

..DID: 8282

..TXT: PSC NO: 12 GAS

LEAF: 138.39

COMPANY: THE BROOKLYN UNION GAS COMPANY

REVISION: 0

INITIAL EFFECTIVE DATE: 06/01/99

SUPERSEDING REVISION:

STAMPS:

Cancelled by 1 Rev. Leaf No. 138.39 Effective 10/01/1999

RECEIVED: 04/26/99 STATUS: Cancelled EFFECTIVE: 06/01/99

**GENERAL INFORMATION (Cont.)**

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