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### 35. RETAIL ACCESS PROGRAM (Cont'd)

#### I. RETAIL SUPPLIER REQUIREMENTS

##### Eligibility Criteria

To be eligible to participate in the Retail Access Program, Retail Suppliers, excluding customers that are acting as their own Retail Suppliers, must: (1) file an application (eligibility filing) with the PSC's Consumer Services Division; (2) receive notification of eligibility from the PSC Consumer Services Division; (3) abide by the compliance requirements below; (4) meet creditworthiness and operating standards of the Company, where applicable, and (5) execute a Supplier Operating Agreement with Central Hudson.

To be eligible to participate in the Retail Access Program, a customer acting as its own Retail Supplier must: (1) abide by compliance requirements 35.F(f), 35.F(i), 35.F(j), 35.F(k) and 35.F(l), below; (2) meet creditworthiness and operating standards of the Company, where applicable; and (3) execute a Supplier Operating Agreement with Central Hudson.

Upon satisfactory completion of the above requirements, the Retail Supplier shall be eligible to participate in the Company's Retail Access Program.

- (a) A Retail Supplier must provide a prospective customer with a statement of the Retail Supplier's terms, conditions and the customer's rights and responsibilities prior to the customer making a commitment to the Retail Supplier. The statement must provide notice to the customer that the customer's usage history will be released to the Retail Supplier by the Company upon customer's approval of Retail Supplier. Such customer commitment should be considered final only after the customer has been provided the required statement.
- (b) Retail Suppliers must comply with all applicable provisions of Opinion Nos. 97-5 and 99-3, and any subsequent Commission rulings, including, but not limited to the following consumer protection provisions:
  - (i) Provide prospective customers with a copy of their disclosure statement prior to the customer making a commitment to the Retail Supplier;
  - (ii) Provide customers with a minimum of fifteen (15) business days notice prior to terminating the contractual relationship for electric power supply;

Issued by: Arthur R. Upright, Senior Vice President, Poughkeepsie, New York