

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 98-M-1343 - In the Matter of Retail Access Business Rules.

NOTICE EXTENDING DEADLINES

(Issued December 30, 2025)

On November 13, 2025, the Public Service Commission (Commission) issued an Order Adopting Modifications to the Uniform Business Practices (Order) in the above-captioned proceeding. Among other things, the Order modified the Uniform Business Practices (UBP) to reflect amendments to the New York State General Business Law (GBL) §349-d; adopted the March 26, 2024 Department of Public Service (DPS) staff proposal, with modifications; and required energy service companies (ESCOs) to include sample customer renewal notices as part of the retail access application requirements (Ordering Clause 6) and certain customer pricing information as part of renewal notices (Ordering Clause 7). In addition, Ordering Clause 8 required ESCOs to obtain express customer consent for any material change made to a contract with a customer. Finally, Ordering Clause 9 requires DPS staff to collect information regarding the number of ESCO customers served on month-to-month contracts.

On December 15, 2025, M&R Energy Resources Corp. (M&R) and the Retail Energy Supply Association (RESA) filed petitions for clarification, reconsideration, and/or rehearing of the Order, that included requests to stay or extend the compliance deadlines in the Order. Additionally, M&R, on December 24, 2025, and RESA, on December 26, 2025, requested extensions of several of the Order's Ordering Clauses. Specifically, M&R requests an extension of Ordering Clauses 1, 2, 6, 7, and 8,

while RESA requests an extension of Ordering Clauses 1, 2, 6, 7, and 9.

M&R asserts that an extension of the Order's compliance deadlines is appropriate because the Order would require ESCOs to implement substantial and potentially irreversible operational changes that are subject to potential modification on rehearing. Additionally, M&R claims that it may be forced to suspend its guaranteed savings product immediately if the compliance deadlines of the Order are not extended pending the Commission's decision on its petition for rehearing.

RESA asserts that an extension of the Order's compliance deadlines is necessary because the sample renewal notice adopted by the Order has not yet been posted and does not comply with the requirements of the GBL. RESA adds that an extension is also warranted so that RESA can, prior to Order implementation, obtain clarification from the Commission regarding the application of the Order's requirements to Community Choice Aggregation programs and the directive to DPS staff to collect information on month-to-month contracts. RESA asserts that implementing the Order prior to addressing its petition for rehearing will result in customer confusion, market disruption, and implementation issues, if additional UBP modifications are later adopted upon rehearing.

Prolonging the status quo must be balanced against the need to promptly provide consumers the protections the Commission adopted in its Order. Here, considering all stakeholders' interests and the importance of ensuring an orderly transition and implementation of the Order's requirements, an extension is warranted with respect to the ESCO compliance deadlines established by Ordering Clauses 6, 7, and 8, only. Therefore, extensions to comply with Ordering Clauses 6, 7, and 8 are granted, pending Commission review of the

petitions for clarification, reconsideration, and/or rehearing, to all ESCOs eligible to operate in New York. Stated another way, based upon the information that has been provided, and considering the justifications underlying the extension requests, extensions, until the date that Commission issues an order addressing the petitions for clarification, reconsideration, and/or rehearing that were filed by M&R and RESA, are granted to all ESCOs eligible to operate in New York. It is anticipated that the Commission will establish new deadlines for complying with the requirements set forth in Ordering Clauses 6, 7, and 8 in the order it issues addressing the petitions mentioned above. These extensions are granted to promote the fair, orderly and efficient conduct of this proceeding. No extension is provided by this Notice with respect to Ordering Clauses 1, 2, and 9 or any of the remaining Ordering Clauses of the Order.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary