

# Monthly Report on Consumer Complaint Activity



## November 2012

*Garry A. Brown, Chairman*

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Office of Consumer Services*

*December 21, 2012  
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December 21, 2012

Dear Readers:

The Office of Consumer Services closely monitors the number and types of complaints received against all utilities operating in New York State. We strive to ensure that utilities fulfill their obligation to provide effective customer service in compliance with the laws, rules, regulations and policies we enforce.

Each month, this report provides an overview of complaint activity and utility responsiveness during the preceding month which is informative to both consumers and utility companies. Specific details regarding the way we measure the companies' activities are described in the section How Utility Complaint Data Is Reported.

The table titled Complaint Activity of New York's Major Utilities reports on the volume of complaints received against the largest utilities in each industry while the table titled Customer Service Response Index reports on the level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction.

The chart, Credit Adjustments Received for Consumers, reflects the amount of refunds or credits customers received as a result of our investigations. The Office of Consumer Services also monitors complaints against the competitive energy service companies (ESCO's) operating in New York. These complaints are reported in two tables; Number of Initial Complaints Received Against ESCO's and Number of Escalated Complaints Received Against ESCO's.

I hope this report is helpful in providing you with a summary of utility complaint activity. If you have any questions, please e-mail [Barry.Bedrosian@dps.ny.gov](mailto:Barry.Bedrosian@dps.ny.gov)

Sincerely,

A handwritten signature in black ink that reads "Sandra S. Sloane".

Sandra S. Sloane  
Director  
Office of Consumer Services



# If You Have a Complaint About Your Utility Service

*If you're having difficulty resolving a dispute with your regulated energy, telephone, cable television or water company, the Public Service Commission staff is available to assist you.*

The Office of Consumer Services takes all utility consumer complaints seriously. You can contact us toll-free by telephone, in writing or via the Internet. When you contact our office with a complaint about a utility or other service provider, we take immediate steps to address your concerns.

After we complete entering the details of your complaint we send your complaint to the utility by e-mail or fax. In an effort to ensure that utilities fulfill their obligation to provide effective customer service, we will first ask your utility to contact you and resolve your concern. If your complaint is related to the provision of service, your utility should contact you within two business hours. If your complaint is related to billing or another matter, the utility should contact you by the close of the following business day.

If the utility does not contact you with its initial acknowledgement, does not provide its response to you within two weeks or the matter remains unresolved after you have received a response, you can contact us. We will then further investigate the matter and notify you in writing or by telephone of the decision and the reasons for the decision.

If you believe the initial decision is wrong, you can request an informal hearing. This request may be in writing and made within 15 days of the initial decision. You may be asked to submit certain documents to support your position. If you and the utility are unable to settle the complaint, the hearing officer will make a decision on your complaint and notify you in writing of the decision.

If you believe that the informal hearing officer's decision was wrong, you can appeal it within 15 days of the decision to the Public Service Commission. Your appeal must be in writing and must contend that there was an error made by the hearing officer that affected the decision or that evidence not previously available would affect the decision. The Commission will make a decision on the appeal and notify you in writing of their decision.

If you have a complaint about your utility service you may contact us thru one of the following avenues:

<b>By Telephone</b>	Monday thru Friday 8:30am – 4:00pm	800-342-3377
<b>Via the Internet</b>	24 hours a day	<a href="http://www.dps.ny.gov">www.dps.ny.gov</a> <i>Click the Consumer Assistance Link</i>
<b>In Writing</b>	Please be sure to include as much detail as possible, including your account number, service address, telephone number and the specifics of your complaint.	NYS Public Service Commission Office of Consumer Services Three Empire State Plaza Albany, NY 12223-1350



# How Utility Complaint Data is Reported

*The Office of Consumer Services reports complaint data by volume and by responsiveness. A complaint rate is used to compare small utilities to large utilities. A response index is used to measure how well utilities address consumer complaints we forwarded to them.*

The Office of Consumer Services closely monitors the number and types of complaints received against all utilities operating in New York State. We expect utility companies to be highly responsive to their customers' needs, especially when the customer feels that it is necessary to seek the assistance of the Public Service Commission staff. Each month, this report provides an overview of complaint activity and utility responsiveness which we believe is informative to both consumers and utility companies.

The table titled **Complaint Activity of New York's Major Utilities** reports on the volume of complaints received against the largest utilities in each industry. These utility companies vary in size from just over 10,000 customers to several million customers. Therefore, in order to compare complaint volumes among companies, a complaint rate per 100,000 customers is displayed. This allows the reader to compare the complaints of a large company to that of a small company.

There are two measures of complaints which are reported each month. At first all complaints are recorded and forwarded to the utility for resolution directly with the customer. These are noted as initial complaints (QRS) in the table titled **Complaint Activity of New York's Major Utilities**. If the customer informs us that the utility failed to satisfy their complaint the matter is escalated for further handling and investigation by staff and is noted as escalated complaints (SRS). Both numbers are converted into a complaint rate which allows the reader to compare performance regardless of the size of a company's customer base. The escalation rate is a measure of how successful a utility is in satisfying their customer upon receipt of an initial complaint made through the Office of Consumer Services. The 12 month complaint rate is often used as one of several customer service measures that may be taken into consideration when staff monitors the quality of customer service delivered by an individual utility. This rate represents the average number of escalated complaints received per month per 100,000 customer accounts.

The table titled **Customer Service Response Index** (CSRI) reports on the level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction. The Customer Service Response Index is determined by measuring four metrics. Complete CSRI data is posted on the first page of the report for those service providers that average ten or more initial complaints per month. For all other service providers, the performance in each area is reported on subsequent pages of the table, less the actual index measures because the index measures for companies with fewer than ten initial complaints have been found to show significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service provider's performance. If a company is not listed in a particular monthly report it is because there was no activity for the company in the reporting month.

The **Index** is determined by measuring four metrics:

*The Consumer Satisfaction Metric (CSM)* is a ratio of the number of initial complaints to the number of escalated complaints in the reporting month. A score of 5 points are awarded when a service provider receives no initial 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 Complaint Response Time Metric (CRM)* is the average number of days it took the service provider to respond to initial complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for initial complaints is 14 days or less. No points are earned if the average response time for initial complaints is more than 28 days (twice the acceptable reply standard).

*The Escalated Complaint Response Time Metric (ERM)* is the average number of days it took the service provider to respond to escalated complaints closed in the reporting month. A score of 2 points is awarded when a service provider's average response time for escalated complaints is 10 days or less. No points are earned if the average response time for escalated complaints is more than 25 days (two weeks past due).

*The Pending Case Metric (PCM)* is the average age of all cases awaiting response, determined on the last day of the reporting month. A score of 1 point is awarded when a service providers' average age of all cases is 14 days or less. No points are earned if the average age of all cases exceeds 70 days (two months delinquent). A negative score is applied if the average age of all cases is over 70 days.

# COMPLAINT ACTIVITY OF NEW YORK'S MAJOR UTILITIES

## November 2012

Utility Companies	Initial Complaints (QRS)		Escalated Complaints (SRS)		Escalation Rate	12 Month Escalated Complaint Rate
	No.	Rate*	No.	Rate*		
Central Hudson Gas & Electric Corp.	54	17.7	2	0.7	4%	0.2
Con Edison of New York	1387	35.7	43	1.1	3%	1.2
National Grid - L I	57	10.2	2	0.4	4%	0.4
New York State Electric & Gas Corp.	101	10.2	2	0.2	2%	0.2
National Grid-Upstate	139	8.3	8	0.5	6%	0.4
Orange & Rockland	257	114.4	0	0.0	0%	0.5
Rochester Gas & Electric Corp.	29	7.2	1	0.2	3%	0.4
National Grid-Metro NY	71	5.8	5	0.4	7%	0.5
National Fuel Gas Distribution	39	7.6	0	0.0	0%	0.0
Citizens Communications	7	3.6	1	0.5	14%	0.3
Frontier Communications of NY	0	0.0	0	0.0	0%	0.0
Frontier Telephone of Rochester, Inc.	6	2.3	0	0.0	0%	0.2
Windstream Communications, Inc.	1	1.8	0	0.0	0%	0.5
Verizon Communications	440	8.9	52	1.0	12%	1.3
AT&T	25		6		24%	
Optimum Voice	9		0		0%	
Time Warner ResCom of New York, LLC	21		3		14%	
Verizon Digital Voice	31		3		10%	
Cablevision Systems	68		3		4%	
Time-Warner Cable	194		13		7%	
Verizon New York, Inc. (CATV)	6		1		17%	
Long Island Water Corp.	7	9.5	0	0.0	0%	1.0
United Water - New Rochelle	2	6.4	0	0.0	0%	5.6
United Water - New York	11	15.0	3	4.1	27%	3.5
United Water - Westchester	0	0.0	0	0.0	0%	2.0

All complaint rates are based on December 2011 customer populations.

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

This table reports on the volume of complaints received against the largest utilities in each industry.

**Initial Complaints (QRS)** - This is the number (No.) of complaints we receive and forward to the utility company for resolution directly with the customer and the corresponding complaint rate (Rate) per 100,000 customer accounts.

**Escalated Complaints (SRS)** - This is the number (No.) of complaints that we escalated for further handling and investigation because the customer informed us that the utility failed to satisfy their initial complaint after we forwarded the initial complaint to the utility. The corresponding escalated complaint rate (Rate) per 100,000 customer accounts allows the reader to compare one utility to another regardless of the number of customer accounts.

**Escalation Rate** - This is a measure of how successful a utility is in satisfying their customer upon receipt of an initial complaint made through the Office of Consumer Services. The lower the rate the more successful the utility was in resolving initial complaints directly with the customer.

**12 Month Escalated Complaint Rate** - This rate represents the average number of escalated complaints received per month per 100,000 customer accounts. This is often used as one of several customer service measures that may be taken into consideration when staff monitors the quality of customer service delivered by an individual utility.

## Customer Service Response Index November 2012

<b>Service Provider</b>	<b>Initial Complaints</b>	<b>Escalated Complaints</b>	<b>CSM Index</b>	<b>Complaint Response Time</b>	<b>CRM Index</b>	<b>E. Complaint Response Time</b>	<b>ERM Index</b>	<b>Avg. Age of Cases Pending</b>	<b>PCM Index</b>	<b>CSRI</b>
Orange & Rockland	257	0	4.9	2.0	2.0	1.0	2.0	16.5	0.9	10.0
National Fuel Gas Distribution	39	0	5.0	6.9	2.0	0.2	2.0	2.0	1.0	10.0
Cablevision of New York City	10	0	5.0	7.9	2.0	0.0	2.0	13.0	1.0	10.0
Rochester Gas & Electric Corp.	29	1	4.7	7.3	2.0	7.0	2.0	7.7	1.0	9.7
Cablevision of Long Island	44	2	4.5	7.2	2.0	7.0	2.0	11.1	1.0	9.5
National Grid - Upstate	139	8	4.4	7.3	2.0	5.8	2.0	14.1	0.9	9.3
Central Hudson Gas & Electric Corp.	54	2	4.6	9.1	2.0	12.7	1.8	14.3	0.9	9.3
Time Warner - Albany	33	2	4.4	16.7	1.7	0.0	2.0	11.6	1.0	9.1
Time Warner - New York City	116	6	4.5	17.3	1.6	10.0	2.0	19.2	0.9	9.0
Verizon Digital Voice	31	3	4.0	6.8	2.0	7.1	2.0	4.0	1.0	9.0
National Grid - Metro Ny	71	5	4.3	7.1	2.0	9.0	2.0	33.2	0.6	8.9
New York State Electric & Gas Corp.	101	2	4.8	3.1	2.0	21.7	0.8	3.3	1.0	8.6
Time Warner - Buffalo	17	1	4.4	21.3	1.2	0.0	2.0	9.8	1.0	8.6
Time Warner - Syracuse Division	21	3	3.6	14.5	1.9	8.3	2.0	13.6	1.0	8.5
Verizon Communications	440	52	3.8	9.4	2.0	15.0	1.6	16.7	0.9	8.3
National Grid - L I	57	2	4.6	5.1	2.0	22.2	0.6	10.1	1.0	8.2
Time Warner ResCom of New York,LLC	21	3	3.6	17.4	1.6	11.1	1.9	17.7	0.9	8.0
AT&T	25	6	2.6	6.2	2.0	4.6	2.0	4.4	1.0	7.6
Con Edison of New York	1387	43	4.7	10.7	2.0	38.3	0.0	27.7	0.7	7.4
United Water-New York	11	3	2.3	11.9	2.0	0.0	2.0	26.6	0.7	7.0

*This table reports on the current level of customer service and responsiveness delivered by each service provider under the Commission's jurisdiction. The Customer Service Response Index is determined by measuring four metrics. Complete CSRI data is posted on the first page of the report for those service providers that average ten or more initial complaints per month. For all other service providers, the performance in each area is reported on subsequent pages of the table, less the actual index measures because the index measures for companies with fewer than ten initial complaints have been found to show significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service provider's performance. If a company is not listed on this report it is because there was no activity for the company in the reporting month. Below is an explanation of the data in each column.*

**Initial Complaints** - This is the number of initial complaints we receive and forward to the utility company for resolution directly with the customer.

**Escalated Complaints** - This is the number of complaints that we escalated for further handling and investigation because the customer informed us that the utility failed to satisfy their initial complaint after we forwarded the initial complaint to the utility.

**CSM Index** - The Consumer Satisfaction Index scores the ratio of the number of initial complaints to the number of escalated complaints in the reporting month. A score of 5 points are awarded when a service provider receives no escalated 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.

**Complaint Response Time** - This is the average number of days it took for a utility to respond to initial complaints in the reporting month.

**CRM Index** - The Complaint Response Time Index scores the service providers responsiveness to initial complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for initial complaints is 14 days or less. No points are earned if the average response time for initial complaints is more than 28 days (twice the acceptable reply standard).

**E. Complaint Response Time** - This is the average number of days it took for a utility to respond to escalated complaints in the reporting month.

**ERM Index** - The Escalated Complaint Response Time Index scores the service providers responsiveness to escalated complaints closed in the reporting month. A score of 2 points is awarded when a provider's average response time for escalated complaints is 10 days or less. No points are earned if the average response time for escalated complaints is more than 25 days (two weeks past due).

**Avg. Age of Cases Pending** - This is the average age of all the cases awaiting a response from the service provider.

**PCM Index** - The Pending Case Index scores the average age of all cases awaiting response by the service provider. A score of 1 point is awarded when a service providers' average age of all cases is 14 days or less. No points are earned if the average age of all cases exceeds 70 days (two months delinquent). A negative score is applied if the average age of all cases is over 70 days.

**CSRI** - The Customer Service Response Index is the overall score received by the service provider. It is the sum of the four indices.



## Customer Service Response Index November 2012

<b>Service Provider</b>	<b>Initial Complaints</b>	<b>Escalated Complaints</b>	<b>CSM Index</b>	<b>Complaint Response Time</b>	<b>CRM Index</b>	<b>E. Complaint Response Time</b>	<b>ERM Index</b>	<b>Avg. Age of Cases Pending</b>	<b>PCM Index</b>	<b>CSRI</b>
3462 Third Avenue Owner Realty LLC	0	0		0.0		0.0		173.0		
430 Realty LLC	0	0		0.0		0.0		162.0		
Accent Energy Midwest, LLC	2	0		8.0		0.0		1.0		
Access Point, Inc.	0	0		0.0		0.0		73.0		
Alpha Gas And Electric, Llc	6	0		0.6		0.0		15.0		
Ambit Energy	9	0		2.8		0.0		3.0		
Ap Gas & Electric (ny), Llc	2	0		23.5		0.0		8.0		
Automatic Meter Reading, Inc	0	0		0.0		0.0		50.0		
Bath Municipal Electric & Gas	1	0		0.0		0.0		21.0		
Berkshire Telephone Corp.	1	0		0.0		0.0		1.0		
Bethel Water Company, Inc.	0	0		0.0		0.0		0.0		
Birch Communications, Inc.	1	0		34.0		0.0		3.0		
Boniville Water Co. Inc.	1	0		0.0		0.0		18.0		
Broadview Networks	7	0		18.6		4.9		11.0		
Brown's Fuel	4	0		9.2		7.2		1.0		
BTI Communications, Inc. d/b/a TELZEO Cc	2	1		10.5		4.0		0.0		
C&C Affordable Management LLC	0	0		0.0		0.0		444.0		
Cablevision - MediaOne - Rockland	2	1		5.7		11.1		0.0		
Cablevision - MediaOne - Westchester	1	0		12.9		0.0		0.0		
Cablevision Lightpath, Inc.	4	1		10.0		5.1		0.0		
Cablevision of Brookhaven	1	0		0.0		0.0		8.0		
Cablevision of Dutchess County	0	0		0.0		0.0		0.0		
Cablevision of Port Chester	1	0		0.0		0.0		1.0		
Cablevision of Rockland	3	0		3.4		0.0		0.0		
Cablevision of Rockland/Ramapo, Inc.	0	0		0.0		0.0		0.0		
Cablevision of Southern Westchester	2	0		7.0		0.0		0.0		
Cablevision of Westchester	4	0		9.1		0.0		12.0		
CBS Corporation	0	0		0.0		0.0		68.0		
Central Telecom Long Distance, Inc.	1	0		13.0		0.0		0.0		
Charter Communications	0	0		15.0		0.0		96.0		
Citizens Choice Energy, LLC	1	0		20.3		0.0		0.0		
Citizens Communications	7	1		6.2		4.8		4.0		
City of Salamanca Electric	0	0		39.0		0.0		0.0		
City Power & Gas, LLC	0	1		23.2		0.0		44.0		
Collins Yonkers II LLC	0	0		0.0		0.0		77.0		
Comcast Cable of New York - CATV	2	0		2.5		0.0		0.0		
Comcast Phone of New York, LLC D/B/A Co	1	0		1.0		0.0		0.0		
Cooper Square Realty	0	0		0.0		0.0		357.5		
CTC Communications Corp.	1	1		18.0		0.0		15.0		
Deposit Telephone	1	0		3.0		0.0		0.0		
DigiZip.Com, Inc.	1	0		1.0		0.0		0.0		
Direct Energy Services LLC	2	0		9.0		0.0		1.0		
Dutchess Estates	1	0		0.0		0.0		17.0		
Energetix, Inc.	1	0		2.0		0.0		0.0		
Energy Plus Holdings LLC	3	0		16.0		0.0		17.0		
Family Energy, Inc.	8	0		8.4		11.0		3.0		
Frontier Communications of Rochester, Inc.	1	0		0.0		0.0		2.0		
Frontier Telephone of Rochester, Inc.	6	0		3.1		0.0		2.5		
Gateway Energy Services Corp.	4	0		15.8		0.0		2.0		
Green Mountain Energy	1	0		10.0		0.0		646.0		
Greenlight Energy Inc.	2	0		0.0		0.0		12.0		
Grenadier Realty Corp	0	0		0.0		0.0		40.0		
Gumley Haft	0	0		0.0		0.0		138.0		
Hiko Energy, Llc	1	0		7.0		0.0		115.0		
Hopewell Service Corporation	0	0		0.0		0.0		500.0		
Hudson Energy Services, Llc	0	0		0.0		0.0		64.0		
IDT America Corp.	5	3		19.2		0.0		2.5		
IDT Energy, Inc.	4	1		4.5		0.1		0.0		
ILD Telecommunications, Inc.	0	0		34.0		0.0		0.0		
Just Energy New York Corp	7	2		16.5		0.0		4.7		
Kiwi Energy Inc.	1	0		8.5		6.8		0.0		
Liberty Power Corp.	3	1		29.2		16.7		33.6		
Long Island Water Corporation D/b/a Long	7	0		2.6		0.0		82.5		
Matrix Telecom, Inc Dba Trinsic Comm. Dbc	2	0		0.0		0.0		1.0		
MCI	2	0		4.0		0.0		0.0		
Meadow Wood at Gateway	0	0		0.0		0.0		287.5		
Metro Loft Management	0	0		0.0		0.0		162.0		
Metropolitan Telecommunications	2	1		26.6		0.0		71.1		
Mountain Lodge Park Water Corp.	0	0		0.0		0.0		0.0		
Mpower Energy LLC	8	1		15.0		12.8		26.5		
New York Coin Telephone Company, Inc.	0	0		0.0		0.0		648.0		

## Customer Service Response Index November 2012

<b>Service Provider</b>	<b>Initial Complaints</b>	<b>Escalated Complaints</b>	<b>CSM Index</b>	<b>Complaint Response Time</b>	<b>CRM Index</b>	<b>E. Complaint Response Time</b>	<b>ERM Index</b>	<b>Avg. Age of Cases Pending</b>	<b>PCM Index</b>	<b>CSRI</b>
NextEra Energy Resources, LLC	1	0		0.0		0.0		1.0		
North Energy LLC	1	0		23.0		0.0		0.0		
NorthEastern Energy Corporation	0	0		0.0		0.0		290.0		
NYSEG Solutions, Inc.	2	0		1.0		0.0		8.0		
Ontario Telephone	1	0		0.0		0.0		10.0		
Optimum Voice	9	0		7.1		0.0		25.2		
Penelec (A First Energy Company)	1	0		0.0		0.0		3.0		
Planet Energy (NY) Corp.	0	0		14.0		0.0		0.0		
Plymouth Rock Energy LLC	7	0		4.2		0.0		6.7		
Public Power Llc	1	0		0.0		0.0		5.0		
Queens Fresh Meadow Electric	0	0		0.0		0.0		194.0		
Rcn Telecom Services Of New York, Lp F/k/	1	0		4.0		0.0		0.0		
Resdntl Comms. Netwrk of NY	0	0		20.0		0.0		0.0		
Riverview II Preservation Lp	0	0		0.0		0.0		233.0		
Roosevelt Island Associates	0	0		0.0		0.0		624.0		
SBR Energy, LLC	0	0		0.0		0.0		75.0		
Sea Park West Lp	0	1		0.0		0.0		88.0		
South Bay Energy Corp.	0	0		21.0		0.0		0.0		
Spark Energy, L.P.	1	0		8.0		0.0		62.5		
Spectrotel, Inc.	0	0		0.0		24.2		0.0		
Sprint Communications	1	0		3.0		0.0		0.0		
St. Lawrence Gas	2	1		6.5		0.9		0.0		
Stage 2 Networks, LLC	1	0		0.0		0.0		22.0		
Startec Global Licensing Company	0	0		0.0		0.0		38.5		
Taconic Telephone Corp.	0	0		15.0		0.0		0.0		
TDS Telecom-Port Byron Office	1	0		9.0		0.0		0.0		
TeleDias Communications, Inc.	1	0		1.0		0.0		0.0		
Teleplex Coin Communications	0	0		0.0		0.0		130.0		
The Chaffe Water Works Company	0	0		13.0		0.0		60.0		
The Future Condominium	0	0		0.0		0.0		801.3		
Time Warner - Rochester	7	1		23.5		10.1		42.9		
Touchtone Communications	1	0		0.0		0.0		5.0		
Tristate Bell Inc	4	2		10.7		0.0		52.6		
United Energy Supply Corporation	0	1		14.0		0.0		0.0		
United Water Westchester Inc.	0	0		0.0		0.0		128.0		
United Water-New Rochelle	2	0		1.0		0.0		67.9		
Utility Expense Reduction LLC	6	0		6.0		0.0		1.0		
VarTec Telecom, Inc.Dba Trinsic Dba Matrix	1	0		4.0		0.0		0.0		
Verizon New York Inc.	6	1		13.0		13.1		4.0		
Village of Arcade	0	0		0.0		0.0		121.0		
Village of Endicott	1	0		3.0		0.0		0.0		
Village of Freeport Electric	2	0		5.5		0.0		0.0		
Village of Hamilton Municipal Utilities Comm	1	0		2.0		0.0		0.0		
Village of Penn Yan	0	1		34.0		0.9		0.0		
Village of Rockville Centre Inc.	1	0		0.0		0.0		0.0		
Viridian Energy NY, LLC	1	0		24.0		0.0		0.0		
Watertree of Dewitt HOA, Inc.	0	0		0.0		0.0		141.0		
White Knight Management, LLC	3	0		0.0		0.0		18.7		
Windstream Communications, Inc.	1	0		0.0		0.0		50.0		
XChange Telecom	9	0		1.1		0.0		38.0		
XO Communications, Inc.	2	0		1.5		0.0		0.0		

**2012**  
**Credit Adjustments Received**  
**For Consumers**

*As a result of our investigation into consumers' complaints, when staff determines that a consumer was overbilled, the utility is directed to refund to the consumer, any monies it collected above and beyond what was allowed by tariffs, rules and regulations.*

*The chart below identifies the credits obtained on behalf of consumers.*

	<b>Total</b>	<b>Consumers</b>
Jan-12 \$	273,258.75	115
Feb-12 \$	242,397.38	110
Mar-12 \$	115,500.48	101
Apr-12 \$	160,978.59	128
May-12 \$	536,807.28	118
Jun-12 \$	191,861.14	171
Jul-12 \$	614,578.27	148
Aug-12 \$	440,452.42	129
Sep-12 \$	237,993.70	115
Oct-12 \$	485,171.36	134
Nov-12 \$	454,817.65	56
Dec-12 \$	-	-
<b>2012 Total</b> \$	<b>3,753,817.02</b>	<b>1325</b>

### Number of Initial Complaints Received Against ESCO's

CODE	FULL NAME	2012	2011	Nov-12	Oct-12	Sep-12	Aug-12	Jul-12	Jun-12	May-12	Apr-12	Mar-12	Feb-12	Jan-12	Dec-11	Nov-11
5567AB	ABN Energy, LLC DBA Great Energy	2	0	0	1	0	0	0	0	0	0	0	1	0	0	0
D128	Accent Energy Midwest, LLC	28	28	2	2	2	2	1	1	1	5	3	7	2	1	0
D249	Affordable Power, L.P.	19	3	0	0	1	0	1	4	2	2	4	2	3	0	0
D001	Agway Energy Services, LLC	16	41	0	2	2	0	3	0	0	3	2	2	2	2	1
5435AL	Allied Consolidated Energy, LLC	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
5985AL	Alpha Gas and Electric, LLC	6	1	6	0	0	0	0	0	0	0	0	0	0	0	0
D230	Ambit Energy	79	62	9	6	9	8	9	4	4	9	9	6	6	8	6
D002	Amerada Hess Corp.	2	1	0	0	0	0	1	0	0	0	1	0	0	0	0
D240	Ameristar Energy, LLC	1	1	0	0	0	0	0	0	0	1	0	0	0	0	0
6023AP	AP Gas & Electric	14	2	2	3	1	1	0	1	0	0	2	3	1	0	2
D222	BluCo Energy, LLC	7	4	0	0	0	2	0	1	1	1	2	0	0	0	1
D217	BlueRock Energy, Inc.	0	3	0	0	0	0	0	0	0	0	0	0	0	2	0
D113	Brown's Fuel	49	32	4	6	8	6	9	1	3	1	3	3	5	2	0
5246BU	Buy Energy Direct, LLC	3	2	0	1	0	2	0	0	0	0	0	0	0	0	1
D262	Censtar Energy Corp.	3	2	0	1	0	1	1	0	0	0	0	0	0	1	1
5773CH	Chief Energy Power, LLC	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0
5325CI	Citizens Choice Energy, LLC	51	33	1	4	5	9	6	3	3	6	2	5	7	4	5
5592CI	City Power & Gas, LLC	15	7	0	5	4	0	0	1	1	1	0	1	2	0	1
D238	Clearview Energy, Inc.	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0
D231	Columbia Utilities Power, LLC - elec	7	31	0	1	0	0	1	0	0	0	2	1	2	0	2
D040	Columbia Utilities, LLC - gas	6	13	0	0	0	0	0	0	2	1	1	1	1	0	1
D086	Con Edison Solutions	5	4	0	0	0	1	0	0	2	0	1	0	1	0	0
D084	Constellation NewEnergy	4	0	0	0	1	1	2	0	0	0	0	0	0	0	0
5308DI	Direct Energy Business, LLC	4	11	0	0	1	1	0	0	0	0	0	2	0	1	1
D176	Direct Energy Services, LLC	33	35	2	1	2	6	4	5	2	3	3	2	3	2	0
D251	Discount Energy, LLC	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
D256	East Coast Power, LLC	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0
D087	Energetix, Inc.	5	12	1	0	0	0	0	0	0	1	3	0	0	0	1
D183	Energy Cooperative of New York	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
6031EN	Energy Discounters, LLC	1	1	0	0	1	0	0	0	0	0	0	0	0	1	0
D243	Energy Plus Holdings	45	127	3	4	2	3	2	0	2	4	4	6	15	4	8
D137	Energy Service Providers, Inc.	2	0	0	0	0	0	0	1	1	0	0	0	0	0	0
5424EN	Energy Solutions Co. LLC	1	2	0	0	0	0	0	0	0	1	0	0	0	0	0
4920FA	Family Energy, Inc.	77	40	8	7	5	14	8	11	8	5	3	2	6	4	3
4664FR	Frontier Utilities	0	12	0	0	0	0	0	0	0	0	0	0	0	0	1
D046	Gateway Energy fka Econergy	65	27	4	5	2	7	1	6	8	4	9	12	7	3	4
D104	Great Eastern Energy	3	23	0	0	1	1	0	0	1	0	0	0	0	5	2
4877GR	Greenlight Energy, Inc.	14	9	2	2	2	1	2	1	0	1	0	1	2	1	1
D127	Green Mountain Energy	10	5	1	0	4	1	0	1	0	1	1	0	1	0	1
5112GR	Gridway Energy Corp.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
4925GR	Griffith Energy, Inc.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
D254	High Rise Energy Group, LLC	13	6	0	1	1	2	2	0	1	1	1	0	4	0	0
5302PR	Hiko Energy, LLC	171	79	1	12	11	5	8	14	22	12	32	26	28	21	13
D120	Hudson Energy Services, LLC.	17	68	0	0	1	3	2	1	2	0	4	1	3	0	0
D177	IDT Energy, Inc.	73	64	4	10	8	10	6	3	14	3	6	2	7	5	6
6130IN	Independence Energy Group, LLC	3	1	0	0	0	1	0	0	0	1	1	0	0	1	0
D167	Infinite Energy, Inc.	3	6	0	0	1	0	0	0	0	2	0	0	0	0	1
D188	Interstate Gas Supply of New York, Inc.	2	4	0	0	0	1	0	0	0	0	0	1	0	1	0
5009JJ	JJT Energy, LLC	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0
D213	Just Energy (fka U.S. Energy Savings Cor	142	180	7	16	13	13	10	17	13	22	13	10	8	5	10
6646KI	Kiwi Energy Inc.	10	0	1	3	1	2	0	2	1	0	0	0	0	0	0
5520LE	Lexington Power & Light, LLC.	4	1	0	0	1	0	0	1	0	0	0	0	2	0	0
D117	Liberty Power Corp.	176	26	3	15	21	41	22	29	21	10	6	1	7	1	2
D060	Main Care Energy	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0

### Number of Initial Complaints Received Against ESCO's

CODE	FULL NAME	2012	2011	Nov-12	Oct-12	Sep-12	Aug-12	Jul-12	Jun-12	May-12	Apr-12	Mar-12	Feb-12	Jan-12	Dec-11	Nov-11
D214	Major Energy Services, LLC	14	38	0	2	1	0	1	2	3	0	0	0	5	3	2
6007MA	Marathon Energy Corp.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
D267	Mpower Energy LLC	111	7	8	4	6	7	10	14	18	16	13	7	8	4	2
D032	MX Energy, Inc.	20	59	0	1	0	0	1	1	1	3	1	4	8	3	1
D021	National Fuel Resources	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0
5388NE	New Energy Services, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
4987NE	NextEra Energy Resources, LLC	2	1	1	0	1	0	0	0	0	0	0	0	0	1	0
D148	Noco Natural Gas, LLC	1	1	0	0	0	0	0	0	0	0	0	1	0	0	0
D239	NorthEastern Energy Corp.	4	0	0	0	0	0	0	0	0	0	0	3	1	0	0
5479NO	North Energy LLC	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
D103	NYSEG Solutions, Inc.	10	24	2	1	1	1	1	2	1	0	0	0	1	1	3
4921OA	Oasis Power, LLC	25	29	0	0	3	3	1	4	2	3	2	2	5	2	1
5637PL	Planet Energy (NY) Corp.	16	0	0	3	0	3	1	1	1	0	0	5	2	0	0
D171	Plymouth Rock Energy, LLC	29	8	7	1	3	3	1	3	1	1	3	1	5	2	0
D263	Public Power & Utility of NY	17	2	1	0	0	0	1	4	1	2	4	2	2	0	0
D093	Robison Energy of Westchester	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5370SB	SBR Energy, LLC	24	23	0	2	3	14	5	0	0	0	0	0	0	0	3
5481SJ	SJ Energy Partners	3	0	0	0	0	1	2	0	0	0	0	0	0	0	0
D160	S.J. Fuel Co., Inc.	3	2	0	0	0	0	0	1	0	1	1	0	0	0	0
4976SM	Smart One Energy, LLC	3	4	0	0	1	0	0	0	1	0	0	1	0	1	0
6216SO	South Bay Energy Corp.	2	0	0	1	0	0	0	0	1	0	0	0	0	0	0
D186	Spark Energy, L.P.	24	62	1	2	2	1	3	2	2	1	5	0	5	6	4
5463ST	Starion Energy NY, Inc.	1	11	0	0	0	0	1	0	0	0	0	0	0	1	0
D162	Suez Energy Resources Na, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D223	Titan Gas, LLC	3	12	0	0	0	0	0	1	0	1	0	0	1	1	0
D119	U.S. Gas & Electric, Inc.	20	49	0	3	3	4	2	2	0	1	1	2	2	0	2
6008UN	United Energy Supply Corp.	6	0	0	1	0	0	0	1	2	0	2	0	0	0	0
5461UT	Utility Expense Reduction LLC	31	4	6	7	1	4	2	0	1	2	6	1	1	0	0
5391VI	Viridian Energy NY, LLC	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	Total	1570	1356	89	137	138	187	133	146	151	132	158	128	171	101	94

ESCO's with no complaints on file since January 2011 are not listed on this report.

**Number of Escalated Complaints Received Against ESCO's**

CODE	FULL NAME	2012	2011	Nov-12	Oct-12	Sep-12	Aug-12	Jul-12	Jun-12	May-12	Apr-12	Mar-12	Feb-12	Jan-12	Dec-11	Nov-11
D128	Accent Energy Midwest, LLC	4	1	0	0	0	0	0	1	1	1	1	0	0	0	0
D249	Affordable Power, L.P.	3	0	0	0	0	0	1	0	0	0	1	1	0	0	0
D001	Agway Energy Services, LLC	4	7	0	1	0	1	0	0	0	1	0	1	0	0	1
D230	Ambit Energy	10	8	0	1	2	1	0	1	1	1	2	0	1	1	0
D002	Amerada Hess Corp.	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0
6023AP	AP Gas & Electric (NY), LLC	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
D222	BluCo Energy, LLC	2	2	0	0	0	0	0	0	0	0	1	0	1	0	0
D217	BlueRock Energy, Inc.	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
D113	Brown's Fuel	6	4	0	1	0	2	0	1	0	0	2	0	0	0	0
5246BU	Buy Energy Direct, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5325CI	Citizens Choice Energy, LLC	3	1	0	0	0	0	0	0	0	1	0	0	2	0	0
5592CI	City Power & Gas, LLC	3	0	1	1	1	0	0	0	0	0	0	0	0	0	0
5773CH	Chief Energy Power, LLC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D231	Columbia Utilities Power, LLC - elec	1	3	0	0	0	0	0	0	0	0	1	0	0	0	0
D040	Columbia Utilities Power, LLC - gas	2	2	0	0	0	0	0	1	0	0	1	0	0	0	0
D086	Con Edison Solutions	1	1	0	0	0	0	0	0	1	0	0	0	0	0	0
5308DI	Direct Energy Business, LLC	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
D176	Direct Energy Services, LLC	3	2	0	0	0	0	0	1	0	1	1	0	0	0	0
D087	Energetix, Inc.	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
D243	Energy Plus Holdings, LLC	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
4920FA	Family Energy, Inc.	2	1	0	0	1	0	0	0	0	0	1	0	0	0	0
4664FR	Frontier Utilities	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D046	Gateway Energy fka Econnergy	7	2	0	1	0	0	0	0	0	3	2	1	0	1	1
D104	Great Eastern Energy	0	2	0	0	0	0	0	0	0	0	0	0	0	2	0
D127	Green Mountain Energy	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
4877GR	Greenlight Energy, Inc.	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0
D254	High Rise Energy Group, LLC	2	1	0	0	0	1	1	0	0	0	0	0	0	0	0
5302PR	Hiko Energy, LLC	23	6	0	0	2	2	2	3	2	4	3	5	0	1	2
D120	Hudson Energy Services, LLC.	2	6	0	0	0	0	1	0	0	0	1	0	0	0	0
D177	IDT Energy, Inc.	3	2	1	1	0	0	0	0	0	0	0	1	0	0	0
D167	Infinite Energy, Inc.	1	2	0	0	0	0	0	1	0	0	0	0	0	0	0
D213	Just Energy (fka U.S. Energy Savings	12	26	2	3	0	0	2	0	2	1	1	0	1	2	1
6646KI	Kiwi Energy, Inc.	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
5520LE	Lexington Power & Light, LLC.	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0
D117	Liberty Power Corp.	19	7	1	3	5	1	3	1	0	1	0	1	3	0	0
D214	Major Energy Services LLC	2	4	0	0	0	0	0	0	0	0	1	0	1	0	2
D267	Mpower Energy LLC	22	3	1	1	1	2	2	4	3	4	2	0	2	2	1
D032	MX Energy, Inc.	3	10	0	0	0	1	0	0	0	1	0	1	0	0	0
D239	North Eastern Energy Corp.	3	0	0	0	0	0	0	0	0	0	0	3	0	0	0
D103	NYSEG Solutions, Inc.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
4921OA	Oasis Power, LLC	3	5	0	0	0	0	0	1	0	1	0	1	0	0	1
5637PL	Planet Energy (NY) Corp.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D171	Plymouth Rock	3	0	0	0	0	0	0	0	0	0	1	2	0	0	0
D263	Public Power LLC	2	1	0	0	0	1	0	1	0	0	0	0	0	0	0
5370SB	SBR Energy, LLC	2	1	0	1	0	0	1	0	0	0	0	0	0	0	1
4976SM	Smart One Energy, LLC	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0
D186	Spark Energy, L.P.	8	15	0	1	0	0	1	1	0	1	0	1	3	0	1
5463ST	Starion Energy NY, Inc.	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
D223	Titan Gas, LLC	0	2	0	0	0	0	0	0	0	0	0	0	0	1	0
6008UN	United Energy Supply Corp.	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
D119	U.S. Gas & Electric, Inc.	1	1	0	0	0	0	0	0	0	1	0	0	0	0	0
5461UT	Utility Expense Reduction, LLC	5	0	0	1	0	0	1	0	0	3	0	0	0	0	0
	<b>Total</b>	<b>176</b>	<b>145</b>	<b>7</b>	<b>18</b>	<b>12</b>	<b>14</b>	<b>15</b>	<b>18</b>	<b>11</b>	<b>25</b>	<b>22</b>	<b>18</b>	<b>16</b>	<b>10</b>	<b>11</b>

ESCO's with no complaints on file since January 2011 are not listed on this report.

### Consumer Reports of Deceptive Marketing Practices by Energy Services Company

CODE	FULL NAME	2012	2011*	Nov-12	Oct-12	Sep-12	Aug-12	Jul-12	Jun-12	May-12	Apr-12	Mar-12	Feb-12	Jan-12	Dec-11	Nov-11
D128	Accent Energy Midwest, LLC	2	0	0	0	0	0	0	1	0	0	0	1	0	0	0
D001	Agway Energy Services, LLC.	2	2	0	0	0	0	0	1	0	0	1	0	0	1	0
5985AL	Alpha Gas And Electric, Llc	3	0	3	0	0	0	0	0	0	0	0	0	0	0	0
6023AP	Ap Gas & Electric (ny), Llc	3	0	0	1	1	0	0	0	0	0	0	0	1	0	0
D113	Brown's Fuel	5	3	0	2	0	1	0	0	0	0	1	0	1	2	0
D262	Censtar Energy Corp.	2	0	0	0	0	0	0	1	0	0	0	0	1	0	0
5325CI	Citizens Choice Energy, LLC	13	4	1	3	3	1	2	1	0	1	0	0	1	3	0
5592CI	City Power & Gas, LLC	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0
D231	Columbia Utilities Power, Llc (electric)	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0
D040	Columbia Utilities Power, Llc (gas)	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
D176	Direct Energy Services LLC	6	2	0	0	3	0	2	0	1	0	0	0	0	1	0
D251	Discount Energy Llc	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0
6031EN	ENERGY DISCOUNTERS, LLC	1	1	0	0	1	0	0	0	0	0	0	0	0	0	1
D243	Energy Plus Holdings LLC	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0
4920FA	Family Energy, Inc.	26	2	2	4	16	1	1	1	0	0	0	0	1	0	1
4664FR	Frontier Utilities	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D046	Gateway Energy Services Corp.	5	1	0	2	0	0	0	0	0	0	2	1	0	1	0
D127	Green Mountain Energy	4	0	3	1	0	0	0	0	0	0	0	0	0	0	0
4877GR	Greenlight Energy Inc.	9	3	3	4	0	1	0	1	0	0	0	0	0	0	1
5302PR	Hiko Energy, Llc	11	21	0	0	0	0	0	1	0	5	2	0	3	10	7
D177	IDT Energy, Inc.	15	0	0	5	2	1	1	1	3	1	0	0	1	0	0
D213	Just Energy New York Corp	32	1	2	9	7	3	1	1	2	0	3	2	2	1	0
6646KI	Kiwi Energy Inc.	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0
D117	Liberty Power Corp.	16	2	2	2	2	7	1	1	0	0	0	1	0	0	0
D214	Major Energy Services LLC	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0
D267	Mpower Energy LLC	6	3	1	1	2	0	0	0	0	0	0	1	1	1	1
D103	NYSEG Solutions, Inc.	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
D125	Pepco	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
D171	Plymouth Rock Energy LLC	8	2	1	4	1	0	1	0	0	0	1	0	0	0	1
D263	Public Power Llc	1	1	0	0	0	0	0	0	0	0	0	1	0	0	1
5370SB	SBR Energy, LLC	24	0	0	2	10	11	1	0	0	0	0	0	0	0	0
D500	Unidentified ESCO	48	0	18	30	0	0	0	0	0	0	0	0	0	0	0
D119	U.S. Gas & Electric, Inc.	2	3	0	0	0	1	0	0	0	0	1	0	0	0	2
5461UT	Utility Expense Reduction LLC	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0
	Total	256	54	36	74	49	31	10	11	6	7	11	8	13	20	15

Deceptive marketing complaints are taken from customers who report situations where an energy service company or energy marketer solicits the customer's home or business in a manner which the customer believes is misleading or the customer was presented with information which the customer believes is untrue.

\*2011 Complaint Totals only cover October 2011 - December 2011