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..TXT: PSC NO: 218 GAS LEAF: 197.23
COMPANY: NIAGARA MOHAWK POWER CORPORATION REVISION: 0
INITIAL EFFECTIVE DATE: 06/01/99 SUPERSEDING REVISION:
STAMPS:
RECEIVED: 04/26/99 STATUS: Effective EFFECTIVE: 06/01/99
SERVICE CLASSIFICATION NO. 11
LOAD AGGREGATION (continued)

Involuntary Discontinuance of an Marketer*s Participation in the Supplier Select Program
(continued)

- e. Where the PSC or DPS determines that the Marketer is not eligible to sell electricity or natural gas to retail customers in the State of New York for reasons including:
- i. failure to adhere to the policies and procedures described in its disclosure statement to customers;
 - ii. failure to comply with prescribed consumer protections;
 - iii. an unacceptably high volume of customer complaints;
 - iv. failure to comply with applicable ISO and Power Exchange requirements;
 - v. failure to comply with prescribed reporting requirements;
 - vi. failure to comply with oversight requirements set forth by the PSC or DPS;
 - vii. failure to apprise the PSC of all material changes in the information in the applicant*s initial filing;
 - viii. failure to comply with the voluntary discontinuance requirements set forth in this Service Classification;
 - ix. failure to comply with other applicable requirements of the PSC, including those in Opinion No. 97-5, "Opinion and Order Establishing Regulatory Policies for the Provision of Retail Energy Services", issued May 19, 1997, in Case 94-E-0952; and in the Order Clarifying consumer Protections, issued October 25, 1996, in Cases 93-G-0932, et. al.
- f. Where the Marketer fails to pay a bill for an imbalance charge (including special interim imbalance charge) when due, does not pay the bill within 10 calendar days after notification of non-receipt of payment, and the available security is or will be insufficient to cover the amount of default.
3. The Company may initiate the process to discontinue a Marketer by providing the Marketer a notice (with a copy to the PSC) that advises the Marketer that its right to switch additional customers is suspended immediately and that the discontinuance process is being initiated.
- a. The notice will state that unless the stated cause of the discontinuance is corrected within 10 calendar days from the Marketer*s receipt of the notice, or the PSC or the DPS requires otherwise, the Marketer*s existing customers will be notified that the Marketer will be discontinued.

Issued By: Darlene D. Kerr, Executive Vice President, Syracuse, New York