

Attorney General Eric T. Schneiderman

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Attorney General Cuomo's Investigation Prompts 14 Suffolk County-based Home Heating Oil/propane Companies To Agree To Stop Charging Surcharges For Credit Card Purchases

HAUPPAUGE, N.Y. (September 14, 2009) -Attorney General Andrew M. Cuomo today announced that his office has reached settlements with 14 Suffolk County-based home heating oil companies for improperly adding surcharges for credit card payments.

The agreements with Avalon Fuel Corporation, Ben Oil Company, Inc., Blue Collar Fuel, Inc., Comfort Fuel, Inc., Discount Oil, Inc., K Skee Fuel Oil Corp., NAPCO Oil Heat Corporation, Nordica Fuel Corp., Oil King of Long Island, Parkside Fuel, Inc., Paziienza Bay Carting and Fuel Company, Inc., Rocky & Marciano Fuel Oil, Inc., Southville Petroleum Corporation and Taylor Fuel, Inc. end the practice of adding surcharges for credit card payments and provide refunds to more than 2,000 affected consumers and pay penalties and costs to the state.

"As winter approaches, families across the state start looking for the best and most affordable way to keep their homes warm," said Attorney General Cuomo. "This already massive expense should not be compounded by hidden costs and charges that place an even greater burden on New York homeowners. Today's agreement will provide welcome relief to thousands of Long Islanders who suffered from these companies' misleading and deceptive business practices."

Under New York State General Business Law section 518, no seller may impose a surcharge for customers who elect to pay via credit card in lieu of payment by cash, check or similar means. After receiving complaints from local consumers, the Attorney General's Office conducted an immediate investigation into Suffolk County-based companies that were routinely charging illegal surcharges. As part of the agreements, the companies have agreed to immediately stop charging such fees:

- Manorville-based Avalon Fuel Corporation must provide refunds to an estimated 200 customers and pay \$4,000 in penalties, fees and costs to the state.
- Lindenhurst-based Ben Oil Company, Inc., must provide refunds to approximately 40 of its credit card-using customers.
- Shoreham-based Blue Collar Fuel, Inc. must pay refunds to 600 customers.
- Greenlawn-based Comfort Fuel, Inc. must pay refunds to 30 customers.
- Huntington-based Discount Oil, Inc. must provide refunds to 50 customers.
- Centereach-based K Skee Fuel Oil Corp. must refund 150 customers and pay a \$1,000 fine to the state.
- Lindenhurst-based NAPCO Oil Heat Corporation must provide refunds to 200 customers and pay \$3,000 in penalties, fees and costs to the state.
- Ronkonkoma-based Nordica Fuel Corp. must pay refunds to 70 customers.
- Oil King of Long Island, based in Bay Shore, must pay refunds to 40 customers.
- Parkside Fuel, Inc., of Mount Sinai, must provide refunds to 50 customers.
- Holtsville-based Paziienza Bay Carting and Fuel Company, Inc., must give refunds to 150

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customers and pay \$1,000 in penalties, fees and costs to the state.

- ▶ Holtsville-based Rocky & Marciano Fuel Oil, Inc. must provide refunds to 400 customers and pay \$4,000 in penalties, fees and costs to the state.
- ▶ East Northport-based Southville Petroleum Corporation must pay refunds to 55 customers, plus \$1,000 in penalties, fees and costs to the state.
- ▶ Ronkonkoma-based Taylor Fuel Company must pay refunds to approximately 20 customers.

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Consumers who believe they have been subjected to fraud or deceptive practices are urged to contact the Attorney General's Suffolk Regional Office at 631-231-2401. More information can be found online at www.ag.ny.gov.

The cases were handled by Acting Assistant Attorney General-in-Charge of the Suffolk Regional Office Alan Berkowitz.

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