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COMPANY: CENTRAL HUDSON GAS & ELECTRIC CORPORATION REVISION: 0
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35. RETAIL ACCESS PROGRAM (Cont'd)

P. **TERMINATION OF SERVICE** (Cont'd)

(b) (Cont'd)

3. If the Retail Supplier does not give the required notice to its retail customers and to Central Hudson, the Retail Supplier may be determined ineligible by the New York State Public Service Commission to sell electricity to retail customers in New York State and/or may be assessed a monetary penalty by the New York State Public Service Commission.
4. Upon receipt of a switch request from a subsequent Retail Supplier following the termination notice, Central Hudson will verify the intended switch with the customer in accordance with the "Slamming Prevention Process," (e.g., Central Hudson must notify the customer within five (5) calendar days of the switch request).

(c) Involuntary Termination of a Retail Supplier/Direct Customer's Right to Provide Service to Retail Customers

1. The Company will have the right to initiate a process to terminate a Retail Supplier/Direct Customer's participation in Central Hudson's Retail Access Program:
 - (a) where Central Hudson determines that it is necessary or desirable for safety or for system reliability reasons (including, but not limited to, the proper scheduling and delivery of electric energy and capacity to meet the needs of customers), which will include an understanding that:
 - (1) total monthly actual scheduled deliveries must not deviate consistently and unreasonably beyond five (5) percent of the Retail Supplier/Direct Customer's day ahead forecast schedule of energy supply requirements; and,
 - (b) where the Retail Supplier/Direct Customer fails to comply with the terms and conditions of Central Hudson's tariff or distribution operating agreement;
 - (c) where there is a continued pattern of attempts to transfer retail customers without proper customer authorization (slamming).

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