

PSC NO: 12 GAS
COMPANY: CENTRAL HUDSON GAS & ELECTRIC CORPORATION
INITIAL EFFECTIVE DATE: 04/05/08
Issued in compliance with Order in C.07-G-0299 dated March 28, 2008

LEAF: 116
REVISION: 9
SUPERSEDING REVISION: 8

41. RETAIL ACCESS PROGRAM (Cont'd)

G. NATURAL GAS SUPPLY REQUIREMENT (Cont'd)

If a Retail Supplier declines to take assignment of the capacity held by the Company, the Company shall provide firm sales service to the Retail Supplier's customers commencing on November 1 and the Retail Supplier shall be prohibited from serving such customers for a period of one year.

In addition to any and all remedies the Company may have in law and/or equity, if a Retail Supplier fails to maintain firm, non-recallable, primary delivery point capacity, the Retail Supplier will be liable to the Company for an amount equal to \$50 times the daily volume in dekatherms of the difference between the capacity released by the Company to the Retail Supplier and the actual firm, non-recallable, primary delivery point capacity maintained by the Retail Supplier under the Company's Retail Access Program.

Issued by: Michael L. Mosher, Vice President, Poughkeepsie, New York