

PSC No: 16 - Gas  
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. 127.22  
Revision: 0  
Superseding Revision:

## GENERAL INFORMATION

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

The Company will assess and correct any service problem involving the Company's facilities. If the problem does not involve the Company's facilities, the Company will take all actions necessary to protect life and property. If a Customer requests further repairs, the costs and expenses of such further repairs will be the responsibility of the Customer. If an ESCO requests further repairs, the costs and expenses of such further repairs will be the responsibility of the ESCO.

#### **(2) Restoration Information**

As described in the GTO Manual, the ESCO and its Customers can obtain available information on the status of restoration efforts by contacting the Company.

#### **(3) Restoration Efforts**

The Company will conduct restoration efforts in a non-discriminatory manner without regard to the ESCO affiliation of the affected Customer.

### **10. Discontinuance of Service**

#### **(a) Voluntary Discontinuance of ESCO Operations:**

i. An ESCO may discontinue operations (in whole or part) in RG&E'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 RG&E and the ESCO's Customers at least fifteen (15) calendar days prior to the discontinuance date. The notice to Customers shall provide them with certain information as set forth in the GTO Manual.

ii. RG&E must, within five (5) calendar days of the notice from the ESCO, also send a notice to the ESCO's Customers containing the same information as required above. Such notice by RG&E to Customers will also include a list with names and telephone numbers of eligible ESCOs who have indicated a willingness to serve Customers in RG&E's service area.

iii. If RG&E becomes aware that an ESCO has discontinued operations in its service territory without giving the proper notice to Customers and to RG&E in accordance with the above requirements prior to discontinuing operations, RG&E shall immediately inform the Commission and then, if directed, notify all of the ESCO's Customers as required above. In the notification, RG&E shall also advise the Customers that, effective immediately, their service is being provided by RG&E's then-current tariff rates and that payment for such service from the date of the notice until a subsequent switch by the Customer to an ESCO takes place must be made to RG&E. When a Customer returns to RG&E service pursuant to this provision, it will be considered an Involuntary Switch.

iv. If the ESCO does not give notice to its Customers and to RG&E in accordance with the above requirements prior to discontinuing operations, the ESCO may be determined ineligible by the Commission to sell gas to Customers in New York State and/or may be assessed a monetary penalty by the Commission.

v. Upon the discontinuance of an ESCO, the ESCO shall remain responsible for payment or reimbursement of any and all sums owed under the General Retail Access Tariff or under any tariffs on file with the PSC or FERC, and service agreements relating thereto, or under any agreements between the ESCO and RG&E. The ESCO shall also remain obligated to Customers to the extent provided for in any contracts with them.

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