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Shelby A. Linton-Keddie
Manager, State Regulatory Affairs and Senior Legal Counsel

June 17, 2016

ELECTRONICALLY FILED

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Tentative Order regarding 3-year waiver of 52 Pa. Code § 57.173(2)
Docket Nos.: I-2011-2237952, L-2014-2409383**

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's Comments regarding the proposed 3-year waiver of certain provisions of 52 Pa. Code §57.173(2) as set forth in the Commission's *Tentative Order* at the above-referenced docket.

If you have any questions regarding the information contained in the comments, please contact the undersigned.

Sincerely,

Shelby A. Linton-Keddie
Manager, State Regulatory Affairs
And Senior Legal Counsel

Enclosure

cc: Megan Good (megagood@pa.gov)
Jennedy Johnson, Esquire (jennejohns@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation of Pennsylvania’s Retail Electric Market : **Docket Nos. I-2011-2237952**
: **L-2014-2409383**

**COMMENTS OF
DUQUESNE LIGHT COMPANY**

On May 19, 2016, the Pennsylvania Utility Commission (“Commission” or “PUC”) issued a *Tentative Order* seeking comments on a proposal from the Commission’s Office of Competitive Market Oversight (“OCMO”) providing for a three-year waiver of regulations at 52 Pa. Code §57.173(2) for instant connect situations. The *Tentative Order* was published in the Pennsylvania Bulletin on June 4, 2016. See 46 Pa.B. 2926. Pursuant to the *Tentative Order*, interested parties had thirty days from the date of the Tentative Order to file comments, *i.e.*, on or before June 20, 2016. Duquesne Light Company (“Duquesne Light” or “Company”) hereby files comments in support of the proposed waiver and recommends a minor modification to the proposal for the Commission’s consideration.¹

COMMENTS

As articulated by the Commission in the *Tentative Order*, the PUC seeks comments on OCMO’s proposal to waive certain requirements in 52 Pa. Code §57.173 related to instant connect situations when a consumer seeks to obtain electricity from an electric generation supplier (“EGS”) at the same time as the customer initiates service from an electric distribution company (“EDC”).

Under the current regulations and as set forth in Duquesne Light’s Revised Plan Regarding Implementation of Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Filed Apr. 20, 2015), once a customer has selected an EGS for supply, the EGS then

¹ Duquesne Light is a member of the Energy Association of Pennsylvania (“EAP”), who it also submitting Comments at this Docket. Consistent with the position stated herein, Duquesne Light supports EAP’s Comments.

notifies the EDC of the proposed switch from default service to the EGS's supply. The EDC is then required to send written notification to the customer confirming the switch to the EGS. The regulations in 52 Pa. Code §57.173(2) require that this written notification be mailed by the end of the next business day following receipt of the notification from the selected EGS. While this requirement helps protect consumers by providing several steps to confirm that the customer initiated a switch and is not choosing to rescind that decision, these objectives are vulnerable to failure when a customer seeks to obtain service from an EGS before having an active EDC account.

Under the proposal articulated by OCMO, for instant connects only, the requirement for an EDC to send written notification by the end of the next business day following receipt of notification from the EGS would be modified for a period of three years to instead require that the EDC confirmation letter be sent at the end of the next business day after the start of service at the new account location. (emphasis added). As noted in the *Tentative Order*, this three year period will allow OCMO, the Commission, EGSs and EDCs to evaluate the implementation of both instant connects and seamless moves to ensure that consumers are appropriately receiving notification of their electric supply choice.

While Duquesne Light greatly appreciates the Commission and OCMO's efforts to ease the transitions associated with instant connects, the Company suggests allowing EDCs the flexibility regarding which standard it chooses for instant connects. Accordingly, rather than dictate one option or the other, Duquesne Light recommends that the proposal be modified as follows:

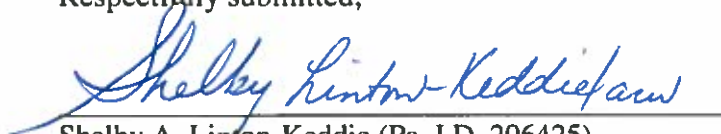
For instant connects, for the next three years, EDCs should be given flexibility to send confirmation letters either by the end of the next business day following receipt of notification

from the EGS or by the end of the next business day after the start of service at a new account location. Allowing flexibility for instant connect situations during the three year period will allow for more meaningful comparisons of the two procedures and better inform all affected parties before any regulatory changes are considered.

CONCLUSION

Duquesne Light supports the objective set forth by OCMO as outlined in the *Tentative Order* to ensure that confirmation letters in instant connect situations serve their intended purpose and respectfully requests that the Commission approve the proposal with the minor modification described herein. We appreciate the opportunity to comment on this topic.

Respectfully submitted,



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