

PSC No: 120 - Electricity
New York State Electric and Gas Corporation
Initial Effective Date: December 1, 2003

Leaf No. 96
Revision: 0
Superseding Revision:

GENERAL INFORMATION

16. Customer Advantage Program - General Retail Access: (Cont'd.)

E. ESCO/DC Participation: (Cont'd.)

10. Discontinuance of Service

(a) Voluntary Discontinuance of ESCO Operations

- i. An ESCO may discontinue operations (in whole or part) in NYSEG's service territory at will (subject to any penalties or sanctions that may arise due to contractual obligations), upon submission of a written notice to NYSEG and the ESCO's Eligible Customers at least fifteen (15) calendar days prior to the discontinuance date. The notice to Eligible Customers shall inform them of certain items as set forth in the Supplier Manual.
- ii. NYSEG must, within five (5) calendar days of the notice from the ESCO, also send a notice to the ESCO's Eligible Customers containing the same information as required above. Such notice by NYSEG to Eligible Customers will also include a list with names and telephone numbers of eligible ESCOs who have indicated a willingness to serve Eligible Customers in NYSEG's service area.
- iii. If NYSEG becomes aware that an ESCO has discontinued operations in its service territory without giving the proper notice to Eligible Customers and to NYSEG in accordance with the above requirements prior to discontinuing operations, NYSEG shall immediately inform the Commission and then, if directed, notify all of the ESCO's Eligible Customers as required above. In the notification, NYSEG shall also advise the Eligible Customers that, effective immediately, their service is being provided by NYSEG's then-current tariff rates and that payment for such service from the date of the notice until a subsequent switch by the Eligible Customer to an ESCO takes place must be made to NYSEG.

When an Eligible Customer returns to NYSEG service pursuant to this provision, it will be considered an Involuntary Switch.

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