

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

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GENERAL INFORMATION

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

- c. Where a court of competent jurisdiction issues an order authorizing discontinuance of the ESCO/DC;
- d. Where the Commission has determined that the ESCO/DC is not eligible to sell Gas 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 upstream pipelines' or Company-issued OFOs;
 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 gas 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Protections, issued October 25, 1996, as the same may be revised, modified, amended, clarified, supplemented or superseded;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, an imbalance charge, or other charges 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.
- e. Where an upstream pipeline discontinues service to the ESCO/DC under its 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.

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