**Section 470.250 Customers on Utility Hourly Service**

a) Unless otherwise agreed to with the Governmental Aggregator, if the Aggregation Supplier sends the required disclosures, the disclosures shall be sent to customers on Utility Hourly Service and shall contain the following information:

1) that a customer may be denied his/her/its request to join the Aggregation Program based on the terms and conditions of the electric utility's applicable hourly service tariff;

2) that potential savings depend on the customer's actual hourly use patterns, that savings may vary, and that the disclosure shall contain no comparison of rates; and

3) a description of the affirmative action necessary for the customer to join the Aggregation Program.

b) Disclosures sent to customers on Utility Hourly Service shall not contain a comparison of the proposed aggregation rate to the electric utility's fixed-price service rate, but may include the information contained in Section 470.210(b)(4).

c) In the case of an Opt-out Aggregation Program, the Aggregation Supplier shall verify a Utility Hourly Service customer's request to join the Aggregation Program in the same manner as an electric service provider confirms a change in a customer's selection of a provider of electric service under Section 2EE(a) through (c) of the Consumer Fraud and Deceptive Business Practices Act.