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COMPANY: CENTRAL HUDSON GAS & ELECTRIC CORPORATION REVISION: 1
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35. RETAIL ACCESS PROGRAM (Cont'd)

I. RETAIL SUPPLIER REQUIREMENTS

Eligibility Criteria

To be eligible to participate in the Retail Access Program, Retail Suppliers, excluding Direct Customers, must: (1) file an application (eligibility filing) with the PSC's Consumer Services Division; (2) receive notification of eligibility from the PSC's Consumer Services Division; (3) abide by the compliance requirements below; (4) meet creditworthiness and operating standards of the Company, where applicable; (5) execute a Supplier Operating Agreement with Central Hudson; and, (6) must establish and maintain the status of a qualified load serving entity (LSE) as determined by the New York Independent System Operator (NYISO), including executing any necessary service agreements under the NYISO Tariffs, or contract with another NYISO qualified LSE.

To be eligible to participate in the Retail Access Program a Direct Customer, acting as its own Retail Supplier must: (1) abide by compliance requirements 35.I(f), 35.I(g), 35.I(j), 35.I(k), 35.I(l) and 35.I(m), below; (2) meet creditworthiness and operating standards of the Company, where applicable; (3) execute a Supplier Operating Agreement with Central Hudson; and, (4) must establish and maintain the status of a qualified LSE as determined by the NYISO, including executing any necessary service agreements under the NYISO Tariffs, or contract with another NYISO qualified LSE.

Upon satisfactory completion of the above requirements, the Retail Supplier shall be eligible to participate in the Company's Retail Access Program.

- (a) A Retail Supplier must provide a prospective customer with a statement of the Retail Supplier's terms, conditions and the customer's rights and responsibilities prior to the customer making a commitment to the Retail Supplier. The statement must provide notice to the customer that the customer's usage history will be released to the Retail Supplier by the Company upon customer's approval of Retail Supplier. Such customer commitment should be considered final only after the customer has been provided the required statement.
- (b) Retail Suppliers must comply with all applicable provisions of Opinion Nos. 97-5 and 99-3, and any subsequent Commission rulings, including, but not limited to the following consumer protection provisions:

Issued by: Arthur R. Upright, Senior Vice President, Poughkeepsie, New York