

## SUBSTANCE OF PROPOSED RULE

The Uniform Business Practices (UBP) govern the interrelationships between utilities, Energy Services Companies (ESCOs) and customers participating in retail access programs in New York State. The UBP, initially published on January 22, 1999, were designed to foster competition in the provision of energy commodity in New York State by establishing certain statewide procedures to, among other things, minimize barriers to entry and reduce operating costs for ESCOs or Direct Customers that participate in retail access programs in multiple utility service territories.

The Commission is considering whether to approve or reject, in whole or in part, a petition filed by U.S. Energy Savings Corporation (USES) for changes to the Uniform Business Practices, as described below. USES requests that paragraph D.4 of Section 5 of the UBP (Changes in Service Providers) be revised to require utilities, upon receipt of an enrollment request, to notify the pending ESCO as to whether the customer is already receiving service from another energy services company. The petition requests that paragraph E.1 of Section 5 of the UBP be revised so that, when a customer receives a verification letter from the utility notifying the customer of the utility's acceptance of an enrollment request, if the customer decides to cancel the enrollment, the customer must immediately notify the utility, the incumbent ESCO or the pending ESCO. The petition requests that paragraph E.1 of the UBP be amended to allow the incumbent ESCO, if it has obtained the customer's prior authorization, to cancel a pending enrollment request by notifying the utility. The petition also requests that the Commission take any other action, including other changes to the UBP and the EDI standards, as it deems necessary to accommodate the relief sought in the petition.

The Commission is also considering making such other and related findings and authorizations as it deems appropriate.