



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

July 8, 2014

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission, Bureau of Investigation and
Enforcement v. ResCom Energy LLC
Docket No. M-2013-2320112**

Dear Secretary Chiavetta:

Enclosed for filing please find the original of the Joint Supplemental Statement in Support of the Bureau of Investigation and Enforcement and ResCom Energy, LLC relative to the above-referenced matter. Copies of this filing have been served in accordance with the attached Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Michael L. Swindler
Prosecutor
PA Attorney ID No. 43319

Enclosure

cc: All Commissioners (hand delivery)
Certificate of Service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, :
Bureau of Investigation and :
Enforcement :
: :
v. : **Docket No. M-2013-2320112**
: :
ResCom Energy LLC :

**JOINT SUPPLEMENTAL STATEMENT IN SUPPORT
OF SETTLEMENT AGREEMENT**

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Introduction

The Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E") and ResCom Energy LLC ("ResCom") submit this Joint Supplemental Statement In Support of Settlement Agreement ("Joint Supplemental Statement") at the above docket as directed by the Statement of Commissioner James H. Cawley to the Commission's Tentative Order entered June 19, 2014 ("June 19 Order"). In its June 19 Order, the Commission held the substantive review of the Settlement Agreement in abeyance and issued the Settlement Agreement for Comment. Per Commissioner Cawley's Statement, the Parties were asked to provide more information regarding the treatment of the three customers who were physically switched, allegedly without proper authorization, from their electric generation supplier of choice to ResCom.

This Joint Supplemental Statement is filed by I&E and ResCom in order to provide further detail to substantiate that the Settlement Agreement amicably reached by the Parties and filed with the Commission on December 2, 2013, provides for a monetary civil penalty and non-monetary corrective actions taken or to be taken by the Company that sufficiently address the violations alleged by I&E. As a result of the further supplemental details provided herein, the Parties respectfully request that the Commission conclude that the terms and conditions memorialized in the Settlement Agreement adequately balance the duty of the Commission to protect the public interest with the interests of the Company, the Company's customers, and all electric consumers in Pennsylvania and that the Settlement Agreement should be approved as filed.

Background

This matter involves ResCom, an electric generation supplier ("EGS"), licensed by the Commission to operate within the service territories of all electric distribution companies ("EDCs") in Pennsylvania.¹ Background information was previously provided in Supplemental Statements in Support filed by the parties on or about April 11, 2014 and will not be repeated here.

¹ The background related to I&E's investigation of ResCom is set forth in the Settlement Agreement and in I&E's original Statement in Support and will not be repeated here.

With regard to the specific information requested by Commissioner Cawley, the Parties respond as follows:

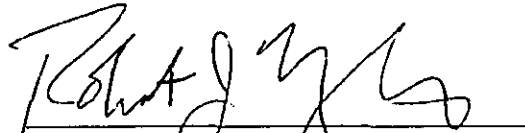
1. BCS Case No. 2988698 – The customer’s EGS was switched to ResCom on July 9, 2012. The switch was corrected on July 9, 2012. The time period this customer received service from ResCom was 0 days. The total amount paid to ResCom by this customer was \$0.
2. BCS Case No. 2968785 – The customer’s EGS was switched to ResCom on June 6, 2012. The switch was corrected on June 6, 2012. The time period this customer received service from ResCom was 0 days. The total amount paid to ResCom by this customer was \$0.
3. BCS Case No. 2989869 – The customer’s EGS was switched to ResCom on July 6, 2012 to August 5, 2012. ResCom promptly cancelled service upon receipt of the BCS complaint, but not in time to cancel prior to the initiation of service. The switch was corrected after one billing cycle. The time period this customer received service from ResCom was July 6, 2012 to August 5, 2012 (one billing cycle). The total amount paid to ResCom by this customer was \$61.28 (768 kWh multiplied by \$0.0799). The customer saved money with ResCom over the PECO price-to-compare and consequently no refund or credit was provided.

WHEREFORE, I&E and ResCom represent that the Parties support the settlement of this matter as memorialized by the Settlement Agreement as being in the public interest and respectfully request that the Commission approve the foregoing Settlement Agreement, including all terms and conditions contained therein, in its entirety.

Respectfully submitted,



Wayne T. Scott, First Deputy Chief Prosecutor
Michael L. Swindler, Prosecutor
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105



Robert J. Metzler, Esq.
Cohn, Birnbaum & Shea P.C.
100 Pearl Street
Hartford, CT 06103

Dated: July 8, 2014

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon the persons listed and in the manner indicated below:

Notification by first class mail addressed as follows:

Robert J. Metzler, Esquire
Cohn Birnbaum & Shea, P.C.
100 Pearl Street
Hartford CT 06103-4500

(Counsel to ResCom Energy LLC)

Cheryl Walker Davis, Director
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