**PENNSYLVANIA**

**PUBLIC UTILITY COMMISSION**

**Harrisburg, PA 17105-3265**

Public Meeting held November 10, 2011

Commissioners Present:

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| Robert F. Powelson, Chairman  John F. Coleman, Jr., Vice Chairman |
| Wayne E. Gardner  James H. Cawley |
| Pamela A. Witmer, Statement |

Interim Guidelines Docket No.

For Eligible Customer Lists M-2010-2183412

PPL Electric Utilities Corporation Retail Markets M-2009-2104271

Petition of Duquesne Light Company for

Approval of Default Service Plan for the P-2009-2135500

Period January 1, 2011 through May 31, 2013

**ERRATA NOTICE**

This is to advise all parties of record that the Final Order on Reconsideration entered on November 15, 2011, in the above-captioned proceeding contained an error on Page 17.

The discussion of items on the ECL in the first full paragraph included “~~telephone number~~” which, while correctly stricken out, should not have appeared at all. A corrected page 17 is attached for your convenience.

proof of fraud, bad faith or abuse of discretion, a decision of the PUC will stand.

The PUC's Final Order enabled the customer to restrict any information from being divulged to Suppliers, at the same time it afforded the customer the opportunity to participate in the program. The PUC properly exercised its discretion and preserved the delicate balance between a viable and competitive marketplace and customer privacy.

*Mid-Atlantic Power Supply Association v. Pa. PUC*, 746 A.2d 1196, 1201 (Pa. Cmwlth. 2000), *citation omitted*. The court agreed that the Commission had struck the appropriate balance between customer privacy and implementation of retail competition pursuant to Chapter 28 and, based on our review of the comments in this reconsideration proceeding, we shall continue that same balance and allow customers to withhold account information by means of the opt-out process.

While we are not altering our **interim guidelines** regarding the method by which customers are able to exercise their right to restrict disclosure of their account and usage information, in terms of opt-out process details, EDCs should take reasonable steps to make sure customers are aware of what their choice means, how the information would be used, and clear instruction on how to opt-out. Therefore, in the EDC’s customer solicitation and other customer contacts, it must be made clear that if a customer does not take affirmative action to opt-out, by return post card, via Internet website or by calling a toll free telephone number, the customer’s name, address, account number, and usage will be included on the ECL and made available to licensed EGSs.

Accordingly, on reconsideration, our **interim guidelines** on use of the opt-out process shall continue and, similarly, the *PPL* and *Duquesne* order shall remain unchanged in this regard.