

~~(2) ANY REVENUE FOREGONE OR COST INCURRED BY AN APPLICANT ENGAGED IN AFFILIATE WHEELING MAY NOT BE RECOVERED FROM ANY OF THE WHEELING COMPANY'S REMAINING NONWHEELING RETAIL ELECTRIC CUSTOMERS, INCLUDING ANY COST ATTRIBUTABLE TO AN ASSET OF THE WHEELING COMPANY OR ELECTRIC COMPANY THAT IS IDLED BY AN AFFILIATE WHEELING ARRANGEMENT UNDER THIS SUBTITLE.~~

~~(C) A RETAIL ELECTRIC CUSTOMER WHO RETURNS TO THE WHEELING COMPANY'S SYSTEM SHALL HAVE THE SAME RIGHTS AND PRIVILEGES AS A NEW ELECTRICITY SUPPLY CUSTOMER.~~

7-505.

~~AN ELECTRIC COMPANY OR WHEELING COMPANY MAY NOT:~~

~~(1) FRUSTRATE OR OTHERWISE INTERFERE WITH THE IMPLEMENTATION OF THIS SUBTITLE, IN ANY MANNER, OR CONSTRAIN THE EFFECTS OF COMPETITION ARISING FROM THIS SUBTITLE TO SET THE PRICE OF ELECTRICITY AT MARKET PRICE LEVELS RATHER THAN REGULATED PRICE LEVELS; OR~~

~~(2) USE A COMMISSION DESIGNATED DISTRIBUTION TERRITORY OR ORDER GRANTING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROHIBIT OR PREVENT AFFILIATE WHEELING UNDER THIS SUBTITLE.~~

7-506.

~~(A) AN APPLICANT MAY:~~

~~(1) APPEAL TO THE COMMISSION IF A WHEELING COMPANY DENIES A REQUEST FOR AFFILIATE WHEELING; AND~~

~~(2) REQUEST REASONABLE INFORMATION, AS DETERMINED BY THE COMMISSION, FROM THE POTENTIAL WHEELING COMPANY, INCLUDING INFORMATION ABOUT AVAILABLE CAPACITY AND RELIABILITY OF THE WHEELING COMPANY'S TRANSMISSION OR DISTRIBUTION SYSTEM UNDER VARIOUS ASSUMPTIONS AND SCENARIOS.~~

~~(B) IF A WHEELING COMPANY DENIES A REQUEST FOR AFFILIATE WHEELING, THE COMMISSION, ON REQUEST OF THE APPLICANT, SHALL HOLD AN EVIDENTIARY HEARING ON THE FAIRNESS OR REASONABLENESS OF THE DENIAL.~~

~~(C) ALL REASONABLE INFORMATION REQUESTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED TO THE APPLICANT BY THE WHEELING COMPANY.~~

~~(1) WITHIN 30 DAYS AFTER THE WHEELING COMPANY RECEIVES THE APPLICANT'S REQUEST FOR INFORMATION; AND~~

~~(2) IN WRITTEN FORM.~~

~~(D) A WHEELING COMPANY BEARS THE BURDEN OF PROVING BY CLEAR AND CONVINCING EVIDENCE TO THE COMMISSION.~~