



**Department  
of Public Service**

**August 2015**

**Office of Consumer Services**  
**Monthly Report on Consumer Complaint Activity**

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# Monthly Report on Consumer Complaint Activity

August 2015

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September 28, 2015

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.

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 [John.Auricchio@dps.ny.gov](mailto:John.Auricchio@dps.ny.gov)

Sincerely,

A handwritten signature in black ink that reads "Michael Corso". The signature is written in a cursive, flowing style.

Michael Corso  
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, Department of Public Service 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. Your written appeal must contend that there was an error by the hearing officer or reviewer that affected the decision or that evidence not previously available would affect the decision. All appeals, except those involving PSEG-LI, will be decided by the Public Service Commission. PSEG-LI appeals will be decided by Long Island Power Authority (LIPA).

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

**By Telephone**

Monday thru Friday

800-342-3377

8:30am – 4:00pm

**Via the Internet**

24 hours a day

[www.dps.ny.gov](http://www.dps.ny.gov)

**In Writing**

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 Dept. of Public Service  
Office of Consumer Services  
Three Empire State Plaza  
Albany, NY 12223-1350



## How Utility Complaints Are Measured

*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 Department of Public Service 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. 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 is 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 Department 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

## August 2015

Utility Companies	Initial Complaints (QRS)		Escalated Complaints (SRS)		Escalation Rate	12 Month Escalated Complaint Rate
	No.	Rate*	No.			
Central Hudson Gas & Electric Corp.	41	13.4	2	0.7	5%	0.2
Con Edison of New York	557	14.0	59	1.5	11%	1.4
PSEG Long Island	99	8.8	8	0.7	8%	1.1
National Grid - L I	71	12.3	7	1.2	10%	0.9
New York State Electric & Gas Corp.	109	10.8	8	0.8	7%	0.5
National Grid-Upstate	307	18.1	13	0.8	4%	0.6
Orange & Rockland	35	15.4	1	0.4	3%	0.5
Rochester Gas & Electric Corp.	88	21.4	6	1.5	7%	0.7
National Grid-Metro NY	136	10.8	8	0.6	6%	0.7
National Fuel Gas Distribution	67	12.9	0	0.0	0%	0.1
Citizens Communications	13	9.0	1	0.7	8%	0.4
Frontier Communications of NY	0	0.0	0	0.0	0%	0.3
Frontier Telephone of Rochester, Inc.	10	5.7	1	0.6	10%	0.4
Windstream Communications, Inc.	1	2.3	0	0.0	0%	1.2
Verizon Communications	245	8.1	30	1.0	12%	0.9
AT&T	10		1		10%	
Optimum Voice	6		0		0%	
Time Warner Cable Information Services	9		2		22%	
Verizon Digital Voice	18		5		28%	
Cablevision Systems	27		0		0%	
Time-Warner Cable	119		11		9%	
Verizon New York, Inc. (CATV)	19		3		16%	
Long Island Water Corp.	6	4.9	2	1.6	33%	1.4
United Water - New York	11	15.0	4	5.4	36%	3.9
United Water - Westchester	3	7.0	0	0.0	0%	3.3

All complaint rates are based on December 2014 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

## August 2015

<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>
National Fuel Gas Distribution	67	0	5.0	6.1	2.0	6.9	2.0	4.9	1.0	10.0
Cablevision of New York City	17	0	5.0	10.5	2.0	9.8	2.0	3.8	1.0	10.0
IDT Energy, Inc.	15	0	5.0	3.4	2.0	0.0	2.0	3.0	1.0	10.0
Orange & Rockland	35	1	4.7	3.9	2.0	2.9	2.0	0.0	1.0	9.7
National Grid - Upstate	307	13	4.6	2.6	2.0	5.5	2.0	9.4	1.0	9.6
American Power & Gas, LLC	23	1	4.6	5.7	2.0	0.1	2.0	6.2	1.0	9.6
New York State Electric & Gas Corp.	109	8	4.3	3.5	2.0	5.1	2.0	4.9	1.0	9.3
Rochester Gas & Electric Corp.	88	6	4.3	4.0	2.0	5.7	2.0	7.2	1.0	9.3
Central Hudson Gas & Electric Corp.	41	2	4.5	14.8	1.9	8.1	2.0	15.7	0.9	9.3
PSEG Long Island	99	8	4.2	4.8	2.0	6.2	2.0	8.0	1.0	9.2
Time Warner - Albany	22	1	4.5	6.8	2.0	15.7	1.5	6.5	1.0	9.0
Frontier Telephone of Rochester, Inc.	10	1	4.0	8.6	2.0	1.9	2.0	0.0	1.0	9.0
AT&T	10	1	4.0	2.1	2.0	3.0	2.0	11.0	1.0	9.0
Citizens Communications	13	1	4.2	3.4	2.0	0.4	2.0	28.0	0.7	8.9
Kiwi Energy Inc.	16	1	4.4	18.0	1.6	12.7	1.8	11.2	1.0	8.8
Josco Energy Corp	13	2	3.5	11.0	2.0	0.1	2.0	4.8	1.0	8.5
Verizon New York Inc.	19	3	3.4	6.5	2.0	3.4	2.0	7.7	1.0	8.4
National Grid - Metro Ny	136	8	4.4	9.0	2.0	20.0	1.1	23.2	0.8	8.3
National Grid - L I	71	7	4.0	9.7	2.0	17.7	1.3	27.6	0.7	8.0
Spark Energy, L.P.	17	3	3.2	15.8	1.8	2.7	2.0	12.1	1.0	8.0
Time Warner - Buffalo	15	2	3.7	6.3	2.0	13.5	1.7	41.3	0.4	7.8
Astral Energy LLC	11	2	3.2	14.8	1.9	0.1	2.0	34.6	0.6	7.7
Verizon Communications	245	30	3.8	9.4	2.0	22.4	0.6	9.8	1.0	7.4
Time Warner - Syracuse Division	25	3	3.8	7.2	2.0	17.4	1.3	49.9	0.3	7.4
Verizon Digital Voice	18	5	2.2	10.1	2.0	8.3	2.0	4.7	1.0	7.2
Con Edison Of New York	557	59	3.9	12.5	2.0	32.2	0.0	16.1	0.9	6.8
Time Warner - New York City	46	4	4.1	14.3	1.9	76.2	0.0	32.0	0.6	6.6
Time Warner - Rochester	11	1	4.1	10.4	2.0	36.9	0.0	35.8	0.5	6.6
United Water-New York	11	4	1.4	2.4	2.0	0.8	2.0	7.8	1.0	6.4
Ambit Energy	46	36	0.0	25.3	0.6	14.1	1.6	10.8	1.0	3.2

*This table reports on the current level of customer service and responsiveness delivered by each service provider under the Department'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 Department 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 provider's 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.

<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>
125 Court Street, LLC	0	0		0.0		0.0		246.0		
255 Huguenot Street Corp.	0	0		0.0		0.0		207.0		
3462 Third Avenue Owner Realty LLC	0	0		0.0		0.0		274.3		
42nd and 10th Associates	0	0		0.0		0.0		96.0		
Access Point, Inc.	2	0		0.0		0.0		4.0		
Adams Cable, Inc.	1	0		0.0		0.0		14.0		
Agera Energy, LLC	1	0		0.0		0.0		12.0		
Agway Energy Services, LLC.	4	0		1.4		0.0		0.0		
Alpha Gas And Electric, Llc	4	1		7.0		3.2		1.0		
Arbor Hills Waterworks	0	0		0.0		0.0		82.3		
Atlantic Energy, LLC	5	0		0.0		0.0		17.8		
Atlantic Power & Gas LLC	0	1		13.0		25.0		27.5		
BCN Telecom, Inc.	0	0		0.0		0.0		49.0		
Berkshire Telephone Corp.	1	0		0.0		0.0		19.0		
Birch Communications, Inc.	3	0		0.0		0.0		12.3		
BluCo Energy, LLC	0	0		0.0		8.3		0.0		
BlueRock Energy, Inc.	7	0		3.1		0.0		0.0		
Bonville Water Co. Inc.	0	1		20.0		0.0		20.0		
Bounce Energy NY, LLC	0	0		0.0		0.1		0.0		
Broadview Networks	4	0		14.2		0.0		4.0		
Brown's Fuel	1	0		8.5		0.0		0.0		
BTI Communications, Inc. d/b/a TELZE	3	0		10.3		0.0		0.0		
BUY ENERGY DIRECT, LLC	1	1		5.0		0.0		1.0		
Cablevision - MediaOne - Rockland	1	0		5.5		0.0		0.0		
Cablevision - MediaOne - Westchester	0	0		0.0		0.0		0.0		
Cablevision Lightpath, Inc.	1	0		9.0		0.0		0.0		
Cablevision of Brookhaven	1	0		6.0		0.0		0.0		
Cablevision of Dutchess County	1	0		19.0		0.0		0.0		
Cablevision of Long Island	5	0		7.2		0.0		4.0		
Cablevision of Rockland	2	0		2.5		0.0		0.0		
Cablevision of Westchester	0	0		0.0		0.0		0.0		
Carousel Park Preservation L.P.	0	1		0.0		0.0		25.0		
Censtar Energy Corp.	2	1		6.5		0.0		1.0		
Chief Energy Power, Llc	1	0		4.0		0.0		0.0		
Citizens Telecommunications Co. of N	2	1		4.5		2.1		1.0		
City of Jamestown Board of Public Utili	1	0		3.0		8.0		0.0		
City of Plattsburgh Municipal Lighting	2	0		0.5		0.0		0.0		
City Power & Gas, LLC	0	1		50.0		18.9		0.0		
Clearview Energy, Inc.	1	0		24.0		0.0		0.0		
Clinton Hills Apts Owners Corp	0	0		0.0		0.0		309.0		
Columbia Utilities Power, Llc (electric)	2	2		8.3		3.0		0.0		
Columbia Utilities Power, Llc (gas)	0	0		4.0		0.0		0.0		
Comcast Cable of New York - CATV	3	1		10.7		5.9		13.0		
Comcast Phone Of New York, Llc D/b/	0	1		21.0		0.0		12.0		
Con Edison Solutions	1	0		4.0		0.0		0.0		
Constellation Energy Gas Choice Inc.	1	0		9.0		0.0		0.0		
Constellation NewEnergy	1	0		1.0		0.0		0.0		
CornerStone Telephone Company, LLC	0	1		15.0		25.1		0.0		
Corning Natural Gas Corp.	2	0		4.0		0.0		0.0		
Crystal Water Supply Company, Inc.	1	0		0.0		0.0		18.0		
CTC Communications Corp.	0	1		39.0		24.0		0.0		
Custom Teleconnect, Inc.	1	0		0.0		0.0		7.0		

<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>
Delhi Telephone	1	0		6.0		0.0		0.0		
Direct Energy Business, LLC	8	1		4.0		6.9		8.0		
Direct Energy Services LLC	6	1		5.2		8.9		10.5		
Eligo Energy Ny, Llc	2	0		0.0		0.0		10.5		
Energetix, Inc.	4	2		8.5		10.6		5.0		
Energy Cooperative of New York	0	0		0.0		0.0		95.0		
ENERGY DISCOUNTERS, LLC	1	0		0.0		0.0		8.0		
Energy Plus Holdings LLC	1	1		18.0		0.0		15.0		
Entergy Solutions Ltd.	0	0		0.0		0.0		77.0		
Entrust Energy East, Inc.	2	0		3.3		3.9		0.0		
Ethical Electric, Inc..	5	1		13.7		0.0		5.7		
Everday Energy Llc	1	0		0.0		11.1		4.0		
Family Energy, Inc.	7	0		13.3		8.8		12.0		
Frontier Communications of AuSable v	4	0		3.4		0.0		8.0		
Frontier Communications of NY/aka Hi	0	0		57.0		0.0		0.0		
Frontier Communications of Rocheste	4	0		0.0		0.0		6.7		
Frontier Communications of Sylvan Lal	1	0		1.1		0.0		0.0		
Frontier Utilities Northeast LLC	1	0		1.0		0.2		0.0		
Galaxy Energy Llc	3	0		82.0		0.0		1.0		
Gateway Energy Services Corp.	7	1		7.3		6.1		18.6		
Granite Telecommunications, Llc	0	0		42.0		0.0		0.0		
Great Eastern Energy	2	0		3.0		0.0		29.0		
Green Mountain Energy	3	0		16.7		0.0		5.0		
Grenadier Realty Corp	0	0		0.0		0.0		144.0		
Hancock Telephone Company	0	0		0.0		0.0		33.0		
Heywood Towers Associates	0	0		0.0		0.0		839.0		
High Rise Energy Group, LLC	0	0		23.0		0.0		0.0		
Hiko Energy, LLC	2	0		0.0		0.0		0.0		
Hudson Park Investors, Llc	0	0		0.0		0.0		123.0		
IDT America Corp.	3	1		14.5		3.0		11.0		
IGS Energy	1	0		0.0		0.0		25.5		
Infinite Energy, Inc.	0	0		4.0		0.0		0.0		
Just Energy New York Corp	2	1		11.2		9.1		7.0		
King Tract Utilities c/o Melohn Propertie	0	0		0.0		0.0		47.0		
Knolls Water Co.	2	0		0.0		0.0		92.7		
Liberty Power Corp.	3	0		2.0		0.0		9.7		
Long Island Water Corporation D/b/a L	6	2		13.4		0.6		13.5		
Maiden Lane Properties, LLC	0	0		0.0		0.0		102.0		
Major Energy Services LLC	5	0		5.2		0.0		37.5		
Marathon Energy Corporation	1	0		12.0		0.0		57.0		
Matrix Telecom, Inc Db a Trinsic Comrr	1	0		11.0		0.0		0.0		
McGraw Communications, Inc. (a/k/a E	0	0		30.0		0.0		0.0		
MCI	4	0		1.1		0.0		9.5		
Megapath Networks	1	0		0.0		0.0		28.0		
Mid Hudson Cablevision, Inc.	0	0		0.0		32.0		0.0		
Mpower Energy LLC	3	1		15.3		17.1		0.0		
MyGrid Energy, Inc.	6	2		9.3		0.0		28.1		
New Horizons Communications Corp.	0	0		13.0		11.9		0.0		
NextEra Energy Resources, LLC	2	0		13.0		0.0		6.0		
North American Power & Gas LLC	6	1		14.2		1.8		17.9		
NorthEastern Energy Corporation	1	0		0.0		0.0		4.0		
Northland Networks, Ltd.	0	0		0.0		13.9		0.0		

<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>
NYSEG Solutions, Inc.	9	0		5.4		20.7		26.8		
Oasis Power LLC, d/b/a Oasis Energy	2	0		7.0		0.0		0.0		
One Touch Communications	1	0		0.0		0.0		11.0		
Ontario Telephone	0	0		21.0		0.0		0.0		
Optimum Voice	6	0		6.2		0.0		6.5		
Parker Forest Hills	0	0		0.0		0.0		117.0		
Pay Less Energy, LLC	1	1		7.0		0.0		5.0		
Penelec (A First Energy Company)	3	0		2.0		0.0		31.3		
People's Power & Gas, Llc	0	0		0.0		0.0		48.0		
Perigee Energy, LLC	1	0		0.0		0.0		20.0		
Platinum Plus Energy Resources, Inc.	0	1		20.0		0.0		15.0		
Plymouth Rock Energy LLC	2	1		2.0		0.3		0.0		
Precision Pipeline Solutions LLC	1	0		0.0		0.0		7.0		
Public Power Llc	5	0		9.4		0.0		5.0		
Qtel, LLC	2	0		11.0		0.0		19.0		
Reliant Energy Northeast LLC	1	0		0.0		0.0		36.0		
Renaissance Power & Gas, Inc.	2	0		3.0		0.0		0.0		
Resdntl Comms. Netwrk of NY	0	0		0.0		0.0		0.0		
Residents Energy, LLC	5	0		4.8		0.0		0.0		
Riverview II Preservation Lp	0	0		0.0		0.0		247.7		
Roosevelt Island Associates	0	0		0.0		0.0		481.0		
Saratoga Water Services, Inc.	1	1		0.0		0.1		0.0		
Sea Park West Lp	0	0		0.0		0.0		226.8		
Smart One Energy, LLC	4	0		7.2		0.0		0.0		
South Bay Energy Corp.	1	1		15.0		0.0		1.0		
Sperian Energy Corp.	1	0		0.0		0.0		37.0		
Sprint Communications	1	1		7.0		0.0		1.0		
St. Lawrence Gas	1	0		0.1		0.0		0.0		
Starion Energy NY, Inc.	1	0		8.0		0.0		0.0		
Stream Energy New York LLC.	1	1		15.0		1.9		47.0		
Taconic Telephone Corp.	3	0		23.0		0.0		26.7		
Time Warner Cable Information Servic	9	2		11.4		0.0		14.8		
Titan Gas, LLC	0	0		29.0		0.0		19.0		
Towers on the Park	0	0		0.0		0.0		245.0		
U.S. Gas & Electric, Inc.	2	1		10.7		0.0		4.0		
United Energy Supply Corporation	1	0		4.0		5.9		0.0		
United Metro Energy Services Corp	0	0		0.0		0.0		64.0		
United Water Westchester Inc.	3	0		0.0		0.0		49.0		
Utility Expense Reduction LLC	8	0		1.4		0.0		0.0		
Verde Energy USA New York, LLC	3	2		14.2		4.5		14.0		
Village of Springville	1	0		0.0		0.0		0.0		
Viridian Energy Ny, Llc	3	0		8.0		0.0		20.0		
Whistle Tree Development Co, Inc.	1	0		0.0		0.0		20.0		
Windstream Communications, Inc.	1	0		0.0		0.0		0.0		
Woodrow Wilson Owners	0	0		0.0		0.0		29.0		
XChange Telecom	7	3		4.8		1.5		0.0		
XO Communications, Inc.	1	1		18.5		0.0		6.0		
XOOM Energy New York, LLC	4	0		7.0		0.0		7.3		

## 2015 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-15	\$163,740.81	65
Feb-15	\$103,092.75	58
Mar-15	\$37,099.97	64
Apr-15	\$220,232.20	152
May-15	\$375,573.60	128
Jun-15	\$330,278.20	138
Jul-15	\$387,773.82	234
Aug-15	\$853,176.20	144
Sep-15		
Oct-15		
Nov-15		
Dec-15		
<b>2015 Total</b>	<b>\$2,470,967.55</b>	<b>983</b>

## Number of Initial Complaints Received Against ESCO's

Code	Company Name	2015	2014	2015													
				Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14	
6898AB	ABC Energy LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5567AB	ABN Energy, LLC DBA GreatEnergy	2	2	0	0	1	0	0	0	0	1	0	0	0	0	0	1
D128	Accent Energy Midwest, LLC	1	6	0	0	1	0	0	0	0	0	0	0	0	0	1	2
8281AG	Agera Energy	2	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0
5020AG	Aggressive Energy, LLC	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
D001	Agway Energy Services, LLC.	53	153	4	6	4	5	7	11	6	10	2	4	4	3	2	
5985AL	Alpha Gas And Electric, Llc	48	204	4	9	4	6	7	10	5	3	5	2	6	9	9	
D230	Ambit Energy	1005	448	46	114	114	287	155	95	111	83	60	33	41	38	49	
D002	Amerada Hess Corp.	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5411AM	American Power & Gas, LLC	261	196	23	22	27	22	40	45	40	42	16	14	23	15	22	
6975AM	American Power Partners, LLC	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0
D240	Ameristar Energy, LLC	1	3	0	0	0	0	0	1	0	0	0	0	1	0	0	0
6729AM	Amplified Power & Gas, LLC	6	59	0	0	0	2	0	3	1	0	1	2	2	2	1	
6023AP	Ap Gas & Electric (ny), Llc	11	6	0	1	1	2	2	0	2	3	1	0	1	0	0	0
6818AS	Astral Energy LLC	37	25	11	6	11	2	0	3	1	3	2	0	1	5	2	
6481AT	Atlantic Energy, LLC	13	7	5	0	3	0	2	2	1	0	0	0	1	1	0	0
7844AT	Atlantic Power & Gas LLC	43	4	0	1	2	1	8	8	22	1	1	2	1	0	0	0
D222	BluCo Energy, LLC	13	15	0	4	0	3	2	0	1	3	2	0	1	0	4	
D217	BlueRock Energy, Inc.	8	12	7	0	0	1	0	0	0	0	0	0	0	0	2	
5008BO	Bounce Energy NY, LLC	8	12	0	0	0	2	0	2	3	1	1	1	3	1	2	
D113	Brown's Fuel	12	63	1	1	1	1	0	1	2	5	3	5	3	2	3	
5246BU	BUY ENERGY DIRECT, LLC	6	17	1	0	0	2	0	0	3	0	1	0	0	1	1	
D262	Censtar Energy Corp.	0	19	0	0	0	0	0	0	0	0	0	0	0	3	1	
9156CE	CenStar Operating Company, LLC	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D220	Chief Energy Gas, Llc.	2	10	0	0	0	1	0	0	0	1	1	0	0	0	0	0
5773CH	Chief Energy Power, Llc	5	13	1	0	1	0	1	0	1	1	1	1	1	1	0	0
5325CI	Citizens Choice Energy, LLC	5	19	0	0	0	0	0	2	1	2	0	0	2	1	1	
5592CI	City Power & Gas, LLC	28	51	0	2	8	4	3	4	5	2	7	5	3	3	3	
D238	Clearview Energy, Inc.	8	12	1	0	0	3	0	2	1	1	2	0	3	2	1	
D231	Columbia Utilities Power, Llc (electric)	19	37	2	1	1	2	4	3	1	5	1	1	6	3	5	
D040	Columbia Utilities Power, Llc (gas)	22	18	0	2	1	2	3	4	6	4	0	1	0	0	0	0
D208	Commerce Energy, Inc	0	5	0	0	0	0	0	0	0	0	0	0	0	1	1	
5065CO	Community Energy Services, Inc.	2	1	0	0	0	0	0	1	1	0	0	0	0	0	0	0
D110	Community Energy, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D086	Con Edison Solutions	9	9	1	1	0	3	0	3	0	1	2	0	0	0	0	0
6771CO	Constellation Energy Gas Choice Inc.	3	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0
D084	Constellation NewEnergy	18	15	1	2	2	2	4	3	4	0	1	2	5	1	1	
D221	Constellation NewEnergy - Gas Divisio	7	6	0	0	2	1	1	1	1	1	0	1	0	0	1	
5308DI	Direct Energy Business, LLC	32	50	8	2	4	0	3	6	4	5	5	0	3	4	5	
D176	Direct Energy Services LLC	64	72	6	14	7	6	6	6	10	9	1	2	6	5	5	
D251	Discount Energy Llc	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D006	East Coast Energy, Inc.	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
D256	East Coast Power, Llc	4	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0
6922EL	Eligo Energy NY, Llc	42	57	2	2	1	1	3	3	19	11	1	0	2	1	7	
D047	Empire Natural Gas Corporation	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	
D087	Energetix, Inc.	43	58	4	6	6	3	8	9	4	3	6	2	3	2	2	
8202EN	Energy Cooperative of America, Inc.	0	3	0	0	0	0	0	0	0	0	3	0	0	0	0	0
D183	Energy Cooperative of New York	2	2	0	0	0	0	1	1	0	0	0	0	0	0	1	

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6031EN	ENERGY DISCOUNTERS, LLC	1	10	1	0	0	0	0	0	0	0	0	1	0	0	0	0
D243	Energy Plus Holdings LLC	25	20	1	5	2	1	3	4	6	3	3	2	2	2	2	2
5568EN	Energy Plus Natural Gas LP	2	3	0	0	0	0	1	1	0	0	0	0	1	1	1	1
D137	Energy Service Providers, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5424EN	Energy Solutions Co. LLC	1	3	0	0	0	0	0	0	1	0	0	0	0	0	0	0
5182EN	EnergyMark, LLC	4	2	0	0	0	0	1	3	0	0	0	0	0	1	0	0
D201	Entergy Solutions Ltd.	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
6551EN	Entra Energy LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0
8938EN	Entrust Energy East, Inc.	31	0	2	29	0	0	0	0	0	0	0	0	0	0	0	0
7005ET	Ethical Electric Benefit Co.	25	11	5	0	3	6	1	5	3	2	0	0	1	3	1	1
4920FA	Family Energy, Inc.	80	96	7	11	7	9	13	12	9	12	14	6	10	6	3	3
7383FR	Frontier Utilities Northeast LLC	3	8	1	0	0	0	0	1	0	1	0	2	3	1	1	1
6781FT	FTR Energy Services, LLC	7	20	1	2	0	1	0	0	0	3	2	1	3	1	0	0
6643GA	Galaxy Energy Llc	17	23	3	2	2	2	2	2	2	2	3	3	3	3	1	1
D046	Gateway Energy Services Corp.	73	116	7	6	11	4	13	13	8	11	10	6	6	8	4	4
6424GD	GDF Suez Retail Energy Solutions, LL	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
6011GL	GL Energy Inc.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	1
5349GL	Glacial Natural Gas, Inc.	2	9	0	0	0	0	0	0	2	0	0	0	0	0	0	2
7256GL	Global Energy Marketing II LLC	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
6009GL	Global Energy, LLC	2	1	0	0	0	0	0	0	2	0	0	1	0	0	0	0
D104	Great Eastern Energy	8	12	2	0	0	4	0	0	0	2	0	0	0	5	1	1
D127	Green Mountain Energy	22	12	3	2	2	2	4	3	5	1	1	0	0	2	1	1
4877GR	Greenlight Energy Inc.	17	37	0	2	2	1	6	2	2	2	1	1	1	3	4	4
D254	High Rise Energy Group, LLC	4	15	0	1	1	1	0	0	1	0	0	1	1	1	5	5
5302PR	Hiko Energy, Llc	17	222	2	1	4	1	5	1	1	2	0	1	1	2	3	3
D120	Hudson Energy Services, Llc	12	26	0	0	1	3	4	2	0	2	0	2	2	5	1	1
D177	IDT Energy, Inc.	118	214	15	11	10	14	15	20	15	18	12	7	13	15	11	11
D188	IGS Energy	6	8	1	1	0	0	0	2	1	1	0	1	0	2	0	0
D167	Infinite Energy, Inc.	3	4	0	1	0	0	0	2	0	0	0	0	0	0	1	1
D234	Integrus Energy Services, Inc.	0	2	0	0	0	0	0	0	0	0	0	0	1	0	0	0
6647IR	Iron Energy LLC	4	7	0	0	0	0	0	0	4	0	0	0	0	0	0	0
7041JO	JOSCO Energy Corp	80	79	13	10	15	6	14	9	5	8	5	6	15	14	6	6
D213	Just Energy New York Corp	74	127	2	5	9	12	15	11	9	11	7	6	7	7	8	8
D015	Keyspan Energy Services, Inc.	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
6646KI	Kiwi Energy Inc.	105	151	16	12	18	11	15	21	2	10	5	13	8	14	4	4
5520LE	Lexington Power & Light, LLC	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D117	Liberty Power Corp.	40	39	3	1	7	2	3	4	6	14	3	0	5	5	5	5
5698LI	Lighthouse Power, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2066	Long Island Power Authority	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
D147	M&R ENERGY RESOURCES CORP	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
D214	Major Energy Services LLC	86	206	5	3	7	9	18	17	17	10	11	4	5	8	8	8
6007MA	Marathon Energy Corporation	14	12	1	4	0	1	2	5	0	1	1	1	2	0	4	4
D107	Metro Energy Group, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D098	Metromedia Energy	0	3	0	0	0	0	0	0	0	0	0	0	0	0	1	1
D267	Mpower Energy LLC	61	92	3	7	7	3	8	12	11	10	5	5	9	5	11	11
6807MY	MyGrid Energy, Inc.	9	6	6	2	1	0	0	0	0	0	0	0	0	0	0	0
D020	Natgasco, Inc. - A Mitchell-Supreme C	1	12	0	0	0	1	0	0	0	0	0	0	1	1	0	0
5436NE	New Wave Energy Corp.	2	10	0	0	0	0	1	0	0	1	0	1	0	2	1	1

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4987NE	NextEra Energy Resources, LLC	5	4	2	0	0	0	1	2	0	0	2	1	0	0	0
D148	Noco Natural Gas, Llc	2	3	0	1	0	0	0	0	1	0	0	0	0	0	0
5787NO	North American Power & Gas LLC	129	172	6	3	3	8	12	26	37	34	20	13	10	13	10
6976NO	North Eastern States, Inc.	19	9	0	0	0	4	2	4	3	6	1	5	3	0	0
5479NO	North Energy LLC	1	56	0	0	0	0	0	1	0	0	0	0	0	0	2
D239	NorthEastern Energy Corporation	1	2	1	0	0	0	0	0	0	0	1	0	1	0	0
D103	NYSEG Solutions, Inc.	127	150	9	9	12	10	27	32	14	14	10	6	8	4	11
4921OA	Oasis Power LLC, d/b/a Oasis Energy	9	14	2	0	0	0	2	2	2	1	0	0	1	2	3
6645PA	Pay Less Energy, LLC	3	2	1	0	0	2	0	0	0	0	0	0	0	0	0
6024PE	People's Power & Gas, Llc	1	21	0	1	0	0	0	0	0	0	0	0	0	0	0
6893PE	Perigee Energy, LLC	1	5	1	0	0	0	0	0	0	0	0	0	1	0	0
D067	PG&E Energy Trading	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5637PL	Planet Energy (NY) Corp.	5	0	0	1	0	0	0	1	0	3	0	0	0	0	0
D237	Platinum Plus Energy Resources, Inc.	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0
D171	Plymouth Rock Energy LLC	24	71	2	1	6	4	4	2	2	3	3	4	1	2	4
D263	Public Power Llc	35	38	5	4	4	2	3	2	6	9	3	4	3	5	5
6233RE	Reliant Energy Northeast LLC	4	1	1	0	1	0	0	0	0	2	1	0	0	0	0
6616RE	Renaissance Power & Gas, Inc.	7	9	2	1	2	0	2	0	0	0	1	1	0	1	2
6574RE	Residents Energy, LLC	30	5	5	7	2	2	5	1	4	4	4	0	1	0	0
D093	Robison Energy Of Westchester	2	6	0	1	0	0	0	1	0	0	1	0	0	0	0
D160	S.J. FUEL CO., INC.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5370SB	SBR Energy, LLC	5	5	0	0	0	1	0	1	1	2	0	0	0	0	0
5481SJ	SJ Energy Partners	2	5	0	0	0	1	1	0	0	0	0	0	1	1	0
4976SM	Smart One Energy, LLC	23	28	4	1	4	2	0	5	3	4	3	0	4	2	3
6216SO	South Bay Energy Corp.	9	22	1	1	0	1	2	2	1	1	2	0	1	0	0
5577SO	SouthStar Energy Services LLC	1	4	0	0	0	0	0	1	0	0	0	0	0	0	0
D186	Spark Energy, L.P.	113	22	17	25	25	14	10	15	3	4	4	2	2	2	2
7397SP	Sperian Energy Corp.	5	21	1	0	0	1	1	1	0	1	0	1	2	4	3
5463ST	Starion Energy NY, Inc.	19	50	1	1	1	1	5	1	3	6	3	1	5	6	8
6809ST	Stream Energy New York LLC.	8	4	1	1	2	0	0	4	0	0	0	2	0	1	1
D121	Stuyvesant Energy, LLC	0	3	0	0	0	0	0	0	0	0	0	0	0	1	1
6394SU	Superior Plus Energy Services Inc.	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
D223	Titan Gas, LLC	4	7	0	2	0	0	0	1	0	1	0	1	0	1	1
D166	U.S. Energy Partners Llc And EnviroG	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
D119	U.S. Gas & Electric, Inc.	39	244	2	3	11	4	3	4	5	7	5	5	7	9	5
D500	Unidentified ESCO	5	0	2	1	0	1	0	1	0	0	0	0	0	0	0
6008UN	United Energy Supply Corporation	8	7	1	2	1	1	0	0	2	1	0	1	0	0	0
7346UN	United Metro Energy Services Corp.	2	0	0	0	0	0	1	0	1	0	0	0	0	0	0
5461UT	Utility Expense Reduction LLC	22	30	8	0	2	3	2	2	3	2	0	1	3	1	3
6894VE	Verde Energy USA New York, LLC	54	22	3	4	6	7	4	9	13	8	1	2	0	3	2
6098VE	VETERAN ENERGY, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
5391VI	Viridian Energy NY, LLC	50	136	3	3	9	5	5	8	9	8	8	4	15	17	13
6668XO	XOOM Energy New York, LLC	53	113	4	2	6	7	8	7	10	9	3	5	7	13	11
	<b>Total</b>	<b>3637</b>	<b>4633</b>	<b>316</b>	<b>392</b>	<b>409</b>	<b>541</b>	<b>505</b>	<b>520</b>	<b>495</b>	<b>459</b>	<b>287</b>	<b>207</b>	<b>299</b>	<b>312</b>	<b>316</b>

ESCO's with no complaints on file since January 2014 are not listed on this report.

# Number of Escalated Complaints Received Against ESCO's

Code	Company Name	2015	2014	Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14
D128	Accent Energy Midwest, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
D001	Agway Energy Services, LLC.	15	32	0	1	1	2	2	3	3	3	0	1	0	1	1
5985AL	Alpha Gas And Electric, Llc	10	52	1	2	0	0	2	4	0	1	2	1	4	3	1
D230	Ambit Energy	324	133	36	44	44	55	28	34	49	34	18	17	22	23	10
5411AM	American Power & Gas, LLC	21	18	1	0	0	3	1	4	8	4	0	1	4	1	2
6975AM	American Power Partners, LLC	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0
6729AM	Amplified Power & Gas, LLC	1	6	0	0	1	0	0	0	0	0	0	0	0	0	0
6023AP	Ap Gas & Electric (ny), Llc	4	2	0	1	0	1	0	0	1	1	0	1	0	0	0
6818AS	Astral Energy LLC	7	8	2	1	0	0	0	2	0	2	0	0	1	2	1
6481AT	Atlantic Energy, LLC	4	1	0	2	0	0	2	0	0	0	0	1	0	0	0
7844AT	Atlantic Power & Gas LLC	15	1	1	1	1	0	4	4	4	0	1	0	0	0	0
D222	BluCo Energy, LLC	2	4	0	1	0	0	0	1	0	0	0	1	0	2	0
D217	BlueRock Energy, Inc.	0	3	0	0	0	0	0	0	0	0	0	1	0	0	0
5008BO	Bounce Energy NY, LLC	1	5	0	0	0	1	0	0	0	0	1	0	2	0	1
D113	Brown's Fuel	2	18	0	0	0	0	1	0	0	1	2	0	3	0	3
5246BU	BUY ENERGY DIRECT, LLC	5	6	1	0	0	2	0	0	2	0	0	0	0	0	0
D262	Censtar Energy Corp.	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
9156CE	CenStar Operating Company, LLC	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
D220	Chief Energy Gas, Llc.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
5773CH	Chief Energy Power, Llc	1	1	0	0	1	0	0	0	0	0	0	0	1	0	0
5325CI	Citizens Choice Energy, LLC	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
5592CI	City Power & Gas, LLC	10	5	1	0	3	0	1	1	3	1	0	0	0	0	0
D231	Columbia Utilities Power, Llc (electric)	3	10	2	0	0	0	0	0	0	1	0	2	1	0	2
D040	Columbia Utilities Power, Llc (gas)	6	2	0	0	0	1	1	2	2	0	0	0	0	0	0
D208	Commerce Energy, Inc	0	2	0	0	0	0	0	0	0	0	0	0	1	0	1
5065CO	Community Energy Services, Inc.	2	0	0	0	0	0	1	1	0	0	0	0	0	0	0
D086	Con Edison Solutions	1	2	0	0	0	0	0	0	1	0	1	0	0	0	0
D084	Constellation NewEnergy	4	4	0	0	0	0	2	1	1	0	0	1	0	1	0
D221	Constellation NewEnergy - Gas Divisio	2	1	0	0	0	0	0	0	1	1	0	0	0	0	0
5308DI	Direct Energy Business, LLC	3	6	1	0	0	0	0	1	1	0	0	0	0	0	0
D176	Direct Energy Services LLC	8	17	1	3	1	0	0	1	2	0	1	0	0	1	2
D256	East Coast Power, Llc	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0
6922EL	Eligo Energy NY, Llc	9	5	0	0	0	1	2	2	4	0	0	0	0	0	1
D087	Energetix, Inc.	14	16	2	2	0	3	2	4	0	1	1	0	1	0	0
D183	Energy Cooperative of New York	1	2	0	0	0	0	1	0	0	0	0	0	1	0	0
6031EN	ENERGY DISCOUNTERS, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D243	Energy Plus Holdings LLC	5	3	1	0	0	1	2	0	1	0	0	0	1	0	1
5424EN	Energy Solutions Co. LLC	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0
5182EN	EnergyMark, LLC	2	0	0	0	0	0	0	2	0	0	0	0	0	0	0
8938EN	Entrust Energy East, Inc.	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0
7005ET	Ethical Electric Benefit Co.	2	1	1	0	0	0	0	1	0	0	0	0	0	0	1
4920FA	Family Energy, Inc.	14	2	0	1	1	3	1	3	1	4	0	0	1	0	0
7383FR	Frontier Utilities Northeast LLC	2	0	0	0	0	0	0	1	1	0	0	0	0	0	0
6781FT	FTR Energy Services, LLC	4	7	0	1	0	0	0	0	0	3	1	1	0	0	1
6643GA	Galaxy Energy Llc	3	5	0	0	0	0	3	0	0	0	0	1	0	0	0
D046	Gateway Energy Services Corp.	27	23	1	6	1	3	6	5	2	3	1	0	2	2	1
5349GL	Glacial Natural Gas, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D104	Great Eastern Energy	0	2	0	0	0	0	0	0	0	0	0	0	0	0	1

# Number of Escalated Complaints Received Against ESCO's

Code	Company Name	2015	2014	Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14
D127	Green Mountain Energy	1	2	0	0	0	0	0	1	0	0	1	0	0	0	1
4877GR	Greenlight Energy Inc.	2	3	0	0	0	0	0	1	0	1	0	0	0	0	0
D254	High Rise Energy Group, LLC	1	5	0	0	0	1	0	0	0	0	1	0	0	2	1
5302PR	Hiko Energy, Llc	1	67	0	0	0	0	0	0	1	0	0	0	1	0	1
D120	Hudson Energy Services, Llc	2	6	0	0	0	0	1	1	0	0	0	1	1	1	0
D177	IDT Energy, Inc.	3	13	0	0	0	0	2	1	0	0	1	2	1	0	0
D188	IGS Energy	0	4	0	0	0	0	0	0	0	0	0	0	1	0	0
6647IR	Iron Energy LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
7041JO	JOSCO Energy Corp	13	11	2	2	2	1	2	3	0	1	1	1	0	1	6
D213	Just Energy New York Corp	16	19	1	1	2	2	2	3	3	2	3	0	1	1	2
6646KI	Kiwi Energy Inc.	7	22	1	3	0	1	0	2	0	0	0	1	2	2	1
5520LE	Lexington Power & Light, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D117	Liberty Power Corp.	12	4	0	3	1	1	0	3	3	1	0	0	0	0	0
D214	Major Energy Services LLC	12	59	0	0	2	1	3	3	1	2	2	1	1	4	0
6007MA	Marathon Energy Corporation	2	3	0	0	1	0	0	0	1	0	0	0	1	1	0
D107	Metro Energy Group, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D098	Metromedia Energy	0	2	0	0	0	0	0	0	0	0	0	0	0	0	1
D267	Mpower Energy LLC	8	10	1	1	1	0	1	1	0	3	0	2	1	0	3
6807MY	MyGrid Energy, Inc.	3	1	2	1	0	0	0	0	0	0	0	0	0	0	0
D020	Natgasco, Inc. - A Mitchell-Supreme C	0	4	0	0	0	0	0	0	0	0	0	0	2	0	0
5436NE	New Wave Energy Corp.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
4987NE	NextEra Energy Resources, LLC	2	1	0	0	0	1	0	0	0	1	0	0	0	0	0
5787NO	North American Power & Gas LLC	53	32	1	0	2	5	6	15	13	11	7	5	0	1	0
6976NO	North Eastern States, Inc.	2	1	0	0	0	0	0	0	1	1	0	1	0	0	0
5479NO	North Energy LLC	1	21	0	0	0	0	1	0	0	0	0	0	0	0	0
D103	NYSEG Solutions, Inc.	42	35	0	5	8	5	11	8	3	2	1	2	2	0	6
4921OA	Oasis Power LLC, d/b/a Oasis Energy	3	2	0	0	0	1	0	1	1	0	0	0	0	1	0
6645PA	Pay Less Energy, LLC	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0
6024PE	People's Power & Gas, Llc	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0
D237	Platinum Plus Energy Resources, Inc.	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
D171	Plymouth Rock Energy LLC	4	8	1	1	1	0	1	0	0	0	1	0	0	0	0
D263	Public Power Llc	10	11	0	0	0	1	2	3	1	3	0	1	1	2	0
6233RE	Reliant Energy Northeast LLC	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
6616RE	Renaissance Power & Gas, Inc.	2	0	0	0	1	0	1	0	0	0	0	0	0	0	0
6574RE	Residents Energy, LLC	1	1	0	0	0	1	0	0	0	0	1	0	0	0	0
D093	Robison Energy Of Westchester	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
D160	S.J. FUEL CO., INC.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5370SB	SBR Energy, LLC	1	1	0	0	0	0	0	0	0	1	0	0	0	0	0
5481SJ	SJ Energy Partners	0	2	0	0	0	0	0	0	0	0	0	0	1	0	0
4976SM	Smart One Energy, LLC	5	10	0	0	1	0	0	1	1	2	0	0	1	1	0
6216SO	South Bay Energy Corp.	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
5577SO	SouthStar Energy Services LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D186	Spark Energy, L.P.	14	9	3	1	2	4	2	0	0	2	1	0	1	2	2
7397SP	Sperian Energy Corp.	2	7	0	0	0	1	1	0	0	0	0	0	3	2	0
D157	Sprague Energy Corp.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5463ST	Starion Energy NY, Inc.	0	11	0	0	0	0	0	0	0	0	0	0	1	1	3
6809ST	Stream Energy New York LLC.	5	1	1	1	0	0	2	1	0	0	0	1	0	0	0
D121	Stuyvesant Energy, LLC	0	2	0	0	0	0	0	0	0	0	0	0	1	1	0

## Number of Escalated Complaints Received Against ESCO's

Code	Company Name	2015	2014	2014													
				Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14	
6394SU	Superior Plus Energy Services Inc.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
D223	Titan Gas, LLC	2	1	0	1	0	0	1	0	0	0	0	0	0	1	0	0
D119	U.S. Gas & Electric, Inc.	7	49	1	1	2	0	1	2	0	0	0	0	1	3	2	3
6008UN	United Energy Supply Corporation	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
7346UN	United Metro Energy Services Corp.	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
5461UT	Utility Expense Reduction LLC	1	6	0	0	0	1	0	0	0	0	0	0	0	0	1	2
6894VE	Verde Energy USA New York, LLC	13	0	2	2	0	4	0	3	2	0	0	0	0	0	0	0
5391VI	Viridian Energy NY, LLC	15	27	0	1	2	2	3	3	1	3	0	2	1	5	4	4
6668XO	XOOM Energy New York, LLC	14	25	0	2	2	1	0	4	3	2	1	2	1	1	1	4
	Total	830	936	72	97	85	111	106	138	123	98	50	52	75	69	71	

ESCO's with no complaints on file since January 2014 are not listed on this report.

# Consumer Reports of Deceptive Marketing Practices by Energy Services Company

Code	Company Name	2015	2014	Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14
6898AB	ABC Energy LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5567AB	ABN Energy, LLC DBA GreatEnergy	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
8281AG	Agera Energy	2	0	1	0	0	0	0	0	1	0	0	0	0	0	0
D001	Agway Energy Services, LLC.	32	75	4	2	2	1	7	7	4	5	2	2	1	1	3
5985AL	Alpha Gas And Electric, Llc	20	114	3	4	2	2	2	6	0	1	4	3	4	5	8
D230	Ambit Energy	520	226	34	72	64	73	79	56	71	71	45	22	22	22	21
D002	Amerada Hess Corp.	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
5411AM	American Power & Gas, LLC	137	119	8	10	16	12	22	20	22	27	12	13	11	12	19
6975AM	American Power Partners, LLC	0	3	0	0	0	0	0	0	0	0	0	0	2	0	1
D240	Ameristar Energy, LLC	0	2	0	0	0	0	0	0	0	0	0	0	1	0	0
6729AM	Amplified Power & Gas, LLC	2	29	0	0	0	0	0	2	0	0	0	0	0	0	1
6023AP	Ap Gas & Electric (ny), Llc	3	1	0	1	0	0	1	0	0	1	0	0	0	0	0
6818AS	Astral Energy LLC	13	17	1	1	6	3	0	1	0	1	0	0	2	3	0
6481AT	Atlantic Energy, LLC	1	4	0	0	0	0	0	0	1	0	0	0	0	0	0
7844AT	Atlantic Power & Gas LLC	9	0	0	0	2	0	2	0	5	0	0	0	0	0	0
D222	BluCo Energy, LLC	5	9	0	3	0	0	0	0	0	2	1	0	0	2	4
D217	BlueRock Energy, Inc.	2	5	2	0	0	0	0	0	0	0	0	0	0	0	1
5008BO	Bounce Energy NY, LLC	2	12	0	0	0	1	0	1	0	0	2	2	4	0	1
D113	Brown's Fuel	3	34	0	0	0	0	0	0	0	3	2	2	3	0	4
5357BU	Buffalo Energy, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5246BU	BUY ENERGY DIRECT, LLC	2	12	0	0	0	2	0	0	0	0	2	0	0	1	0
D262	Censtar Energy Corp.	0	10	0	0	0	0	0	0	0	0	0	0	0	0	0
D220	Chief Energy Gas, Llc.	1	3	0	0	0	0	0	0	0	1	0	0	0	0	0
5773CH	Chief Energy Power, Llc	1	3	0	0	1	0	0	0	0	0	0	0	0	0	0
5325CI	Citizens Choice Energy, LLC	2	10	0	0	0	0	0	2	0	0	0	0	0	1	0
5592CI	City Power & Gas, LLC	13	37	0	1	1	3	2	1	3	2	7	3	2	4	1
D238	Clearview Energy, Inc.	3	8	0	0	0	2	0	0	1	0	1	0	2	2	0
D231	Columbia Utilities Power, Llc (electric)	8	17	2	1	0	2	0	0	1	2	0	1	1	1	4
D040	Columbia Utilities Power, Llc (gas)	8	12	0	1	0	0	0	2	4	1	0	1	0	0	0
D208	Commerce Energy, Inc	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
5065CO	Community Energy Services, Inc.	2	0	0	0	0	0	0	1	1	0	0	0	0	0	0
D086	Con Edison Solutions	8	3	1	0	0	2	0	2	2	1	1	0	0	0	0
6771CO	Constellation Energy Gas Choice Inc.	2	0	1	1	0	0	0	0	0	0	0	0	0	0	0
D084	Constellation NewEnergy	11	8	0	1	0	1	4	1	4	0	1	1	4	0	0
D221	Constellation NewEnergy - Gas Divisio	2	2	0	0	0	0	0	0	2	0	1	0	0	0	0
5308DI	Direct Energy Business, LLC	17	28	1	0	4	0	3	4	1	4	3	1	0	1	4
D176	Direct Energy Services LLC	26	43	1	7	5	2	3	2	3	3	2	2	3	3	6
D251	Discount Energy Llc	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D256	East Coast Power, Llc	2	0	0	0	0	0	1	0	0	1	0	0	0	0	0
6922EL	Eligo Energy NY, Llc	26	30	0	0	1	1	2	5	13	4	0	0	1	0	5
7398EM	Empire Energy Services, Inc.	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0
D087	Energetix, Inc.	16	28	3	0	0	2	5	3	1	2	4	1	3	1	1
D183	Energy Cooperative of New York	0	4	0	0	0	0	0	0	0	0	0	0	1	0	1
6031EN	ENERGY DISCOUNTERS, LLC	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
D243	Energy Plus Holdings LLC	10	8	1	2	1	0	2	1	3	0	0	2	2	0	1
5568EN	Energy Plus Natural Gas LP	1	2	0	0	0	0	1	0	0	0	0	0	1	1	0
5424EN	Energy Solutions Co. LLC	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
5182EN	EnergyMark, LLC	2	1	0	0	0	0	0	2	0	0	0	0	0	0	0

# Consumer Reports of Deceptive Marketing Practices by Energy Services Company

Code	Company Name	2015	2014	Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14
D201	Entergy Solutions Ltd.	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0
6551EN	Entra Energy LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
8938EN	Entrust Energy East, Inc.	15	0	0	15	0	0	0	0	0	0	0	0	0	0	0
7005ET	Ethical Electric Benefit Co.	18	9	3	0	3	7	0	2	2	1	0	0	1	3	0
4920FA	Family Energy, Inc.	49	66	6	8	3	4	4	6	2	16	12	2	3	6	2
7383FR	Frontier Utilities Northeast LLC	2	8	0	0	0	0	0	2	0	0	1	2	2	1	1
6781FT	FTR Energy Services, LLC	6	15	1	2	0	0	0	0	0	3	1	2	1	1	1
6643GA	Galaxy Energy Llc	8	15	3	0	1	1	1	0	1	1	1	2	0	2	0
D046	Gateway Energy Services Corp.	28	41	2	3	4	2	4	5	1	7	2	3	3	2	1
6011GL	GL Energy Inc.	0	2	0	0	0	0	0	0	0	0	0	0	0	1	1
5349GL	Glacial Natural Gas, Inc.	1	1	0	0	0	0	0	0	1	0	0	0	0	0	0
D104	Great Eastern Energy	2	4	1	0	0	0	0	0	0	1	0	0	0	0	0
D127	Green Mountain Energy	10	4	1	0	0	1	3	3	2	0	0	0	0	1	0
4877GR	Greenlight Energy Inc.	11	29	0	1	3	2	3	1	0	1	1	1	2	3	2
D254	High Rise Energy Group, LLC	1	6	0	0	0	0	0	0	1	0	0	0	0	2	4
5302PR	Hiko Energy, Llc	4	111	0	0	0	0	2	1	0	1	0	0	2	2	2
D120	Hudson Energy Services, Llc	1	8	0	0	0	1	0	0	0	0	0	3	1	2	0
D177	IDT Energy, Inc.	54	93	8	6	4	9	5	5	7	10	7	5	6	10	7
D188	IGS Energy	3	2	1	0	0	0	0	1	1	0	0	0	0	0	0
D167	Infinite Energy, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D234	Integrus Energy Services, Inc.	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0
7041JO	JOSCO Energy Corp	25	54	4	5	3	3	5	3	1	1	2	3	10	10	11
D213	Just Energy New York Corp	24	71	2	2	1	3	7	3	3	3	7	4	3	5	3
6646KI	Kiwi Energy Inc.	62	92	11	5	8	4	13	11	2	8	5	11	2	11	4
5520LE	Lexington Power & Light, LLC	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
D117	Liberty Power Corp.	16	12	1	1	2	0	0	3	3	6	0	0	1	2	1
D214	Major Energy Services LLC	31	117	1	0	1	3	6	7	7	6	3	3	5	7	4
6007MA	Marathon Energy Corporation	1	4	0	0	0	0	0	1	0	0	0	0	0	1	2
D098	Metromedia Energy	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
D267	Mpower Energy LLC	45	47	5	2	7	1	6	8	8	8	4	2	4	4	7
6807MY	MyGrid Energy, Inc.	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
D020	Natgasco, Inc. - A Mitchell-Supreme C	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
5436NE	New Wave Energy Corp.	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
4987NE	NextEra Energy Resources, LLC	2	3	0	0	0	1	0	1	0	0	0	1	0	0	0
D148	Noco Natural Gas, Llc	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
5787NO	North American Power & Gas LLC	82	102	4	2	2	2	5	17	23	27	12	11	4	9	6
6976NO	North Eastern States, Inc.	8	7	0	0	0	0	1	2	2	3	1	4	2	0	0
5479NO	North Energy LLC	0	27	0	0	0	0	0	0	0	0	0	0	0	0	1
D239	NorthEastern Energy Corporation	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0
D103	NYSEG Solutions, Inc.	58	65	5	7	4	3	11	16	6	6	6	3	5	2	3
4921OA	Oasis Power LLC, d/b/a Oasis Energy	2	10	0	0	0	0	0	1	1	0	0	0	1	3	1
6024PE	People's Power & Gas, Llc	1	9	0	1	0	0	0	0	0	0	0	0	0	0	0
6893PE	Perigee Energy, LLC	1	4	1	0	0	0	0	0	0	0	0	0	1	0	0
D067	PG&E Energy Trading	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
5637PL	Planet Energy (NY) Corp.	5	1	0	1	0	0	0	1	0	3	1	0	0	0	0
D171	Plymouth Rock Energy LLC	11	48	1	0	4	2	1	0	2	1	4	3	2	2	2
D263	Public Power Llc	15	16	2	1	0	0	1	3	4	4	2	1	1	3	3
6233RE	Reliant Energy Northeast LLC	2	1	0	0	0	0	0	0	0	2	1	0	0	0	0

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

Code	Company Name	2015	2014	Aug-15	Jul-15	Jun-15	May-15	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14
6616RE	Renaissance Power & Gas, Inc.	3	5	0	1	0	0	2	0	0	0	0	0	0	1	1
6574RE	Residents Energy, LLC	15	6	3	3	1	1	1	0	3	3	5	0	1	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	4	3	0	0	0	0	0	0	1	3	0	0	0	0	0
5481SJ	SJ Energy Partners	0	2	0	0	0	0	0	0	0	0	0	0	0	1	0
4976SM	Smart One Energy, LLC	13	16	5	1	2	1	0	0	3	1	2	0	2	2	2
6216SO	South Bay Energy Corp.	3	5	0	0	1	0	1	0	0	1	0	0	0	0	0
5577SO	SouthStar Energy Services LLC	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
D186	Spark Energy, L.P.	40	14	5	9	10	2	4	8	0	2	2	1	1	0	1
7397SP	Sperian Energy Corp.	6	9	0	0	0	2	2	1	0	1	0	1	4	1	2
5463ST	Starion Energy NY, Inc.	8	30	0	0	0	0	3	1	2	2	1	1	4	4	4
6809ST	Stream Energy New York LLC.	5	0	2	2	1	0	0	0	0	0	0	0	0	0	0
D121	Stuyvesant Energy, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
D223	Titan Gas, LLC	1	2	0	0	0	0	0	0	0	1	0	0	0	0	0
D166	U.S. Energy Partners Llc And EnviroG	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
D119	U.S. Gas & Electric, Inc.	26	100	1	2	7	2	2	2	4	6	5	1	4	3	0
D500	Unidentified ESCO	91	104	21	18	14	15	7	2	7	7	10	7	11	5	4
6008UN	United Energy Supply Corporation	4	6	0	2	0	0	0	0	2	0	0	2	0	0	0
7346UN	United Metro Energy Services Corp.	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0
5461UT	Utility Expense Reduction LLC	14	15	4	0	3	2	1	1	2	1	0	1	4	2	1
6894VE	Verde Energy USA New York, LLC	25	12	3	1	2	1	2	6	8	2	1	1	0	2	0
6098VE	VETERAN ENERGY, LLC	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
5391VI	Viridian Energy NY, LLC	27	70	1	4	4	4	3	3	3	5	4	2	6	8	6
6668XO	XOOM Energy New York, LLC	15	46	1	1	2	1	1	4	3	2	0	2	0	2	5
	Total	1822	2510	172	213	204	189	244	250	262	288	194	141	170	188	183

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.