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PART 58. PETITIONS FOR EXEMPTION FROM COMPLIANCE WITH PROVISIONS OF THE PUBLIC SERVICE LAW

§ 58.2 Contents of petition

(a) The petition shall set forth in detail the reasons and facts which warrant the granting of the relief requested, and which establish that the exemption is in the public interest. The petition shall contain at least the following:

- (1) a description of the nature and extent of both the petitioner's general business and its utility business (including the amount of revenue received from such business);
- (2) the names and addresses of utility customers the petitioner wishes to serve;
- (3) a description of the type, amount and anticipated duration of the utility service to be provided;
- (4) a demonstration that the petitioner will be able to provide safe and adequate utility service; and
- (5) the name and address of any franchised utility which is providing similar service to customers in the territory which the petitioner wishes to serve.

(b) If the petitioner seeks the commission's approval pursuant to Public Service Law, section 68, 81 or 89-e, it shall so state. The petition shall include the information required by sections 21.2 and 21.3 of this Title.

(c) If the petitioner has already received the commission's approval pursuant to Public Service Law, section 68, 81 or 89-e, the petition shall include:

- (1) a list of the franchises being exercised, including:
 - (i) the names of the grantors, the dates when granted, the dates of approval by the commission and the numbers of the cases in which approval was granted; and
 - (ii) copies of any franchise duly certified by the proper official; and
- (2) a description of the plant or system to be operated.

§ 58.3 Gas service to less than 20 customers

Where the permission granted the petitioner pursuant to Public Service Law, section 68, is to supply gas only to less than 20 customers specified by the commission, the commission may, if the public interest permits, exempt such corporation from compliance with all or any of the provisions of Public Service Law, article 4, except those affecting matters of public safety and the provisions of sections 26, 65 and 68.*

*FOOTNOTE: The power of the commission to commence an enforcement proceeding, which is now set forth in section 26 of article 1 of the Public Service Law, was previously set forth in section 74 of article 4.

§ 58.4 Gas service to 20 or more customers; electric, steam and water service

Where the permission granted the petitioner pursuant to Public Service Law, section 68, 81 or 89-e, is to supply gas to 20 or more customers or electricity, steam or water to any number of customers specified by the commission, the commission may, if the public interest permits, exempt such corporation from making full reports and from keeping accounts as to such subsidiary and incidental business.