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35. RETAIL ACCESS PROGRAM (Cont'd)

A. CUSTOMER ELIGIBILITY

To be eligible for service under the Retail Access Program (Service Classification Nos. 15, 16, 18, 19, 20 or 21) the customer must:

- (a) meet the eligibility criteria set forth in one of the above tariffs; and,
- (b) assist and allow the collection of data and information necessary to evaluate the program; and,
- (c) agree to subscribe to the services of only one Retail Supplier at a time per meter, excluding meters through which a Power for Jobs (PFJ) allocation is received. A customer receiving a PFJ allocation through a given meter may choose to purchase energy and capacity from a single retail supplier to meet the remainder of its load at that meter.

B. CUSTOMER ENROLLMENT

- (a) Service under the Retail Access Program will be provided on a first come first served basis until the maximum penetration level is achieved. Eligible customers who are prevented from enrolling in the program due to oversubscription of the program will be given priority for enrollment as load becomes available or at the next scheduled increase in the load penetration level;
- (b) A customer with a demand of at least one megawatt, may act as his own Retail Supplier (Direct Customer) to obtain energy and capacity from a generator and requisite transmission services from transmission providers to interconnect with the Central Hudson system subject to the applicable terms and conditions of Central Hudson's Retail Access Program. A Direct Customer may aggregate and schedule load for a group of Direct Customers without applying to the NYS Department of Public Service to become a Retail Supplier
- (c) Customers interested in the program may contact Central Hudson and request a listing of eligible Retail Suppliers published by the Company;
- (d) The customer may contact any eligible Retail Supplier directly and request a statement of the Retail Supplier's terms and conditions that detail the customer's rights, responsibilities, and expected costs;

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