**CHARGE Conference Call**

**September 19, 2013**

**RECAP OF DISCUSSION**

**17. EGS Marketing Activities**

1. PUC adopted guidelines by order on November 4, 2010, which is available at the following link: <http://www.puc.pa.gov/pcdocs/1101235.docx>
2. Proposed rulemaking order adopted by PUC at February 10, 2011 Public Meeting; copy of entered order is attached; can be accessed on OCMO page and at the following link: <http://www.puc.pa.gov/pcdocs/1121422.doc>
3. Formal comments (filed with the Secretary of the PUC) were due on December 21, 2011 or sixty days after publication in the Pa. Bulletin, which occurred on October 22, 2011 at the following link: <http://www.pabulletin.com/secure/data/vol41/41-43/1789.html>.
4. Final Rulemaking Order adopted on October 24, 2012, which may be accessed at the following link: <http://www.puc.pa.gov/pcdocs/1196732.docx>.
   1. Petition for Reconsideration filed on November 8, 2012 and answers to Petition filed on November 19, 2012; all are available at the following link:

<http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=L-2010-2208332>.

* 1. Order on Petition for Reconsideration was adopted at 4/4/13 Public Meeting and is available at the following link: <http://www.puc.pa.gov//pcdocs/1222787.doc>
  2. Final regulations were approved by Independent Regulatory Review Commission on 5/16/13.
  3. Final regulations went into effect on 6/29/13 upon publication in Pa. Bulletin at the following link: <http://www.pabulletin.com/secure/data/vol43/43-26/1154.html>
  4. ***REMINDER: per Section 111.14 of the new regulations, suppliers are to notify Commission staff of door-to-door marketing activities. General information (municipality, dates) should be sent to the PUC no later than the morning that the activity commences. Notices should be emailed to*** [RA-PCDOORTODOOR@pa.gov](mailto:RA-PCDOORTODOOR@pa.gov).

**45. Accelerating Supplier Switching Timeframes (No update)**

1. Tentative Order adopted on November 10, 2011 which is available at the following link: <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2011-2270442>; Comments were due 30 days after entry of order, or on December 14, 2011.
2. Final Order adopted on October 24, 2012, which may be accessed at the following link: [http://www.puc.pa.gov/pcdocs/1196717.docx](http://www.puc.state.pa.us/pcdocs/1196717.docx); order will be effective 90 days after entry of order, or on January 24, 2013.
3. EDCs’ implementation dates: (More details will be provided by EDCs through normal EGS communications processes)
   1. PECO: Implemented June 13, 2013.
   2. PPL: Implemented January 25, 2013.
   3. FE: Implemented January 28, 2013.
   4. Duquesne: Implemented January 23, 2013.
4. Proposed rulemaking order will be initiated by 12/31/13 per the RMI Final Order adopted 2/14/13.

**46. Retail Markets Investigation**  (Docket No. I-2011-2237952)

1. PUC has launched statewide investigation to ensure properly functioning and workable competitive retail electricity market exists in the Commonwealth.
2. Information posted on website at: <http://www.puc.pa.gov/utility_industry/electricity/retail_markets_investigation.aspx>
3. Secretarial Letter and End State Proposal issued on September 27, 2012: [http://www.puc.pa.gov//pcdocs/1193057.docx](http://www.puc.state.pa.us//pcdocs/1193057.docx)
4. Stakeholder Call held on October 17, 2012 at 1:30 PM.
5. Tentative Order adopted on 11/8/12; comments filed 12/10/12; and Final Order adopted on 2/14/13, which are available at this link: [http://www.puc.pa.gov/about\_puc/consolidated\_case\_view.aspx?Docket=I-2011-2237952](http://www.puc.state.pa.us/about_puc/consolidated_case_view.aspx?Docket=I-2011-2237952);
6. Consumer Education: Tri-fold mailings are being mailed; PPL’s is available at this link: [http://www.puc.pa.gov/electric/pdf/RetailMI/PPL\_8x17\_tri-fold-lo-rez.pdf](http://www.puc.state.pa.us/electric/pdf/RetailMI/PPL_8x17_tri-fold-lo-rez.pdf)
   1. PPL – Completed.
   2. Duquesne – Completed.
   3. PECO – Completed.
   4. FirstEnergy – Completed.
   5. UGI – Not sending mailings due to no EGSs making offers in territory.
   6. Pike County Light and Power – Completed.
7. Consumer Education: Annual Commission-Endorsed Postcard; Status of 2013 mailings. Secretarial Letter issued on December 20, 2012 proposing to dispense with mailing of annual postcard in 2013 and resume with the mailing in 2014; Comments filed on January 18, 2013***;*** Commission order adopted 5/23/13 which may be accessed at: <http://www.puc.pa.gov//pcdocs/1231501.docx>
8. **Standard Offer Program Update**
9. PECO: Final Order adopted on 2/14/13; Opt-in program on hold; Standard offer program on track for 8/19/13 implementation. 3 EGSs participating for the first month; others can join or leave going forward.
10. PPL: Final Order adopted on 1/24/13; Standard offer program on track for 8/1/13 implementation. 3 EGSs participating.
11. FE: Final Order adopted on 2/14/13; Standard offer program on track for 8/1/13 implementation. 3 EGSs participating.
12. Duquesne: Final Order adopted on 1/24/13; Opt-in program on hold; Standard offer program on track for 8/16/13 implementation; no EGS applications received as of 8/1/13. ***1 EGS participating as of the implementation date.***
13. ***Sign-up or “Take Numbers” are very attractive across the EDC service territories. No indications of issues on EDC-EGS interactions at this point in time.   
    - An EGS asked if there has been any discussion about the need for suppliers to be licensed to service both residential and commercial classes to participate in the programs. No one recalled this being a major issue of contention in the proceedings. OCMO will look into the matter to see if this is something that should be discussed further.   
    - PPL asked about possible slamming/dropped customer complaints. Other EDCs indicated they have not seen any such problems. OCMO will contact PPL to discuss any concerns.***
14. Commission issued Secretarial Letter on 1/29/13 on New/Moving Customer Scripts: <http://www.puc.state.pa.us/pcdocs/1211101.docx>

**46A*.* Letter of Authorization – Access to Customer Information Update**

1. RMI Intermediate Work Plan Order adopted 3/1/12 directed OCMO to convene stakeholders to review and revise LOA to authorize EGSs to gain access to customer information needed to initiate service and provide other services.
2. Small subgroup is drafting LOA template for the working group to review; the first call was scheduled for 8/2/13.
3. ***Comments filed to LOA template on 9/13. Staff reviewing comments, will submit updated LOA Template to full working group for comment within the next week.   
   - Staff intends to distribute an updated template next week. Access to advanced metering data has been a central issue.***

**46B*.* EGS Bonding/EDC Creditworthiness Requirements Update**

1. RMI Intermediate Work Plan Order adopted 3/1/12 directed OCMO to convene stakeholders to discuss changes to existing creditworthiness requirements and submit recommendations to Commission.
2. OCMO has received suggestions from EGSs and internal directives related to a review of existing bonding requirements in light of Pennsylvania’s laws requiring pre-payment of gross receipts tax.
3. OCMO has established a list of interested participants, reached out to PJM, and sent a proposal on EGS bonding requirements to stakeholders on 5/22/13 seeking feedback by 6/3/13. ***Staff is preparing a proposal for the information of the Commission regarding the Commission’s current bonding requirements. The next steps for the working group will be a call for comments on the EDC creditworthiness requirements, whether there is duplication of risk and appropriate collateral requirements to match actual risk.  
   - Staff is preparing a recommendation to the Commission on PUC bonding requirements. The group will then next look at EDC credit requirements.***

**46C. Joint Bill Update**

1. RMI Final Order adopted 2/14/13 directs OCMO to explore options to create more supplier-oriented utility consolidated bill and provide recommendations to Commission by 12/31/13.
2. Staff sent note to solicit ideas from stakeholders on 3/25/13. Feedback was due on 5/1/13 and should be sent to [ra-OCMO@pa.gov](mailto:ra-OCMO@pa.gov). Staff is reviewing submissions, reaching out to commenters with questions and will contact all stakeholders in September/October with information about the next steps in the process.
3. ***Staff will host a stakeholder call on Wednesday, October 16, 2013, from 1:30 to 3:30 PM. Call-in information as follows: 1-888-330-1716; Participant code: 6060145.  
   -- A brief summary of the informal comments submitted in May are attached to this recap.  
   -- Any party wanting to file additional informal comments, please do so by Friday, September 27th. Email to*** [ra-OCMO@pa.gov](mailto:ra-OCMO@pa.gov).  
   ***-- An agenda will be distributed by October 9 for the October 16 call.***

**46D.** **Procurement Collaboration Working Group Update**

1. RMI Final Order adopted 2/14/13 directs OCMO develop a working group to formulate uniform yearly certification process, uniform supply master agreement, procurement methodology and timeline for quarterly auctions.
2. Work product must be completed by 4/1/14 for approval by Commission by 6/1/14.
3. ***OCMO Staff is currently working with the EDCs and wholesale suppliers on a draft uniform SMA.  Additionally, OCMO staff is working with a number of independent third party consultants to learn about the consultants recommendations for implementation of the collaborative default service auctions.  
   -- Staff reported that this project is still on track for an April 2014 completion.***

**46E.** **Alternative Default Service Model Update**

1. RMI Final Order adopted 2/14/13 directs OCMO to convene stakeholders to identify issues related to model in which alternative entity or multiple entities provide default service; and offer recommendations to Commission by 11/15/13.
2. Lists of issues have been circulated to stakeholders. Calls were held on 5/21/13, 6/3/13, 6/18/13 and8/20/13***.***
3. ***Staff is preparing a recommendation for the information of the Commission. It will most likely take the form of a Tentative Order seeking comments. Timing of that Tentative Order is uncertain at this time.***

**57A. PA Power Switch – General Upgrades (No Update)**

1. Enhancements suggested by CHARGE participants include:
   1. Including fixed monthly fees in the calculation of monthly estimate, which currently factors in only usage and the charge per kWh.
   2. Allowing EGSs to display multiple product offerings instead of the current functionality that limits EGSs to one offer.
   3. Permitting EGSs to group by product types through the use of clickable tabs, such as Fixed Price, Variable Price, Renewable Offers, Time of Use Options and Other.
   4. Removing the “Additional Discounts” column.
   5. Giving all sortable attributes their own columns.
   6. Adding a column labeled “Product Term” to allow EGSs to specify the term in number of months.
   7. Fixing the price sorting feature that currently appears to be broken.
   8. Correcting the footnote regarding calculation of the monthly estimate, which currently states that the monthly estimate does not include introductory discounts while it appears that the calculation does include them.
   9. Including information to show which EGSs offer net metering, such as through the use of a check box on the main supplier page or a section under the shop for electricity tab that lists EGSs offering net metering.
   10. Standardizing the way renewable energy offers and associated prices are displayed*.*
2. Enhancements discussed during August 23, 2012 call; Staff provided update during future calls.
   1. Vendor has been selected for PAPowerSwitch and has provided quote and proposed solution to enable greater sorting and filtering.Changes were implemented on 6/30/13.
   2. Standardizing the way renewable offers are displayed. Staff Update: Appears that standardization is not needed at this time. No participant expressed a need for further discussion of this issue.

**58. Cancellation Fees (No Update)**

1. An issue has been raised about the fact that consumers sometimes switch to EGSs and must pay cancellation fees to other EGSs under their contracts.
2. Suggestion has been made that switch be delayed to inform customer of the fee and that EDI transaction be developed to support this delay.
   1. Some participants support a delay to avoid later customer frustration.
   2. Others noted that this is contrary to the efforts that are underway to accelerate the switching process and that it is incumbent upon customers to be aware of their contract provision.
   3. Staff believes that some EDC’s current confirmation letters contain language warning customers to check contracts for possible cancellation fees.
3. Commission has added a feature to PA Power Switch to enable consumers to sort by “cancellation fee”; Secretarial Letter circulated on June 19, 2012; [http://www.puc.pa.gov/pcdocs/1181650.docx](http://www.puc.state.pa.us/pcdocs/1181650.docx)
4. Although there are no further action items arising from this issue, Staff is keeping the issue on the agenda for now so it can be monitored.
5. Issue has arisen internally regarding cancellation fees that are imposed when a customer switches to a different EGS near the end of the contract term and the switch is effectuated prior to the end of the contract term.
   1. Based on OCMO’s preliminary discussions with stakeholders, this does not appear to be a problem.
   2. EGSs seem to be using a certain number of billing cycles vs. a certain number of months or years to determine whether cancellation fees apply.
   3. Staff Update: Appears that no action is needed at this time. No participant expressed a need for further discussion at this time.

**59. Account Numbers Look Up Tool Update**

1. Issue has been raised about the inability of EGSs to obtain account numbers for customers who are not on the Eligible Customer List but now wish to authorize (through LOAs) their EGSs to obtain them from EDCs; this occurs when EGSs sign customers at locations other than their homes and the customers do not have their bills or account numbers readily available.
2. LOAs have been used in the past to permit EGSs to obtain historical usage data for customers who are not on the ECL; in these cases, the EGS had the customer’s account number
3. Tentative Order adopted on 4/18/13 PM which is available at the following link: <http://www.puc.pa.gov//pcdocs/1225547.doc>; Comments were due 5/20/13***;*** Final Order adopted on 7/16/13 and is available at the following link:[***http://www.puc.pa.gov/pcdocs/1238689.doc***](http://www.puc.pa.gov/pcdocs/1238689.doc)
4. ***Staff has confirmed that EDCs are working with suppliers to develop basic parameters of the access tool (e.g., secure web platform).***

**60**. **Default Service Reconciliation Interim Guidelines Update**

1. Staff noted that the Commission adopted the Motion of Commissioner Cawley on July 19, 2012, which is available at this link: [http://www.puc.pa.gov//pcdocs/1185245.pdf](http://www.puc.state.pa.us//pcdocs/1185245.pdf).
   1. Motion notes that reconciliation riders have produced rate volatility and inaccurate price signals and have complicated shopping decisions for consumers.
   2. Motion seeks feedback from market participants on changes that the Commission should make to reconciliation riders to minimize adjustments to the PTC.
2. Order http://www.puc.pa.gov//pcdocs/1191608.doc entered on August 14, 2012: [http://www.puc.pa.gov//pcdocs/1187737.doc](http://www.puc.state.pa.us//pcdocs/1187737.doc).
3. By Secretarial Letter dated September 14, 2012, date for filing comments was extended to September 24, 2012 and reply comments were due on October 4, 2012: [http://www.puc.pa.gov//pcdocs/1191608.doc](http://www.puc.state.pa.us//pcdocs/1191608.doc).
4. ***The Commission has pulled this issue back for further examination.***

**63. Fixed Prices – Variable Components Update**

1. Staff has become aware of EGSs offering fixed prices to residential customers for a set time period, during which prices may change (without advance notice except general language in disclosure statement) due to variable components such as charges being imposed on the EGS by RTO or similar entity, EDC, governmental entity or agency, NERC or other industry reliability organization or court; Customers are subject to cancellation fees.
2. Group discussion as to whether it is appropriate to have pass-through costs as part of a fixed price offer.
   1. The point was made that this is a pass-through cost and EGSs earn no profit; it is intended to protect EGSs from price increases outside their control.
   2. It was also noted that it can be confusing to customers and some variables may be significant.
   3. Staff stressed that it is not looking to ban such offers but is concerned about the label of fixed price when there is a variable component.
3. Staff circulated a summary of issue or discussion during the November 1, 2012 call.
4. Tentative Order adopted 5/23/13 PM, which is available at this link: <http://www.puc.pa.gov//pcdocs/1231502.doc>; comments were due 6/24/13.
5. ***Staff is continuing to evaluate the various questions surrounding this issue.   
   -- Staff is looking at this very carefully and has been consulting with the Commission’s Law Bureau on the legal issues involved. Staff expects to have a recommendation to the Commission within the coming weeks and will keep CHARGE informed of any developments.***

**65*.* Generation Supply Cost Components Update**

1. Concerns have been raised about possible confusion among customers and suppliers regarding the treatment of certain cost components in the generation supply charge (such as solar, NITS, RMR, etc.), beginning June 1, 2013.
2. A suggestion has been made to use previously circulated matrix to collect this information from the EDCs and make it readily available such as on EDC supplier support websites*.*
3. Completed matrix of information submitted by EDCs and reviewed by OCMO, updated to correct an error circulated with the agenda, was attached to 3/21/13 recap.
4. EDCs to provide responses on feasibility of posting information on a public website so that consumers may access.Since information has been compiled for use by EGSs, it can easily be made more accessible to consumers. Discussion centered on whether to have it posted on PUC website, PAPowerSwitch or EDC website. OCMO will discuss offline with the EDCs the best approach for handling this and report back on the 9/19/13 call.
5. ***The Generation Cost Component Chart has been posted under the Reports & Information section on the OCMO page at the Commission’s website:*** <http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx>

**-- *This action completes the work on this issue*.**

**66. Web Portal Working Group – EDEWG (No Update)**

a. EDEWG has been tasked by the Commission to form a Web Portal Working Group with the goal of developing a standardized solution for the acquisition of interval usage data via a secure web-portal. Pertinent deadlines include:

1. Develop standard solution for sharing of 12 months of HIU by March 1, 2014.
2. Develop standard solution for sharing of billing quality interval data within 24-48 hours of daily meter reads by March 1, 2015.
3. Link to Order initiating the Web Portal Working Group can be found here: <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2009-2092655>. Scroll to the bottom of page, Order is link titled ‘20121009 SMI Final Order.’
4. EDCs covered by smart meter provisions are mandated to participate. Other interested stakeholders are permitted. Any person interested in participation can submit their contact info to the following e-mail: [ra-EDEWG@pa.gov](mailto:ra-EDEWG@pa.gov)***.***
5. On a related matter, First Energy Default Service Order entered 8/16/12 directed OCMO to prepare a report on providing EGSs with a web-based solution providing access to key usage and service information in a single place, which can provide information in a timely manner to enable real time pricing to customers.
   1. OCMO provided report to Commission on 2/15/13.
   2. Secretarial Letter adopted at 4/4/13 Public Meeting and is available at this link: <http://www.puc.pa.gov//pcdocs/1222777.docx>

**67*.* Net Metering Credits**

* 1. OCMO has become aware of an issue in FirstEnergy’s territory regarding the way net metering customers’ usage is reported to PJM, which appears to preclude customers from getting credits.
  2. Update from FE: Company is making a procedural change to address this issue and expects implementation during the 4th quarter of 2013***.  
     -- FirstEnergy reported that they will be testing next week; looking to implement in the 4th quarter of 2013.***

68. ***Renewal Notices and Self-Renewing Contracts******(New Item)***

1. ***Reminder: Contract renewal notices/change in term notices are addressed in this order:*** [***Order on Interim Guidelines Regarding Advance Notification***](http://www.puc.pa.gov/electric/docs/OCMO/Order-IGAN_Renewal_Notice092310.doc) ***- Order and Appendix A on Interim Guidelines Regarding Advance Notification by an Electric Generation Supplier of Impending Changes Affecting Customer Service; Amendment re: Supplier Contract Renewal/Change Notices. Docket No. M-2010-2195286. Dated September 23, 2010.***
2. ***Staff is currently looking at the issue of self-renewing (aka “evergreen” or “automatic renewals”) and notice requirements. We may soon reach out to CHARGE for informal input. Refer to page 21 of the above order for more information and guidance on this topic***.   
   ***-- In response to a question, staff advised that this issue is being raised due to a recent uptick in questions and complaints from consumers alleging that they have not received renewal notices. These complaints are related to all types of contracts; not just “self-renewing” contracts.***

**General Matters**

1. **New Issues  
     
   *-- In response to a question about the Gas Eligible Customer List (ECL), staff reported that an entered order should soon be available.***

* Any new issues or questions about issues previously discussed on CHARGE calls should be submitted to [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)

1. **Old Agendas/Recaps**

* All agendas and recaps are posted on the OCMO page of the website along with various other documents that have been distributed or relied upon during CHARGE discussions, at the following link - <http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx>

1. **CHARGE Distribution List**

* To be added to the CHARGE distribution list, please send an email to [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)

1. **CHARGE Contact List**

* Contact list is on website at the following link:

<http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx>

* Please send contact information or updates to [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)

1. **Meeting Schedule for Remainder of 2013**

November 7, 2013, 9:30 a.m.

**Joint EDC-EGS Bill Informal Comments**

**EGSs**

* Prominence of switching number
* Prominence of EGS contact info, including website
* Display EGS logo
* Inclusion of EGS bill messaging
* Inclusion of EGS bill inserts
* Use of same billing channels as EDC (e.g. paper; electronic; etc.)
* Uniformity across utilities
* Availability of both rate ready and bill ready formats across utilities
* Impact of bill on customers should be from both EDC and EGS
* Charges clearly attributed to appropriate entities
* Allow EGSs to bill early termination fees
* Inclusion of annual and monthly usage
* Inclusion of clearly identified rate class, where applicable
* Inclusion of any charges/credits allowed for in customer’s EGS contract
* Inclusion of “rate messaging” line to describe generation product (e.g. “green”)
* Inclusion of default messaging in event EGS misses bill window and charges aren’t on bill
* Inclusion of explanations of any billing adjustments
* Cleaner display of kWh@rate language
* Have PTC and EGS rate in same format
* EGSs should receive exact copy of utility bill to aid EGS CSRs
* Inclusion of limited definitions of key terms with reference to website for further definitions
* Inclusion of explanation that it’s OK to switch
* Inclusion of box showing all information a customer would need in order to switch
* Inclusion of bar graph (see PPL bills)

**EDCs**

* Need agreement from all parties on content
* Consider weight and cost of inclusion of additional pages
* Take into account “look and feel” of any bill changes
* Ensure consistency and uniformity of supplier information
* Provide estimation of costs and benefits of any changes
* Provide full and current cost recovery
* Consider implementation time
* Survey practices in other jurisdictions
* Include stakeholders in discussions
* Keep customer ease of understanding as top priority
* Keep bill one page and double-sided
* Clarify who should be contacted for issues related to any billing information
* No technical barriers to including EGS logo – cost issue
* Explore options for developing non-EDI approach for improving EGSs’ messages
* Bill stuffers from multiple EGSs would be costly and impractical –lead time for printing; variation among rate classes adds cost; size must conform to printer’s requirements
  + Could have second page dedicated to EGS – would increase printing and postage costs
* Consider other methods for promoting opportunities and benefits of shopping
* Could reformat current “to report an emergency or outage” section to include supplier information – poses potential regulatory issues
* Could potentially include 1 or 2 supplier inserts during most months of year if certain conditions are met
* Could include new messaging up to 254 characters and could also be substituted in place of some existing generic messaging

**Advocates**

* Ensure that customer protections outlined in Chs. 14 and 56 remain, including mandatory disclosures and utility contact information in appropriate size and prominence
* Need cost analysis
* EGSs could pay at least a portion of costs associated with bill modifications or inclusion of EGS inserts
* Ensure that changes don’t increase customer confusion
* Focus should be on readability and clarity of charges assessed
* Make PTC and EGS rate consistent in format
* Make it clear that the bill is coming from the EDC and that the EDC should be the point of contact for any billing or service issues
* Ensure that this isn’t a transition step to supplier-consolidated billing