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GENERAL INFORMATION

PART II - RULES AND REGULATIONS

2. HOW TO OBTAIN SERVICE (Cont'd)

B. RETAIL CUSTOMER ENROLLMENT / INFORMATION REQUIREMENTS (Cont'd)

(6) Slamming Prevention Process

- (a) To request a switch of service providers, Distribution Customers must notify the Distribution Provider of the switch using the process outlined in Rule 2.B.5.
- (b) Upon receipt of the switch request from a Distribution Customer, the Distribution Provider must, at least five (5) calendar days prior to the switch date, send a verification letter to the affected Retail Customer and notify the incumbent Distribution Customer, that is serving the Retail Customer at that time.
- (c) The verification letter must advise the Retail Customer of the switch request and ask that he/she contact the Distribution Provider within five (5) calendar days if the switch request information is incorrect. The general content of the letter must be filed with the Department of Public Service for review before it is used for this purpose.
- (d) If the Retail Customer notifies the Distribution Provider that the request is not valid, the switch will not be made or will be reversed. If an unauthorized switch has been made and the service classification changed, the Distribution Provider will transfer the Retail Customer back to his/her prior service classification.
- (e) All unauthorized switches shall be reported by the Distribution Provider to the Department of Public Service.

Distribution Customers switching Retail Customers without the Retail Customer's authorization will be fully responsible for all wrongful charges applied to the Retail Customer's bills and for all reasonable costs incurred by the Distribution Provider. Such Distribution Customer's eligibility may also be terminated by the New York State Public Service Commission and/or a monetary penalty may be imposed.

Distribution Customers must retain six years documentation of a Retail Customer's authorization to switch. Such documentation must be in the form of one of the following:

- (a) Written agreements signed by the Retail Customer;
- (b) Written statements by independent third parties that witnessed or heard verbal commitments by the Retail Customer;
- (c) Tape recordings made by the Distribution Customer of the Retail Customer's verbal commitments;
or
- (d) Electronic transmittals that can be shown to have originated with the Retail Customer.

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ISSUED BY: James A. Lahtinen, Vice President Rates and Regulatory Economics, Rochester, New York