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E-File

June 21, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17120-3265

**Re: Supplier Door-to-Door and In-Person Marketing Moratorium,
Proclamation of Disaster Emergency – COVID-19
Docket No. M-2020-3019254**

Dear Secretary Chiavetta:

Enclosed for filing on behalf of PPL Electric Utilities Corporation (“PPL Electric”) are PPL Electric’s Comments in the above-captioned proceeding. These Comments are being filed pursuant to the Tentative Order issued on May 6, 2021 in this matter and the publication of this Tentative Order in in the *Pennsylvania Bulletin* on May 22, 2021.

Pursuant to 52 Pa. Code § 1.11, the enclosed document is to be deemed filed on June 31, 2021 which is the date it was filed electronically using the Commission’s E-filing system.

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael J. Shafer", written over a light blue horizontal line.

Michael J. Shafer

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Supplier Door-to-Door and In-Person :
Marketing Moratorium, Proclamation of : Docket No. M-2020-3019254
Disaster Emergency—COVID-19 :

**COMMENTS OF
PPL ELECTRIC UTILITIES CORPORATION**

I. INTRODUCTION

On March 16, 2020, the Pennsylvania Public Utility Commission (“Commission”) entered an Emergency Order barring electric generation suppliers (“EGSs”) and natural gas suppliers (“NGSs”) from conducting door-to-door, public event, and in-person sales and marketing activities, while Governor Wolf’s March 6, 2020 Proclamation of Disaster Emergency related to the coronavirus 2019 (“COVID-19”) pandemic remained in effect or until otherwise directed by the Commission. On June 4, 2020, the Commission lifted the prohibition on in-person sales and marketing activities by EGSs and NGSs at retail businesses. On December 3, 2020, the Commission lifted the ban on in-person sales and marketing activities by EGSs and NGSs at outdoor public events that comply with applicable requirements set forth by Governor Wolf and the Secretary of Health. However, the moratorium on door-to-door, public event, and in-person sales and marketing activities remains effective.

On May 6, 2021, the Commission entered a Tentative Order (“*May 2021 Tentative Order*”) seeking comments on further modification or lifting of the Commission’s March 16, 2020 Emergency Order, specifically regarding the moratorium on door-to-door, public event, and in-person sales and marketing activities. The Commission asked for comments on: (1) “a timeline for further modifying or lifting the March 16, 2020 Emergency Order”; (2) “the metrics that the

Commission may use to determine whether to modify or lift the marketing moratorium”; (3) “measures to ensure public health and safety, the duration of such measures, and the metrics for later eliminating such measures”; (4) “the need for suppliers to attend Commission training to refresh their understanding of the Commission’s marketing regulations before resuming the sales and marketing activities”; (5) “the need for any additional reporting requirements beyond those found at 52 Pa. Code § 111.14”; (6) “the need for any additional monitoring, oversight, or reporting requirements for supplier contractors, vendors, and agents”; and (7) “any additional action that may be necessary with regard to (1) the Commission’s June 4, 2020 Order lifting the moratorium on in-person sales and marketing activities for all jurisdictional electric generation suppliers and natural gas suppliers as it pertains to activities at retail businesses open as a result of the Governor’s directives, and (2) the Commission’s December 3, 2020 Order lifting the moratorium on in-person sales and marketing activities for all suppliers as it pertains to activities at outdoor public events held in accordance with orders and directives issued by the Governor and Secretary of Health.” The *May 2021 Tentative Order* was published in the *Pennsylvania Bulletin* on May 22, 2021, making any comments due by June 21, 2021.

In accordance with the Commission’s *May 2021 Tentative Order*, PPL Electric respectfully submits these Comments for the Commission’s consideration.¹

II. COMMENTS

A. OVERALL COMMENTS

Before addressing some of the Commission’s points in more detail, PPL Electric would like to comment overall on door-to-door sales in Pennsylvania. The Company, as well as most

¹ PPL Electric does not comment on every aspect of the *May 2021 Tentative Order*, and its silence on such aspects should not be considered agreement therewith.

stakeholders, believes that sales and marketing activities should only be conducted in a fair and reasonable manner and in compliance with the Commission's regulations. However, door-to-door sales are such a high-pressure sales practice, especially for low-income and older customers, that their continued use even after the COVID-19 pandemic should be carefully evaluated. Indeed, prior to the moratorium, PPL Electric received many complaints from its customers about door-to-door sales.

Based on these complaints, PPL Electric believes that a critical issue with door-to-door sales is when customers are not given complete information on the pricing of the competitive electric generation supply service, the price to compare, and other EGSs' rates for competitive electric generation supply service. The selection of generation supply service can have a substantial impact on a customer's bills for electric service and overall financial wellbeing, as seen after the 2013-2014 Polar Vortex as well as the 2021 Texas Power Crisis this past winter, which left customers with several thousands of dollars in arrears. Therefore, customers must be able to make well-informed decisions with all the relevant facts before them. Door-to-door sales are ill-equipped to provide such facts to customers.

In fact, from April 20, 2021, to May 6, 2021, PPL Electric conducted a survey of its customers' experiences with shopping for competitive electric generation supply service. PPL Electric found that Low-income customers, are far more likely to note door-to-door salespersons as sources of information for shopping, which suggests that such customers are more at risk when door-to-door sales practices are abused. It is Low-income customers who stand to benefit the most from making a well-informed shopping decision, and door-to-door sales simply do not allow for customers to weigh all of their shopping options and make a reasoned choice.

Further, given that door-to-door sales have been prohibited for well over a year, PPL Electric’s concerns are compounded by door-to-door salespersons’ likely lack of training and experience. As the Commission noted in its *May 2021 Tentative Order*:

[D]oor-to-door sales and marketing activities usually occur during the warm-season and many suppliers, agents, and vendors will not have performed door-to-door sales and marketing activities since the Fall of 2019. We are concerned that, once suppliers resume the currently prohibited sales and marketing activities after this long lapse, suppliers will rely on new and inexperienced vendors and agents.

May 2021 Tentative Order, p. 8.

For these reasons, PPL Electric asks the Commission to strongly consider bolstering the Commission’s regulations on door-to-door sales or prohibiting the practice altogether even after the moratorium on door-to-door sales is subsequently lifted.

B. SPECIFIC COMMENTS

If door-to-door sales resume in Pennsylvania, PPL Electric has several recommendations for the Commission to consider when lifting the moratorium, as outlined in the following sections.

C. MEASURES TO ENSURE PUBLIC SAFETY, THE DURATION OF SUCH MEASURES, AND THE METRICS FOR LATER ELIMINATING SUCH MEASURES

PPL Electric recommends that all applicable Centers for Disease Control and Prevention (“CDC”) and Pennsylvania guidelines and requirements related to COVID-19, including masking, social distancing, etc., be followed by door-to-door salespersons after the moratorium is lifted. Such guidelines and requirements should be followed for however long they remain in effect. Adhering to these guidelines and requirements will help protect the safety and health of customers, door-to-door salespersons, and the general public.

D. NEED FOR ADDITIONAL TRAINING

PPL Electric supports requiring suppliers and their vendors to attend a “Commission training to refresh their understanding of the Commission’s marketing regulations before resuming the sales and marketing activities.” *May 2021 Tentative Order*, p. 8. As mentioned previously, the Commission observed in its *May 2021 Tentative Order* that “many suppliers, agents, and vendors will not have performed door-to-door sales and marketing activities since the Fall of 2019.” *Id.* Moreover, the Commission believes that “suppliers will rely on new and inexperienced vendors and agents.” *Id.* Given the serious concerns regarding door-to-door sales identified above, such sales should only resume after the suppliers, agents, and vendors undergo Commission training on the applicable Commission regulations. Such training will help ensure that these individuals have a thorough understanding of the regulations and, hopefully, will reduce the amount of customer complaints and regulatory violations related to door-to-door sales and marketing activities.

E. NEED FOR ADDITIONAL MONITORING, OVERSIGHT, AND REPORTING REQUIREMENTS

PPL Electric also recommends that the Commission amend its reporting requirements under Section 111.14(a)-(b) of the Commission’s regulations, 52 Pa. Code § 111.14, such that the supplier be required to provide the Bureau of Consumer Services (“BCS”) and the local distribution company with the name of the vendor who is conducting the door-to-door sales and marketing activity. This will prevent bad actor vendors from switching to another EGS after the vendors are found to be violating the Commission’s regulations. Such a modification benefits the local distribution companies (by having relevant information if a customer calls to complain), the suppliers (by having relevant information about vendors they should not hire), customers (by

reducing the number of bad actor vendors conducting door-to-door sales), and the Commission (by reducing the number of bad actor vendors and, by extension, informal and formal complaints).

III. CONCLUSION

PPL Electric appreciates the opportunity to provide these Comments and respectfully requests that the Commission take these Comments into consideration in issuing its Final Order.

Respectfully submitted,



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Date: June 21, 2021

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