

PSC No: 120 - Electricity
New York State Electric and Gas Corporation
Initial Effective Date: December 1, 2003

Leaf No. 99
Revision: 0
Superseding Revision:

GENERAL INFORMATION

16. Customer Advantage Program - General Retail Access: (Cont'd.)

E. ESCO/DC Participation: (Cont'd.)

10. Discontinuance of Service (Cont'd.)

(c) ESCO Suspension Criteria: (Cont'd.)

- ii. In the following circumstances, NYSEG shall have the right to initiate a process to discontinue an ESCO's participation in the Program:
 - a. In the event that an ESCO's actual scheduled deliveries deviate consistently and unreasonably beyond a pre-determined percentage (set forth in Section 16.E.9.(a)v. of this Program tariff) of the ESCO's day ahead forecast schedule of Electric Power Supply requirements;
 - b. In the event that an ESCO's day ahead forecast schedules deviate consistently and unreasonably beyond a pre-determined percentage (set forth in Section 16.E.9.(a)v. of this Program tariff) of the ESCO's actual aggregated customer load in the service territory;
 - c. Where the ESCO fails to comply with the terms and conditions of NYSEG's tariffs or Operating Agreement;
 - d. Where the ESCO violates the requirements set forth in Slamming Prevention, Section 16.G. of this tariff;
 - e. Where the FERC issues an order authorizing discontinuance of participation by the ESCO under the NYISO Tariffs;
 - f. Where a court of competent jurisdiction issues an order authorizing discontinuance of the ESCO;
 - g. Where the Commission has determined that the ESCO is not eligible to sell Electric Power Supply to Eligible Customers in the state, for reasons including, but not limited to an ESCO's:
 - 1. Failure to adhere to the policies and procedures described in its disclosure to Eligible Customers;

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