

..DID: 8438  
..TXT: PSC NO: 1 GAS LEAF: 118.38  
COMPANY: MARKETSPAN GAS CORPORATION DBA BROOKLYN UNION REVISION: 0  
INITIAL EFFECTIVE DATE: 06/01/99 SUPERSEDING REVISION:  
STAMPS:  
CANCELLED effective 06/29/99  
RECEIVED: 04/26/99 STATUS: Cancelled EFFECTIVE: 07/01/99

**GENERAL INFORMATION (Cont.)**

C. Involuntary Discontinuance of an ESCO/Marketer/Direct Customer's Right to Provide Service to Retail Customers

1. The Company shall have the right to initiate a process to discontinue an ESCO/Marketer/Direct Customer's participation in the Company's Retail Access Program:
  - (a) where the Company determines that it is necessary or desirable for safety or for system reliability reasons, which shall include an understanding that:
    - (1) actual scheduled deliveries must not deviate consistently and unreasonably beyond a pre-determined percentage (to be set forth in the tariff) of the ESCO/Marketer/Direct Customer's day ahead forecast schedule of energy supply requirements; and,
    - (2) day ahead forecast schedules must not deviate consistently and unreasonably beyond a pre-determined percentage (to be set forth in the tariff) of the ESCO/Marketer/Direct Customer's actual aggregate customer load in the service territory, unless balancing service is provided by the Company;
  - (b) where the ESCO/Marketer/Direct Customer fails to comply with the terms and conditions of the Company's tariff;

Issued by Robert J. Fani, Senior Vice President, Hicksville, NY