4.5	1.0	9.7
IDT Energy, Inc.	54	2	4.6	6.1	2.0	0.8	2.0	28.1	0.7	9.3
National Grid, Inc	223	16	4.3	8.5	2.0	11.6	1.9	13.1	1.0	9.2
Cablevision of Long Island	14	1	4.3	11.2	2.0	5.9	2.0	19.5	0.9	9.2
Time Warner ResCom of New York,LLC	9	0	5.0	12.8	2.0	0.0	2.0	54.8	0.2	9.2
Orange & Rockland	28	3	3.9	7.4	2.0	3.7	2.0	1.0	1.0	8.9
Citizens Communications (ILEC)	8	1	3.8	12.1	2.0	0.0	2.0	3.0	1.0	8.8
PAETEC Communications, Inc.	9	1	3.9	1.0	2.0	0.0	2.0	33.6	0.6	8.5
KeySpan of New York	86	15	3.3	7.8	2.0	2.4	2.0	12.0	1.0	8.3
Rochester Gas & Electric Corp.	43	5	3.8	8.6	2.0	16.7	1.4	9.1	1.0	8.2
Broadview Networks	11	2	3.2	8.2	2.0	2.1	2.0	1.0	1.0	8.2
Agway Energy Services, LLC.	9	1	3.9	5.5	2.0	0.0	2.0	53.0	0.2	8.1
My Tel Co, Inc.	15	3	3.0	9.7	2.0	0.0	2.0	8.6	1.0	8.0
Accent Energy Midwest, LLC	43	9	2.9	8.5	2.0	0.0	2.0	24.3	0.8	7.7
Time Warner - Buffalo	20	4	3.0	7.0	2.0	0.0	2.0	31.9	0.6	7.6
Frontier Telephone of Rochester, Inc.	15	0	5.0	6.2	2.0	40.2	0.0	31.7	0.6	7.6
Time Warner - Albany Division	11	0	5.0	10.9	2.0	45.6	0.0	43.3	0.4	7.4
Verizon Communications (LEC)	407	35	4.1	8.5	2.0	24.1	0.2	17.0	0.9	7.2
New York State Electric & Gas Corp.	132	14	3.9	13.0	2.0	23.4	0.4	19.3	0.9	7.2
AT&T (C)	119	30	2.5	7.7	2.0	8.5	2.0	25.4	0.7	7.2
Cordia Communications Corp	13	1	4.2	25.4	0.6	0.9	2.0	48.2	0.3	7.1
Liberty Power Corp.	24	8	1.7	14.2	1.9	6.1	2.0	10.4	1.0	6.6
KeySpan of Long Island	12	4	1.7	14.1	1.9	3.5	2.0	2.0	1.0	6.6
Con Edison of New York	459	95	2.9	13.9	2.0	20.1	1.0	33.0	0.6	6.5
U.S. Energy Savings Corp	54	9	3.3	11.3	2.0	28.9	0.0	5.4	1.0	6.3
MCI	51	16	1.9	10.6	2.0	12.1	1.8	36.2	0.5	6.2
Hudson Energy Services, LLC	24	4	3.3	13.5	2.0	30.2	0.0	22.1	0.8	6.1
Time Warner - New York City Division	78	13	3.3	13.6	2.0	29.8	0.0	31.1	0.6	5.9
IDT America, Corp.	21	9	0.7	8.9	2.0	0.9	2.0	7.4	1.0	5.7
Cablevision of New York City	15	5	1.7	14.0	2.0	30.9	0.0	6.0	1.0	4.7

## Customer Service Response Index October 2006

<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>
ACC Business	0	0		14.0		0.0		0.0		
Acceris Communications, Inc.	3	1		13.5		10.9		6.0		
ACN Communication Services, Inc.	5	0		26.3		0.0		7.8		
Adelphia Cable - Harbor Vue	0	0		0.0		0.0		54.0		
Adelphia Cable - International	1	0		0.0		0.0		1.0		
Adelphia Cable - Niagara	2	2		25.5		0.0		42.0		
Adelphia Cable - Springville	0	0		0.0		0.0		82.0		
Adelphia Cable - Utica	1	0		5.0		0.0		44.0		
Adelphia-Better TV, Inc. Bennington/Hoosic	0	0		0.0		0.0		40.0		
Airespring, Inc.	1	0		10.0		0.0		0.0		
Alliance Group Services, Inc.	1	0		13.0		0.0		69.0		
AllTel Communications, Inc.	1	0		0.0		0.0		16.0		
Alphaphone Inc.	2	1		2.5		0.0		54.0		
American Pay Phone, Inc.	0	0		0.0		0.0		121.5		
American Phone Services, Corp.	0	0		0.0		0.0		100.0		
American Telecommunications Corporation	1	0		9.0		0.0		0.0		
Americatel Corporation	0	0		18.0		0.0		0.0		
AMF Telecommunications, Inc.	0	0		0.0		0.0		76.0		
Aquarion Water Company of Sea Cliff	0	0		0.0		0.0		100.0		
Arbor Hills Waterworks	2	0		0.0		0.0		61.6		
Armstrong Telephone Company - New York	1	0		3.0		0.0		0.0		
Axcis, Inc.	0	0		0.0		0.0		119.0		
Bath Municipal Electric & Gas	0	0		0.0		0.0		64.0		
Beaver Dam Lake Water Corp.	0	0		0.0		0.0		0.0		
Birns Telecommunications	0	0		0.0		0.0		82.0		
BridgeCom International, Ltd.	3	2		8.5		4.5		1.0		
Broadwing Communications, LLC.	1	0		0.0		0.0		2.0		
BullsEye Telecom, Inc.	1	0		6.0		0.0		0.0		
Business Network Long Distance, Inc.	0	0		0.0		0.0		143.5		
Cablevision - MediaOne - Rockland	0	1		28.0		7.1		0.0		
Cablevision - MediaOne - Westchester	0	0		14.1		0.0		0.0		
Cablevision of Brookhaven	1	0		6.0		0.0		0.0		
Cablevision of Dutchess County	2	1		7.8		10.3		0.0		
Cablevision of Hauppauge	1	0		6.0		0.0		0.0		
Cablevision of Southern Westchester	2	0		2.9		0.0		1.0		
Cablevision of Westchester	4	1		10.0		9.2		1.0		
Cambridge Water Works Company	1	0		16.0		0.0		0.0		
Charter Communications	2	0		8.0		0.0		73.3		
Choice One Communications of New York,	7	1		14.4		0.0		10.8		
City of Jamestown Board of Public Utilities	5	0		8.2		0.0		3.5		
Cleartel Communications, Inc.	5	0		2.8		0.0		87.3		
Columbia Utilities, LLC	4	1		0.2		0.0		0.0		
Comcast Cable of New York - CATV	3	1		12.0		0.0		7.0		
Comcast Cable of New York - LEC	1	0		0.0		0.0		0.0		
Comcast Telecommunications, Inc.	1	0		0.0		0.0		2.0		
Commerce Energy, Inc	0	0		0.0		0.0		43.0		
Communicate Technological Systems, CTS	0	0		0.0		0.0		135.0		
Communications Network Billing, Inc.	0	0		0.0		0.0		84.8		
Con Edison Solutions	3	0		4.0		0.0		0.0		
Consumer Telcom, Inc.	2	1		17.5		7.0		5.0		
Convergent Communications, Inc.	0	0		33.0		0.0		0.0		
Conversent Communications of New York, I	1	0		0.0		0.0		34.0		
CornerStone Telephone Company, LLC.	0	0		20.5		0.0		0.0		
Corning Natural Gas Corp.	3	0		4.0		0.0		0.0		
Covista Communications, Inc.	2	0		16.0		0.0		24.5		
CTC Communications Corp.	0	0		0.0		0.0		86.0		
DavelTel, Inc.	0	0		0.0		0.0		96.0		
Direct Energy Services LLC	5	0		8.3		0.0		24.0		
DSLnet Communications, LLC.	0	0		0.0		0.0		8.0		
Dutchess Estates	0	0		0.0		0.0		36.0		
Econnergy	5	2		11.7		0.0		-2.0		
Empire Payphones, Inc	0	0		0.0		0.0		91.0		
Empire Telephone Corp.	1	0		0.0		0.0		0.0		
Energetix, Inc.	4	0		3.2		0.0		1.0		
Energy Service Providers, Inc.	0	0		4.0		0.0		0.0		

## Customer Service Response Index October 2006

<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>
Eureka Telecom, LLC	0	0		0.0		0.0		186.3		
Excel Telecommunications, Inc.	1	0		11.7		0.0		0.0		
Fairfield Towers Condominium Corporation	0	0		0.0		0.0		171.2		
FFC Energy	0	1		22.0		0.0		171.3		
Fisher Island Electric	0	0		0.0		0.0		63.0		
Forest Park Water Co. Inc.	0	0		0.0		0.0		82.0		
Frontier Communications of NY/fka Highlan	1	0		0.0		0.0		0.0		
Frontier Communications of Sylvan Lake, Ir	1	0		14.0		0.0		0.0		
Frontier Communications of the West, Inc	0	0		0.0		0.0		36.0		
GE Business Productivity Solutions, Inc. d/t	0	1		4.0		0.0		0.0		
Global Network Comms.	0	0		0.0		0.0		202.5		
Granite Telecommunications, LLC	1	0		0.0		0.0		7.0		
Great Eastern Energy	0	0		0.0		0.0		106.0		
Heritage Springs Water Works, Inc.	0	0		0.0		0.0		99.0		
ILD Telecommunications, Inc.	1	0		0.0		0.0		274.0		
Infinite Energy, Inc.	4	0		6.3		0.0		22.0		
InfoHighway Solutions	1	1		7.0		0.0		153.0		
Intelecom Solutions, Inc.	3	1		13.0		0.0		25.2		
InterGlobe Communications	0	0		0.0		136.8		0.0		
Interstate Gas Supply of New York, Inc.	1	0		10.5		0.0		0.0		
IP Telesis Inc	0	0		0.0		0.0		72.0		
Keyspan Energy Services, Inc.	0	0		0.0		0.0		150.0		
Kiamesha Artesian Spring Water Co., Inc.	1	0		1.0		0.0		0.0		
Knolls Water Co.	1	0		4.0		0.0		110.0		
Lake Meadows Water Company	0	0		0.0		0.0		40.0		
LDC Telecommunications, Inc.	0	0		0.0		0.0		120.0		
Legacy Long Distance International, Inc.	0	0		0.0		0.0		60.0		
Legent Communications Corporation	1	0		0.0		0.0		1.0		
Level 3 Communications, LLC	2	0		8.0		0.0		47.0		
Liberty Bell Corp.	0	0		0.0		0.0		209.0		
Lightyear Network Solutions, LLC.	0	0		13.0		0.0		0.0		
Local Phone Company	1	0		5.0		0.0		0.0		
Long Distance Consolidated Billing Co.	0	0		11.0		0.0		0.0		
McGraw Communications, Inc.	1	0		0.0		0.0		21.0		
Metro Energy Group, LLC	1	0		0.0		0.0		145.0		
Metropolitan Telecommunications	5	1		5.7		0.0		0.0		
Mid Hudson Cablevision, Inc.	1	0		0.0		0.0		20.0		
Milestone Communications	0	1		26.0		0.0		9.0		
Mx Energy	5	0		12.2		0.0		35.3		
National Aqueous	1	0		0.0		0.0		22.0		
National Fuel Resources	0	0		0.0		0.0		103.0		
NECC Telecom, Inc.	2	0		5.5		0.0		0.0		
New York Water Service	3	1		17.0		0.0		20.3		
Next Gen Telephone Co.	5	3		5.3		3.4		84.0		
NOS Communications, Inc.	1	0		23.0		0.0		0.0		
NYSEG Solutions, Inc.	1	1		3.5		0.0		0.0		
Ogden Telephone	1	1		16.0		15.1		6.0		
One Touch Communications	1	0		0.0		0.0		22.0		
One-to-One Communications	0	1		0.0		0.0		25.0		
Optical Telephone Corporation	0	0		0.0		0.0		75.0		
Optimum Voice	3	0		13.3		0.0		28.3		
Orchard Hill Water Co.	0	0		0.0		0.0		268.3		
Pepco	0	0		0.0		0.0		70.0		
Phipps House Services, Inc	0	1		0.0		0.0		210.3		
PowerNet Global Communications	0	0		0.0		0.0		85.0		
Primus Telecommunications, Inc.	0	0		0.0		0.0		46.0		
Qwest Communications Corporation	1	1		1.0		0.0		20.0		
RCN Telecom Services, Inc.	1	0		9.0		0.0		0.0		
Reconex, Inc. (USTEL/1-800-Reconex)	2	1		4.0		0.0		103.0		
Resdntl Comms. Netwrk of NY	4	0		12.0		0.0		56.0		
River Road Water District	0	0		0.0		0.0		72.0		
Roosevelt Island Associates	0	0		0.0		215.2		0.0		
Saratoga Water Services, Inc.	2	0		3.5		0.0		0.0		
Scott Acres	0	0		0.0		0.0		78.0		
Select Energy	2	0		0.0		0.0		7.0		
SILV Communcation Inc.	1	1		0.0		0.0		1.5		

## Customer Service Response Index October 2006

<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>
Sleepy Hollow Lake Water Co., Inc.	0	0		0.0		6.9		0.0		
Spark Energy, L.P.	7	1		13.2		0.0		35.0		
Spectrotel, Inc.	1	0		0.0		0.0		32.0		
Sprint Communications	6	0		8.0		0.0		22.5		
St. Lawrence Gas	1	0		0.0		0.0		5.0		
Startec Global Licensing Company	1	0		0.0		0.0		8.0		
Steuben Rural Electric Cooperative, Inc.	1	1		7.0		0.0		22.0		
STRATEGIC ENERGY LLC	4	0		9.6		0.0		78.0		
Strategic Power Management, Inc.	0	0		0.0		0.0		79.0		
Stuyvesant Energy, LLC	1	0		0.0		0.0		1.0		
SunRocket, Inc.	0	0		0.0		0.0		50.0		
Supra Telecommunications & Information S	2	0		4.5		0.0		0.0		
Taconic Telephone Corp.	2	0		4.3		0.0		0.0		
Talk America, Inc.	3	0		11.3		0.0		0.0		
TDS Telecom-Oriskany Falls Office	1	0		6.0		0.0		0.0		
Telecon Communications Corp	0	0		0.0		0.0		15.0		
TELEDIAS Communications, Inc.	0	1		18.5		0.0		0.0		
Telemanagement Services, Inc.	1	0		7.0		0.0		0.0		
Teleplex Coin Communications	0	0		0.0		0.0		99.0		
Teletech Inc.	0	0		0.0		0.0		199.0		
Time Warner - Binghamton	1	0		5.0		0.0		1.0		
Time Warner - Rochester Division	2	0		16.0		0.0		29.0		
Time Warner - Syracuse Division	4	1		5.1		0.0		0.0		
Time Warner Telecom	1	0		0.0		0.0		15.0		
Total Call International, Inc.	0	0		0.0		0.0		50.0		
Trinsic	6	3		7.6		14.0		0.0		
Tristate Bell Inc	1	1		1.0		0.0		68.0		
Tri-Tel Communications, Inc.	0	0		0.0		0.0		22.0		
U.S. ENERGY PARTNERS II, LLC/ENVIRC	0	0		0.0		0.0		36.0		
U.S. Gas & Electric, Inc.	1	0		8.5		0.0		0.0		
United American Technology	0	0		0.0		50.3		0.0		
United Communications Systems, Inc.	0	0		0.0		0.0		91.0		
United Systems Access Telecom	0	0		0.0		0.0		68.0		
United Telecom, LLC	1	0		0.0		0.0		0.0		
United Water-New Rochelle	5	0		0.5		0.0		13.0		
United Water-New York	2	1		17.5		0.0		47.5		
Universal Communications, Network, Inc.	0	0		0.0		39.9		0.0		
US Comm Inc.	1	0		0.0		0.0		35.0		
US LEC Communications, Inc.	1	0		15.0		0.0		0.0		
Utility Resource Solutions, L.P.	4	1		13.0		0.0		1.5		
Utility Solutions	1	0		0.0		0.0		13.0		
VarTec Telecom, Inc.	6	2		7.8		0.0		6.0		
Verizon Communications (LD)	2	1		23.5		0.0		56.0		
Verizon Communications (PayPhones)	1	0		11.9		2.0		0.0		
Village of Frankfort	2	1		3.0		0.0		0.0		
Village of Groton	1	0		1.0		0.0		0.0		
Village of Sherburne Municipal Utility	0	0		0.0		0.0		37.0		
Vonage Communications	1	0		1.0		0.0		0.0		
Windstream New York	1	0		15.0		0.0		0.0		
World-Link Solutions, Inc	4	1		9.0		0.0		18.7		
XChange Telecom	2	0		31.5		0.0		28.2		
XO Communications, Inc.	3	1		8.0		0.0		1.5		
YesTel, Inc.	1	0		0.0		0.0		6.0		
Zenith Information System, Inc.	0	0		0.0		0.0		96.0		

## **Informal Hearings, Shared Meter Cases, Appeals and Rehearings October 2006**

### **Informal Hearing Cases**

At the end of October, there were 100 cases in the Informal Hearing Unit. During this month, 3 complaints were resolved with pre-hearing mediation, 23 informal hearings were scheduled, 5 hearings were postponed, 3 complainants failed to appear for their hearing and 15 hearings were held. Written decisions were issued in 6 informal hearing cases, while another 9 cases were resolved by settlement agreements executed either during the informal hearing or shortly after.

### **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 October there were 266 shared meter complaints pending (173 SMD & 93 SMU). Fifty-four (54) cases were closed<sup>1</sup> and 34 were opened. Further information on the closed cases follows.

The designee reduced the 12-month assessment to the minimum of 25% in 18 cases, between 26% to 50% in 3 cases, and between 51% to 75% in 2 cases. The assessment was sustained in 1 case. In 1 case, the charges billed to the landlord were cancelled because the company did not prove shared meter existed. The designee apportioned the charges between the tenants and landlords in 10 cases involving minimal shared use. In 11 cases, the appeals were denied because they were late.

### **Appeals and Rehearings**

At its October 18, 2006 session, the Commission approved OCS's recommended determination of one rehearing petition. The determination upholds the prior appeal determination in favor of Con Edison.

Six appeals were accepted during October for review. Two appeals involve Con Edison's electric service: in the first, a nonresidential customer seeks rebilling at the utility's voluntary time-of-use rate; in the second, a residential customer, whose cooperative apartment has two separately metered accounts, seeks either combined billing or utility rewiring to permit service to be delivered through a single meter. In a third appeal, a residential customer of KeySpan LI claims he has been overcharged for gas. In a fourth appeal, an interruptible customer disputes charges imposed by KeySpan NY for taking gas during an interruption. In a fifth appeal, a customer seeks year-round water service from Mountain Lodge Park, without customer contribution to costs of installing needed facilities. In a sixth appeal, a residential customer claims Verizon provided inadequate telephone service.

One rehearing petition was received during October regarding a determination partly in favor of National Grid.

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<sup>1</sup> Five were not SMD and three tenants' cases were combined with the landlords' cases.

## Table of Consumer Complaints filed against ESCO's

FULL NAME	2006	Oct-06	Sep-06	Aug-06	Jul-06	Jun-06	May-06	Apr-06	Mar-06	Feb-06	Jan-06
Accent Energy Midwest, LLC	100	9	15	12	10	12	11	15	9	2	5
ACN Energy, Inc.	0	0	0	0	0	0	0	0	0	0	0
Agway Energy Services, LLC	8	1	2	1	0	2	0	0	0	0	2
All American Gas & Energy	0	0	0	0	0	0	0	0	0	0	0
Brown's Fuel	5	0	1	0	0	1	0	1	0	1	1
Columbia Utilities, LLC (fka Columbia E	22	1	0	0	1	0	2	3	4	7	4
Commerce Energy, Inc.	6	0	0	1	1	0	1	1	2	0	0
Con Edison Solutions	4	0	0	1	0	1	1	0	0	0	1
Direct Energy Services, LLC	1	0	1								
Econnergy	12	2	1	0	1	0	1	0	1	3	3
Energetix, Inc.	1	0	0	0	0	0	0	0	0	1	0
FFC Energy	1	1									
Great Eastern Energy	2	0	0	0	0	0	1	0	0	0	1
Hudson Energy Services, LLC.	21	4	4	1	1	0	0	3	1	5	2
IDT Energy, Inc.	51	2	5	8	1	4	4	4	9	7	7
Infinite Energy, Inc.	10	0	0	0	0	2	1	2	3	0	2
Keyspan Energy Services, Inc.	0	0	0	0	0	0	0	0	0	0	0
Liberty Power Corp.	30	8	6	3	2	1	3	1	1	2	3
Metro Energy Group, LLC	1	0	0	0	0	1	0	0	0	0	0
Mirabito Fuel Group Inc.	2	0	0	0	0	0	0	0	2	0	0
MX Energy, Inc. (Total Gas & Electric E	19	0	0	2	0	1	1	7	2	3	3
National Fuel Resources, Inc.	0	0	0	0	0	0	0	0	0	0	0
NOCO Energy Corp.	0	0	0	0	0	0	0	0	0	0	0
NYSEG Solutions, Inc.	2	1	0	0	0	0	0	0	0	1	0
Spark Energy, L.P.	1	1									
Strategic Energy, LLC	3	0	1	0	0	0	0	1	1	0	0
Stuyvesant Energy, LLC	1	0	1								
U.S. Energy Savings Corp.	35	9	5	6	2	1	5	4	2	0	1
U.S. Gas & Electric, Inc.	8	0	0	0	0	1	2	0	3	1	1
Utility Resource Solutions, L.P.	3	1	2	0	0	0	0	0	0	0	0
Total	349	40	44	35	19	27	33	42	40	33	36