



March 31, 2014

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

Re: Status Report of Just Energy Pennsylvania Corp.; Docket No. A-2009-2097544

Dear Secretary Chiavetta:

In an Order adopted and entered August 15, 2013, at the above-captioned docket, the Pennsylvania Public Utility Commission (“Commission”) released Just Energy Pennsylvania Corp. (“Just Energy” or “Company”) from the conditions originally imposed on its December 23, 2009 grant of a license to be an electric generation supplier (“EGS”) in the service territory of Duquesne Light Company. Those same conditions had also been applied to the Company when the Commission, in its June 21, 2012 Order, expanded Just Energy’s EGS license to include statewide authority.

The conditions placed on Just Energy’s EGS license were listed in Ordering Paragraph 3.a. through 3.n. of the Commission’s December 23, 2009 Order. *See* Attachment 1. In addition, Condition 3.i. cross referenced and incorporated into the Order an extensive series of commitments, identified as “Specific Commitments” that were attached as an Appendix to the December 23, 2009 Order. *See* Attachment 1, p. 12 and the Appendix labeled “Specific Commitments”. The Specific Commitments address issues in the eight (8) topic areas of Solicitations, Print Promotional Materials, Verification of Authorization to Switch, Contracts, Applicant’s Website, Welcome Letter, Customer Complaint Response Process and Compliance. In the aggregate, the Specific Commitments consisted of an additional 110 commitments that Just Energy was required to adhere to during the period the license conditions were in place.<sup>1</sup>

The Commission’s August 15, 2013 Order lifted conditions 3.a. through 3.n., including the Specific Commitments, however it left intact the condition in Ordering Paragraph 3.l. which stated as follows: “[w]ith regard to any condition that has been released by the Commission, for a period of three years following the condition’s release, Just Energy will provide the

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<sup>1</sup> This count of Specific Commitments includes each subpart of the commitments listed in the Appendix to the Commission’s December 23, 2009 Order.



Commission with written notice of any change to the Company’s practices and procedures that was the subject of the released condition”.

To comply with the Commission’s directive to provide written notice of changes in Just Energy’s practices and procedures across conditions 3.a. through 3.k., 3.n. and the 110 additional Specific Commitments, Just Energy submits written notice of the following requirements which the Company may no longer continue:

- “All Just Energy marketing materials to be used, including contracts and customer facing materials will be provided to Commission staff for comment five days prior to use.” (Conditions 3. b)
- “Just Energy will meet monthly with the relevant Commission staff and provide a monthly reporting requirement to staff capturing: (i) the complaints by category; (ii) complaint rate against sales volumes and (iii) customer service level reporting as defined in Section G of the Appendix hereto” (Conditions 3. c)
- “Just Energy will provide an extended cancellation period of up to 30 days after the issuance of the first bill on the Company’s supply service during which the customer will not pay a termination fee.” (Conditions 3. f)
- “Any early termination or exit fee imposed by Just Energy will not exceed \$50.00 per contract.” (Conditions 3. h)
- “Just Energy will annually send a letter to each of its customers stating that the customer has selected Just Energy as his or her electric generation supplier and that Just Energy has no affiliation with the customer’s public utility. This annual correspondence shall also provide Just Energy’s contact information (including address, phone number and website) and the Commission’s contact information (including the website and the toll-free number for consumer complaints).” (Conditions 3. n)

Additionally, Just Energy provides notice that it will discontinue the following Specific Commitments located in the Appendix of the Order:

- “During the course of its solicitations of consumers, Applicant shall...disclose that Applicant’s past performance does not guarantee future rates beyond the term of the contract or savings.” (Appendix A. 1(k))



- The disclosure requirements set forth for Print Promotional Materials (Appendix B. 1(a-g)).
- Verification requirements set forth in Appendix C. 1 (a) relating to the use of third parties to conduct verifications for authorization to change a customer's selection of a natural gas/electric supplier.
- The verification requirement set forth in Appendix C. 1 (b)(i)(4) which requires a verification recording to elicit the names of the providers affected by the change.
- The requirements set forth in Appendix E which makes certain requirements relating to Just Energy's website disclosures.

Please note that this written notice of discontinuing conditions is not necessarily an indication that policies and procedures established by Just Energy under the conditions will no longer be followed. The main purpose is to provide Just Energy with the flexibility to depart from the conditions and operate on a level playing field with other EGS pursuant to the prevailing laws, regulations, rules and tariffs that govern the operation of EGS in the Commonwealth. Just Energy will continue to comply with those laws, regulations, rules and tariffs. Please do not hesitate to contact me at 484-793-5402 or [dburckhart@justenergy.com](mailto:dburckhart@justenergy.com) if you or staff have any questions.

Sincerely,



Diana S. Burckhart  
Manager, Regulatory Affairs

