

PUC-77 Rev.  
304007

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Uniform Cover and Calendar Sheet**

1. <b>REPORT DATE:</b> June 21, 2011	2. <b>BUREAU AGENDA NO.</b> 1198573-FUS
3. <b>BUREAU:</b> Fixed Utility Services	
4. <b>SECTION(S):</b> Energy	5. <b>PUBLIC MEETING DATE:</b>
6. <b>APPROVED BY:</b> Director: Wilson <i>RW</i> 783-5242 Mgr/Spvr: Diskin <i>PO</i> 214-5558 Legal Review: <i>PP</i>	July 14, 2011
7. <b>PERSONS IN CHARGE:</b> Rametta/Shurskis 787-8763	9. <b>EFFECTIVE DATE OF FILING:</b> N/A
8. <b>DOCKET NO.:</b> A-110169	

10. (a) **CAPTION** (abbreviate if more than 4 lines)  
(b) **Short summary of history & facts, documents & briefs**  
(c) **Recommendation**

(a) Energy Savers, Inc.  
(Home Office: Pittsburgh, PA)

(b) On April 1, 2011, Energy Savers, Inc. (ESI) filed a request to amend its electric generation supplier license to also serve residential and small commercial (25 kW and under demand) customers as a broker/marketer and consultant in all electric distribution company (EDC) service territories, within the Commonwealth of Pennsylvania.

The License Application Amendment was filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809.

(c) The Bureau of Fixed Utility Services recommends that the Commission adopt the proposed Order which approves the amendment to the electric generation supplier license.

11. **MOTION BY:** Commissioner Chm Powelson

Commissioner Gardner - Yes  
Commissioner Cawley - Yes  
Commissioner Witmer - Yes

**SECONDED:** Commissioner VC Coleman

**CONTENT OF MOTION:** Staff recommendation adopted.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

Public Meeting held July 14, 2011

Commissioners Present:

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

Amendment to Electric Generation Supplier  
License of Energy Savers, Inc.

Docket Number:  
A-110169

**ORDER**

**BY THE COMMISSION:**

On March 31, 2006, Energy Savers, Inc. (ESI), filed an application to offer, render, furnish or supply electric generation services as a consultant and broker/marketer of electric power to commercial, industrial and governmental customers in the service territory of Duquense Light Company, within the Commonwealth of Pennsylvania. On May 4, 2006, the Commission approved a license by Order, at Docket No. A-110169, authorizing ESI to begin to offer the services described above.

On February 26, 2007, ESI filed a request to amend its license to include the additional service territory of Pennsylvania Power Company. The Commission approved the amendment by Secretarial Letter on March 6, 2007. On September 8, 2010, ESI filed a request to amend its license to include all electric distribution company (EDC) service

territories within the Commonwealth of Pennsylvania. On October 14, 2010, by Order, the Commission approved the amendment request.

On April 1, 2011, ESI filed a request to amend its electric generation supplier license in order to serve the additional classes of residential and small commercial (25 kW and under demand) customers in all EDC service territories within the Commonwealth of Pennsylvania, pursuant to the Commission's Secretarial Letter dated March 25, 2011 (Mixed Meter Letter) at Docket No. M-2009-2082042. Subsequently, ESI indicated that it also proposed to directly interact with residential and small commercial customers outside of the mixed meter scenario.

Since ESI proposes to provide electric generation supplier services to residential customers it is required to comply with, and be governed by, applicable Chapter 56 residential service regulations as set forth in the Commission Order *Guidelines for Maintaining Customer Service at the Same Level of Quality Pursuant to 66 Pa. C.S. §2807(d), and Assuring Conformance with 52 Pa. Code Chapter 56 Pursuant to 66 Pa. C.S. §2809(e) and (f)*, at Docket No. M-00960890 F0011, Order entered July 11, 1997. Thus, we deem it appropriate to reiterate certain items with respect to Chapter 56 of our regulations. Chapter 56 (52 Pa Code Chapter 56) is applicable to residential accounts. An electric generation supplier cannot physically disconnect a residential customer from the electricity grid; therefore, the rules relating to residential service termination are not applicable to electric generation suppliers. An electric generation supplier may seek to terminate its generation service through an appropriate written notice to the customer and the distribution company. The residential customer can then attempt to repair their relationship with the supplier, seek a new supplier, or return to utility service at default service rates in accordance with the utility's obligations under Section 2807(e), 66 Pa. C.S. §2807(e). The customer would only be disconnected from the electricity grid pursuant to appropriate regulations if the customer failed to meet its obligations to the utility or the

electric generation supplier that has been designated by the Commission as the provider of last resort.

Additionally, we specifically note that the licensee must comply with, and ensure that its employees, agents, representatives and independent contractors comply with the standards of conduct and disclosure for licensees set out in Commission regulations at 52 Pa. Code § 54.43 that were enacted to protect consumers of this Commonwealth. These standards include, *inter alia*, the provision of timely and accurate information about the services offered by the licensee, the practice of nondiscrimination in service in regard to race, color, religion, national origin, marital status, etc., the safeguarding of a consumer's personal information, and compliance with applicable state and federal consumer protection laws. Also, we take this opportunity to remind the licensee of its agreement to abide by, and to ensure that its employees, representatives, agents and independent contractors abide by all applicable federal and state laws, and Commission regulations, procedures and orders, including Emergency Orders, which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of business.

ESI published notice of its license application in the Pennsylvania newspapers as required by the Commission to provide service to all customer classes in all EDC service territories within the Commonwealth. ESI also provided proofs of service on interested parties as required by the Commission to provide service in all EDC service territories within the Commonwealth of Pennsylvania. Additionally, ESI provided a \$10,000 surety bond with its original license application.

Upon full consideration of all matters of record, we find that approval of this request is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:**

1. That the request of Energy Savers, Inc. is hereby approved, consistent with this Order.
  
2. That a license be issued authorizing Energy Savers, Inc. to begin to offer, render, furnish or supply electric generation supplier services as a consultant and broker/marketer of electric power to residential and small commercial (25 kW and under demand) customers in addition to large commercial (over 25kW demand), industrial and governmental customers in the electric distribution company service territories throughout the Commonwealth of Pennsylvania.
  
3. That this proceeding at Docket No. A-110169 be closed.

**BY THE COMMISSION,**



Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: July 14, 2011

ORDER ENTERED: July 14, 2011

JAMES R BEHR PRESIDENT  
306 MCKNIGHT PARK DRIVE  
PITTSBURGH PA 15237-6534

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