

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

**Re: Interim Guidelines for
Eligible Customer Lists (ECLs)
for Electric Distribution
Companies**

**Public Meeting: November 12, 2010
2183412 - DIR
Docket Number: M-2010-2183412**

STATEMENT OF CHAIRMAN CAWLEY

The Interim Guidelines for Eligible Customer Lists (ECLs) for Electric Distribution Companies (EDCs) are designed to facilitate offers for competitively priced electricity supply to Pennsylvania electricity customers by electric generation suppliers (EGSs). These guidelines are similar to the successful standards used in the PPL Electric Utilities (PPL) service territory that has resulted in residential customers alone, in aggregate, saving an estimated \$44.4 million per year after rate caps expired at the end of 2009.*

Given the success of these guidelines in the PPL service territory, *and the absence of significant problems with the careful release of customer information in the nearly 15 years of electric choice in Pennsylvania*, a compelling case is presented here for the extension of these guidelines in all other post-rate cap markets. Rate caps are coming off in the PECO, Metropolitan Edison Company, Pennsylvania Electric Company, and West Penn Power Company service territories at the end of this year. It is therefore critical that we continue our efforts to help consumers obtain offers from EGSs in order to mitigate any rate increases that may occur as rate caps expire.

We therefore should approve these ECL guidelines that enable EGSs to have critical information necessary to market and price their competitive supply products to electricity customers. An ECL essentially provides a mailing list to EGSs so that they may market their products to consumers in the same fashion that EDCs offer their basic default service and other supply products to consumers. EGSs are also provided more detailed usage and contact information for those customers who do not restrict access to this information. This additional information is limited to summary level monthly usage, peak capacity usage, and other service information that is necessary to timely enroll customers and to provide them with accurate pricing. *Providing this information enables EGSs to provide lower prices tailored to an individual customer's usage profile and service type.*

An ECL will also give account number information to licensed EGSs for the purpose of accurately enrolling customers. Armed with accurate account numbers, EGSs can enroll customers accurately, thus avoiding accidental enrollments when customers provide an incorrect account number, and when wrong account numbers were recorded.

* This assumes average residential usage of 1000 kWh/mo., 10% savings off PPL's Price to Compare, and an average of 354,429 customers shopping for 12 months.

Also, providing the account numbers to licensed EGSs helps customers with the enrollment process when they do not have their account number in their possession, e.g., when they are away from home at an electric choice promotion, or when they are home but have discarded or misplaced their current electric bill or previous ones.

It is equally important to emphasize what the ECL guidelines do not provide. They do not provide access to any customer financial information, nor to real time meter data. Customers may restrict access to their phone numbers or customer usage data. Victims of domestic violence or other customers that are similarly endangered may restrict release of all data on the ECL. These protections are consistent with the strict prohibition on release of customer information already contained in our regulations at 52 Pa. Code §§ 54.8 & 54.43.

Licensed EGSs who receive this data are required to keep such information confidential, and are forbidden to use this information for other purposes. Licensed EGSs must also abide by the “Do Not Call List,” even if customers do not restrict the release of their phone number on the ECL. Lastly, EGSs may only enroll customers whom they have been authorized to serve. Failure to abide by these restrictions by any licensee will result in significant fines and/or loss of license.

In order to promote electric choice, as the Public Utility Code requires, this Commission must balance the needs of consumers and EGSs. Under the Commission’s supervision, customer information must be responsibly used by licensed and bonded suppliers for the ultimate benefit of customers, while EGSs must be given adequate information to make accurate competitive supply offers to those customers. These ECL Guidelines appropriately maintain this balance.

November 12, 2010

James H. Cawley
Chairman