

PSC No: 16 - Gas  
Rochester Gas and Electric Corporation  
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## GENERAL INFORMATION

### 5. DISCONTINUANCE OF SERVICE (Cont'd)

#### K. ASSIGNMENT OF MARKETER'S CONTRACTS

- (1) A Marketer may assign customer contracts to other eligible Marketers, and transfer the rights to serve those customers, provided that the Marketer's contracts and disclosure statements clearly state that such assignments and transfers may occur. The assignment and transfer may be initiated upon submission of a notice to the Company, the PSC and the Marketer's customers at least fifteen (15) calendar days prior to the transfer date. The notice to the Company and the PSC shall include a copy of the assignment document(s) executed by officers of all the involved Marketers and a copy of the notice being sent to customers. The notice to customers shall inform them:
  - (a) Of the date(s) of the assignment;
  - (b) That service will be provided by the assigned Marketer; and
  - (c) Of any changes in the contract or disclosure statement terms (to the extent permitted by the existing contracts or disclosure statements), including ministerial changes such as telephone numbers, mailing addresses, etc.
- (2) The Company must, within five (5) calendar days of the notice from the Marketer, also send a notice to the Marketer's assigned Customers advising them that transfer requests have been received and will be executed.
- (3) Sample copies of the form of the notice to Customers shall be submitted to the Department of Public Service for review at least five (5) calendar days before the letters are sent to Customers.
- (4) If the Company learns that a Marketer has assigned Customers and transferred service to other Marketers without giving the required notices (in contracts and/or disclosure statement and in the letters to be sent at least fifteen (15) days prior to the transfer of service) to Customers and to the Company in accordance with the above requirements, the Company shall immediately inform the Department of Public Service and then, if directed, notify all of the Marketer's Customers in accordance with procedures noted above.
- (5) If a Marketer does not give the required notices to its Customers, the Company and the Commission in accordance with the above requirements prior to transferring Customers, the Marketer may be determined ineligible by the New York State PSC to sell natural gas to Customers in New York State and/or may be assessed a monetary penalty by the PSC.
- (6) The assignment document(s) (copies of which shall be provided to the Company and the Commission) shall indicate which party will be responsible for payment or reimbursement of any and all sums owed under this tariff or under any tariffs on file with the FERC, and service agreements relating thereto, or under any agreements between the Marketers and the Company and between the Marketer and the Customers.
- (7) If a more expeditious transfer process is judged to be needed in a specific situation, the Marketer may request such expedited treatment upon a showing of need to the PSC or its designee, who shall have the authority to grant such a request. The Company shall have standing in any such process.

(Continued on next leaf)

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