

PSC No: 19 - Electricity  
Rochester Gas and Electric Corporation  
Initial Effective Date: March 1, 2004  
Issued under the authority of the PSC in Case Nos. 02-E-0198 and 02-G-0199, issued and effective March 7, 2003

Leaf No. 160.20  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

### 11. GENERAL RETAIL ACCESS - MULTI-RETAILER MODEL (Cont'd)

- b. Where the ESCO/DC violates the requirements set forth in Slamming Prevention, Rule 11.F. of this Schedule;
- c. Where the FERC issues an order authorizing discontinuance of participation by the ESCO/DC under the NYISO Tariffs;
- d. Where a court of competent jurisdiction issues an order authorizing discontinuance of the ESCO/DC;
- e. Where the Commission has determined that the ESCO/DC is not eligible to sell Electric Power Supply to Customers in the state, for reasons including, but not limited to an ESCO's/DC's:
  - 1. Failure to adhere to the policies and procedures described in its disclosure to Customers;
  - 2. Failure to comply with prescribed consumer protections;
  - 3. Generation of an unacceptably high volume of Customer complaints;
  - 4. Failure of an ESCO/DC to comply with applicable NYISO requests;
  - 5. Failure to comply with prescribed reporting requirements;
  - 6. Failure to comply with oversight requirements;
  - 7. Failure to apprise the Commission or RG&E of all material changes in the information in the applicant's initial filing with the Commission or RG&E;
  - 8. Failure to comply with the voluntary discontinuance requirements set forth above;
  - 9. Failure to comply with all other applicable requirements of the Commission pertaining to electric retail access programs in New York State, including, but not limited to, those in Opinion No. 97-5, and in the Order Clarifying Consumer Protections, issued October 25, 1996, as the same may be revised, modified, amended, clarified, supplemented or superseded;
  - 10. Failure to pay a bill for delivery services or an imbalance charge when due, or does not pay the bill within ten (10) calendar days after being notified of the non-receipt of payment; or
  - 11. Failure to comply with EDI standards.
- f. Where the NYISO discontinues service to the ESCO/DC under the NYISO Transmission Tariff.
- iii. RG&E may initiate the process to discontinue an ESCO by providing the ESCO a written notice (with a copy to the Commission) advising the ESCO that its right to enroll additional Customers is suspended immediately. The notice shall also state that unless the stated cause for the discontinuance is corrected within a designated period (not less than ten (10) calendar days) from the ESCO's receipt of the notice, or the Commission, or its designee, requires otherwise, the ESCO's Customers will be notified that the ESCO will be discontinued. The discontinuance will take place no longer than fifteen (15) calendar days after the end of the designated ten (10) calendar day period to cure the problem, except that in cases of nonpayment of invoices, the discontinuance will take place at the end of the designated ten (10) calendar day period to cure the problem.

ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Rochester, New York