

PSC NO: 12 GAS LEAF: 112
COMPANY: CENTRAL HUDSON GAS & ELECTRIC CORPORATION REVISION: 2
INITIAL EFFECTIVE DATE: 02/19/04 SUPERSEDING REVISION: 1
Issued in Compliance with Order in C. 98-M-1343 Dated December 19, 2003

41. RETAIL ACCESS PROGRAM (Cont'd)

D. DELIVERABILITY DEMAND COMPONENTS (Cont'd)

(d) Capacity Release Surcharge

If a customer or their Retail Supplier chooses to take assignment of the upstream pipeline capacity under contract to the Company the customer will be assigned a Capacity Release billing determinant. The capacity release billing determinant is equal to the customer's daily delivery contract quantity (DCQ) and Incremental Capacity.

E. REQUIREMENTS OF RETAIL SUPPLIERS

- (a) Retail Suppliers must have signed and delivered a Supplier Operating Agreement with the Company.
- (b) Retail Suppliers must have authority to act as the customer's agent and attorney-in-fact for the purpose of scheduling, balancing and settlement.
- (c) Retail Suppliers must plan to meet the full natural gas supply requirements of the customer. In the event there is a material change or an anticipated substantial increase in the natural gas supply requirement of a customer or customers, Retail Suppliers will notify the Company of such change prior to such change or increase and will cooperate with the Company, as reasonably required by the Company, to accommodate such change or increase.
- (d) Retail Suppliers must notify the Company of any material change in the information submitted to the Commission for the Retail Supplier's eligibility determination.
- (e) A Retail Supplier may begin serving customers when his aggregated customers' estimated usage has reached the minimum annual requirements for a customer buying group, 50,000 CCF.

Issued by: Arthur R. Upright, Senior Vice President, Poughkeepsie, New York