**ANNEX A**

**TITLE 52. PUBLIC UTILITIES**

**PART I. PUBLIC UTILITY COMMISSION**

**Subpart C. FIXED UTILITY SERVICE**

**CHAPTER 57. ELECTRIC SERVICE**

**Subchapter M. STANDARDS FOR CHANGING A CUSTOMER’S ELECTRICITY GENERATION SUPPLIER**

§ 57.171. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. § § 2801—2812.

*Customer*—A purchaser of electric power in whose name a service account exists with either an EDC or an EGS. In addition, the term includes all persons authorized to act on a customer’s behalf.

***Default service provider –*As defined by 66 Pa. C.S. § 2803.**

*EDC—Electric distribution company*—An electric distribution company as defined in section 2803 (relating to definitions).

*EGS—Electric generation supplier*—A supplier as defined in section 2803 of the act.

 ***Current EGS Product* – the EGS product at the time of the customer contact.**

 ***Selected EGS Product* – the EGS product from which the customer seeks new electric supply service.**

**§ 57.172. Customer contacts with the EDC.**

**(1)** When a customer or a person authorized to act on the customer’s behalf orally contacts the EDC to request a **switch** **from the current** EGS **product or default service provider to a new selected EGS product**, the EDC shall notify the customer that the EGS **offering the selected EGS product** shall be contacted directly **by the customer** to initiate the change. **This requirement does not apply in the context of a Commission-approved program that requires the EDC to initiate a change in EGS service.**

**(2) When a customer or person authorized to act on the customer’s behalf orally contacts the default service supplier to request a switch from the current EGS product to default service, the default service supplier shall notify the customer that there may be a financial penalty associated with terminating service with the current EGS product. Subsequent to this notice and given express oral consent from the customer, the default service supplier shall enroll the customer onto default service.**

**§ 57.173. Customer contacts** **an EGS to request a change in electric supply service[with EGSs].**

When [a contact occurs between ]a customer or a person authorized to act on the customer’s behalf [and ]**contacts** an EGS to request a **switch from** [a change of ]the **current** EGS **product or default service provider to a new selected EGS product**, [upon receiving direct oral confirmation or written authorization from the customer to change the EGS, the contacted EGS shall]**the following actions shall be taken by the EGS offering the selected EGS product and the customer’s EDC:**

(1) **The EGS offering the selected EGS product shall** [N]**n**otify the EDC of the customer’s EGS selection **at the end of the 3-business day rescission period provided in § 54.5(d) (relating to disclosure statement for residential and small business customers) with customer consent or a future date that will initiate supply service with the selected EGS product on the date specified by the customer. If no consent for the 3-business day hold or other delay is given by the customer, then the EGS offering the selected EGS product shall notify the EDC** by the end of the next business day following the customer contact.

(2) Upon receipt of this notification, **or notification that the customer has authorized a switch to default service,** the EDC shall send the customer a confirmation letter noting the proposed change of EGS **or EGS product, or the switch to default service**. [This letter shall include notice of a 10-day waiting period in which the order may be canceled before the change of the EGS takes place. ]The notice shall include the date service with the new **selected** EGS **product or default service** will begin[ unless the customer contacts the EDC to cancel the change. The 10-day waiting period shall begin on the day the letter is mailed]. The letter shall be mailed by the end of the next business day following the receipt of the notification of the customer’s selection of an EGS.

**§ 57.174. Time[]frame requirement.**

**(1)** When a customer or authorized party has provided the EGS **offering the selected EGS product** with oral confirmation or written authorization to [change]**select the new** EGS[s] **product or move from default service**, **or a customer or authorized party has provided the current EGS with oral confirmation or written authorization to return the customer to default service,** consistent with electric data transfer and exchange standards, the EDC shall make the change [at the beginning of the first feasible billing period ]**within 3 calendar days** [10-day waiting period]**of the receipt by the EDC of the electronic enrollment transaction**.

**(2) The EDC shall obtain a meter read to effectuate the switch of EGS service within the time period provided for in paragraph (1). In instances where the EDC does not have advanced or automated metering capability, the EDC shall obtain an actual meter read, use an estimated meter read or use a customer-provided meter read. In instances where estimates are used, the estimated meter read shall be updated when an actual meter read is obtained to reflect the customer’s actual usage through the customer’s normal meter read cycle.**

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**§ 57.175.** [**Persons authorized to act on behalf of a customer.**

A customer may identify persons authorized to make changes to the customer’s account. To accomplish this, the customer shall provide the EDC with a signed document identifying by name those persons who have the authority to initiate a change of the customer’s EGS.]

**§ 57.176.** ]**Valid written authorization.**

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**§ 57.17[7]6. Customer dispute procedures.**

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**§ 57.17[8]7. Default service provider.**

**(1)** This subchapter does not apply when the customer’s service is discontinued by the EGS and subsequently provided by the default service provider because no other EGS is willing to provide service to the customer.

**(2): This subchapter does apply when the customer elects to receive service from the default service provider.**

**§ 57.17[9]8. Record maintenance.**

**(1)** Each EDC and each EGS shall preserve all records relating to unauthorized change of EGS disputes for 3 years from the date the customers filed the dispute. These records shall be made available to the Commission or its staff upon request.

**(2) The default service provider shall retain all records relating to situations as described in § 57.172 for 3 years from the date of the customer contact with the default service provider. These records shall be made available to the Commission or its staff upon request.**

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