

**BARC
ELECTRIC COOPERATIVE**

DISPUTE RESOLUTION PROCEDURE

BARC ELECTRIC COOPERATIVE DISPUTE RESOLUTION PROCEDURE

TO ADDRESS DISPUTES BETWEEN THE COOPERATIVE AND COMPETITIVE SERVICE PROVIDERS

According to Title 20, Chapter 312, Section 110 of the Virginia Administrative Code, *Rules Governing Retail Access to Competitive Energy Services*, prior to implementation of full or phased-in retail access each local distribution company is to establish and file with the State Corporation Commission (“Commission”) an explicit dispute resolution procedure to address complaints, disputes, or alleged violations of the provisions of this chapter that may arise between the local distribution company and a competitive service provider (“CSP”).

This is BARC Electric Cooperative’s (the “Cooperative”) Dispute Resolution Procedure for retail access. The following procedures shall apply to all disputes between a CSP and the Cooperative with respect to the CSP’s provision of Electricity Supply Services in the Cooperative’s service territory. This procedure does not apply to disputes between a CSP and its transmission provider or a consumer and its chosen CSP. Any disputes between a member and the Cooperative will be addressed as described in the Cooperative’s *Terms and Conditions of Service*.

Dispute Resolution Procedure:

1. The Cooperative shall use good faith and reasonable efforts to informally resolve all complaints, disagreements and disputes with registered CSPs.
2. The Cooperative’s Consumer Accounting Department, which can be reached by calling (800) 846-2272, shall be the Cooperative’s contact for all customer questions and requests for information, including complaints, disagreements and disputes. A CSP may submit its questions and requests for information to the Cooperative by telephone, e-mail, facsimile, letter or similar means. For the purpose of clarification, the Cooperative may request that the CSP present its question or request in writing, including a clear statement of the action or relief requested (“Request”).
3. The Cooperative pledges to resolve complaints, disagreements and disputes in a reasonable and timely manner through this Dispute Resolution Procedure. Normally, the Cooperative will provide a written response, including a proposal for resolution, to a Request within 15 business days after the Cooperative receives the Request. In the event the Cooperative finds that it cannot adequately respond to the Request within such 15 business days, the Cooperative will notify the CSP in writing and will provide a date by which its response may be expected.
4. If the initial exchange of written material and any discussions do not resolve the dispute, either party may request a meeting at a mutually acceptable location to discuss the matter further. The responding party must agree to such a meeting to be held within 15 business days following the request.

5. If the Cooperative and the CSP are unable to resolve a dispute under this Dispute Resolution Procedure, the parties may mutually agree to an alternative dispute resolution technique (such as mediation or arbitration) prior to or in lieu of petitioning the State Corporation Commission.
6. This Dispute Resolution Procedure does not preclude either party from submitting a formal dispute to the State Corporation Commission for resolution.
7. If the Cooperative and the CSP are unable to resolve a dispute under the Dispute Resolution Procedure within 45 business days after the receipt of the Request or other mutually agreed-upon time frame, either party may file the dispute with the State Corporation Commission for formal resolution.
8. If a dispute involves the accuracy of invoiced charges, the CSP must pay the full disputed invoice on or before the delinquent date. The disputed charges shall be treated as mutually agreed to or in accordance with the order of the State Corporation Commission. If the dispute is resolved in the CSP's favor, the Cooperative will make an appropriate refund to the CSP within ten (10) business days via either a wire transfer to the CSP's bank, or a credit on the CSP's next invoice.
9. Nothing shall limit the right of any party to file an appropriate complaint or request for relief with a regulatory authority of competent jurisdiction under relevant provisions of the Code of Virginia, the Federal Power Act, or other applicable state or federal law.