

..DID: 10060

..TXT: PSC NO: 12 GAS

LEAF: 138.39

COMPANY: THE BROOKLYN UNION GAS COMPANY

REVISION: 1

INITIAL EFFECTIVE DATE: 10/01/99

SUPERSEDING REVISION: 0

STAMPS: Issued in compliance with Commission Order in Case 98-M-1343 dated 9/2

RECEIVED: 09/30/99 STATUS: Effective EFFECTIVE: 10/01/99

GENERAL INFORMATION (Cont.)

- (c) where there is a continued pattern of attempts to transfer retail customers without proper customer authorization (slamming).
- (d) where the FERC issues an order authorizing discontinuance of participation by the ESCO/Direct customer under the Company's open access transmission tariff; or
- (e) where a court of competent jurisdiction issues an order authorizing discontinuance of the ESCO/Marketer/Direct Customer; or,
- (f) where the New York State Public Service Commission has determined that the ESCO/Marketer is not eligible to sell natural gas to retail customers in the state, for reasons including:
 - (1) an ESCO/Marketer's failure to adhere to the policies and procedures described in its disclosure to customers;
 - (2) failure to comply with prescribed consumer protections;
 - (3) an unacceptably high volume of customer complaints;
 - (4) failure to comply with prescribed reporting requirements;
 - (5) failure to comply with oversight requirements;
 - (6) failure to apprise the New York State Public Service Commission of all material changes in the information in the applicant's initial filing;

Issued by Steven L. Zelkowitz, Sr. Vice President and General Counsel, Brooklyn, NY