

PSC No: 120 - Electricity  
New York State Electric and Gas Corporation  
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Superseding Revision:

#### GENERAL INFORMATION

16. General Retail Access: (Cont'd.)

E. ESCO/DC Participation:

1. Eligibility Criteria:

- (a) To be eligible to participate in General Retail Access, an ESCO must: (a) file an application (eligibility filing) with the Commission's Office of Consumer Affairs; (b) receive and maintain an affirmative determination of eligibility on such application; (c) abide by the applicable compliance requirements below; (d) meet creditworthiness and operating standards of NYSEG, where applicable; and (e) execute an Operating Agreement with NYSEG. DCs must meet the requirements set forth in (c), (d), and (e) of this paragraph 16.E.1(a).

2. ESCO/DC Requirements:

- (a) ESCOs participating in the Program must set forth in their ESCO Application Form between NYSEG and the ESCO the means by which the ESCO will satisfy the requirement to obtain reasonable proof of customer eligibility.
- (b) An ESCO must provide a prospective Eligible Customer with a statement of the ESCO's terms and conditions and the Eligible Customer's rights and responsibilities prior to the Eligible Customer making a commitment to the ESCO. Such Eligible Customer commitment should not be considered final until three (3) Business Days after the Eligible Customer's receipt of the ESCO's Disclosure Statement. The statement must inform the prospective Eligible Customer of any intent by the ESCO to obtain Eligible Customer billing and usage and credit information from NYSEG.
- (c) ESCOs must comply with the provisions of Opinion No. 97-5, including, but not limited to, the following consumer protection provisions:
  - i. Provide prospective customers with a copy of their disclosure statement prior to the Eligible Customer making a commitment to the ESCO;

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