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| Pennsylvania Public Utility Commission  **Office of Competitive Market Oversight**  **CHARGE Call RE-CAP**  **Thursday, May 12, 2016** |

**1) Guidance on Electric Generation Supplier Licensee Financial Security: Renewal of Financial Security and Reduction of Financial Security.**

* Docket No. M-2013-2393141  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2013-2393141>
* Refer to the Commission’s April 8, 2016 Secretarial Letter (available at above web link).
* Technical Utility Services Deputy Director Darren Gill discussed this letter and process.
* 52 Pa. Code §54.40(d) requires the security level, or bond amount, for each licensee to be 10% of the licensee's **most recent** 4 quarters of gross receipts.
* In order to provide Commission staff adequate time to review and approve the financial security, EGSs are required to file the renewal of their currently approved security at least thirty (30) days prior to current security’s expiration date.
* When filing an original bond, letter of credit, continuation certificate, amendment, or other financial instrument, EGSs must use the most recent template on the Commission’s website at <http://www.puc.pa.gov/general/onlineforms/doc/EGS_Lic_App.doc>.
* Original financial instruments must display “wet” signatures or digital signatures, preferably in blue ink, and display a “raised seal” or original notary stamp. If the documentation filed is not an original, it will be rejected by the Secretary’s Bureau and returned.
* EGSs may request a reduction in their security level to 5% of the EGS’s most recent 12 months of gross receipts or $250,000, whichever is higher.
* EGSs that received approval for a bond/security reduction from 10% to 5%, the security reduction is only effective for one year. It may be renewed annually by the Commission.
* To be eligible for the renewal, an EGS must provide annual documentation of its eligibility for a bond reduction at least 90 days prior to the current security's expiration date. Such documentation should include but may not be limited to:
  + a petition for renewal, filed with the Commission's Secretary's Bureau,
  + a $350 filing fee,
  + proof of service of the petition on the statutory advocates and affected EDCs,
  + a Tax Letter of Good Standing from the Department of Revenue, and
  + the company's gross receipts for the most recent four quarters.
* In the event an EGS does not provide such documentation to the Commission, its bond reduction will cease and the bonding requirement will revert to 10% of gross receipts.
* Failure to file a renewal of the financial security may cause Commission staff to initiate a formal proceeding that may lead to cancellation an EGS license.

**2) Supplier Notification of Changes to the PUC.**

* Secretary Rosemary Chiavetta discussed the responsibility of suppliers to file any name changes, and changes in a supplier’s current contact information or the structure of its company with the Commission.
* Changes must be in writing with an original or electronic signature by mail or eFiling through the Commission’s website (i.e., no faxes or emails) to:

Secretary Rosemary Chiavetta

PA Public Utility Commission

400 North Street, 2nd Floor

Harrisburg PA 17120

If using overnight delivery service, certified or priority mail, we advise using the Commission’s street address:

Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

* An exception to the above: regulatory contact changes can be emailed directly to the Secretary: [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov)
* When filing for a name change/change in corporate structure: do not place the “new name” on any bonds until the name change/corporate change is approved by the Commission.
* The contact person for service of formal complaints must be a United States address because the Secretary must serve the complaint by certified mail.
* If you wish to sign up for eService of formal complaints, you must first establish an eFiling account (free of charge) through the Commission’s website. Contact Melissa Reside ([mreside@pa.gov](mailto:mreside@pa.gov) ) of the Secretary’s Bureau for further details.
* Most filings (license application and amendment, bond reduction, corporate structural change) require payment of the $350.00 filing fee. (A change in contact information and a name change do NOT require the filing fee). If you are unsure about the fee requirement, please contact the Secretary’s Bureau.
* A question was asked about serving OCA and other statutory advocates with these filings. In general, material changes (license applications and amendments to those licenses, including organizational/operational changes) are served on statutory advocates. However, contact information changes are not considered a “material change” and are not served. Regardless, the Office of Consumer Advocate (OCA) has asked that suppliers changing their contact information to also inform OCA – since OCA needs this information to contact suppliers if needed.

**3) Reminder: Reporting Requirements and Annual Fees:**

* As a result of Act 155 of 2014, the following are due each year to the Commission from EGSs and NGSs:
  + Payment of a $350 annual fee due July 1 of each year. Invoices have already gone out – if a supplier is missing their invoice, contact OCMO ([ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov))
  + The reporting of Pennsylvania Intrastate Revenues on form RR-15 due by April 30th. If anyone needs a form RR-15, contact the Commission’s assessment office or OCMO ([ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov))
  + Payment of a supplemental assessment for suppliers in September of each year. Invoices will likely go out in August.
* EDCs and EGSs are also reminded of the reporting requirements at 52 Pa. Code § 54.201 -204 (Retail Electricity Choice Sales Activity Reports). <http://www.pacode.com/secure/data/052/chapter54/subchapHtoc.html>   
  52 Pa Code §54.39 (Gross Receipts, electric sold, etc.): <http://www.pacode.com/secure/data/052/chapter54/s54.39.html>   
  Online reporting forms for the electric industry are available: <http://www.puc.pa.gov/filing_resources/electric_online_forms.aspx>
* NGSs are reminded of the reporting requirements at 52 Pa Code §62.110 (gross receipts, gas sold, etc.): <http://www.pacode.com/secure/data/052/chapter62/s62.110.html>   
  Online reporting forms for the gas industry are available:  
  <http://www.puc.pa.gov/filing_resources/online_forms/natural_gas_online_forms.aspx>

**4) PAPowerSwitch.com and PAGasSwitch.com Update:**

Cyndi Page from the Commission’s Office of Communications provided an update on PAPowerSwitch.com and the Commission’s new natural gas shopping website, PAGasSwitch.com:

<http://www.papowerswitch.com/>

<http://www.pagasswitch.com/>

* A recent enhancement to PAPowerSwitch is the ability of suppliers to post “Unlimited Usage Flat Bill” products.
* PAPowerSwitch was also streamlined to make it more transactional; allowing a customer to jump right to shopping from the home page.
* Suppliers are urged to keep their offers up-to-date and current.
* PAGasSwitch was recently soft-launched- modelled on PAPowerSwitch. Traffic volume has increased now that it is a stand-alone website. NGSs wanting to participate are invited to contact Cyndi at [CYPAGE@pa.gov](mailto:CYPAGE@pa.gov) or use the CONTACT US feature on the website.

**5) Door – to – Door Marketing Reminders:**

* Suppliers engaged in door-to-door residential marketing are reminded of the Commission’s regulations at 52 Pa Code Chapter 111: <http://www.pacode.com/secure/data/052/chapter111/chap111toc.html>
* Suppliers are advised to contact local authorities to let them know who you are and what you are doing (some municipalities have permit ordinances that require this). Local ordinances supersede our Chapter 111 regulations.
* 52 Pa Code §111.14 requires suppliers to notify the Commission and the local utility of door-to-door operations. Notices to the Commission should be directed to our door-to-door inbox: [RA-PCDOORTODOOR@pa.gov](mailto:RA-PCDOORTODOOR@pa.gov). The notices should include geographic location (municipalities) and dates of operations. Questions about these notices can be directed to Annette Falcone in the Bureau of Consumer Services at [anfalcone@pa.gov](mailto:anfalcone@pa.gov).
* Suppliers that may have a problem with a door-to-door sale or agent are advised to contact the Commission ASAP to report the matter. Contact OCMO or the Bureau of Consumer Services.

**6) Update on Current Commission Proceedings:**

* **NGS Disclosure Rulemaking (L-2015-2465942)**: Final Rulemaking Order adopted at the April 21 Public Meeting. This still has to be reviewed and approved by IRRC, Attorney General, the Budget Office and the oversight committees in the General Assembly. New rules will be effective upon publication in the Pennsylvania Bulletin. We will keep CHARGE informed as we move through this process.   
    
  Also, like the EGS disclosure rules promulgated in 2014, the new NGS rules require the use of a contract summary. And like we did in 2014 with the EGSs, we will be asking NGSs to submit draft contract summaries for informal staff review. As we approach the effective date of the revised regulations, the Commission will issue a Secretarial Letter to all NGSs asking that those active in the residential market to submit draft contract summaries (per ordering paragraph # 7 of the order). This is likely to occur sometime this summer.  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=L-2015-2465942>
* **EDEWG Solution Framework (M-2009-2092655):** EDEWG leadership filed its recommendations regarding SU-MR and StS functionalities in April. Commission will adopt an Order regarding those recommendations at a future Public Meeting.  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2009-2092655>
* **Natural Gas Retail Markets Investigation**: Look for Tentative Orders on a variety of issues throughout 2016.   
  <http://www.puc.pa.gov/utility_industry/natural_gas/natrual_gas_rmi.aspx>
* **NGDC Account Number Access Mechanisms (M-2015-2468991)**: Look for orders at upcoming Public Meetings.  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2015-2468991>
* **EDC Default Service Plans**: (These are formal proceedings litigated through the Office of Administrative Law Judge. Parties wanting to influence these proceedings must participate as a party of record).
  + **PECO**: P-2016-2534980   
    <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2016-2534980>
  + **PPL**: P-2016-2526627  
    <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2016-2526627>
  + **Duquesne Light**: P-2016-2543140  
    <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2016-2543140>
  + **FirstEnergy**:
    - **Met Ed:** P-2015-2511333  
      <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2015-2511333>
    - **Penelec:** P-2015-2511351  
      <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2015-2511351>
    - **Penn Power:** P-2015-2511355  
      <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2015-2511355>
    - **West Penn Power:** P-2015-2511356   
      <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2015-2511356>
* **PECO CAP Shopping**: (M-2012-2290911; M-2015-2507139; P-2012-2283641). Has been remanded back to the Commission (CAUSE, et al. v. Pa. PUC, 455 & 596 C.D. 2014).   
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2015-2507139>
* **Direct Energy Petition re: Retail Opt-In Program: (P-2016-2535033).** Answers to petition received May 9. <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=P-2016-2535033>
* **To track a PUC formal case:** set up an e-filing account on the Commission’s website, and use the SUBSCRIPTION service to be notified of filings on specific dockets: <http://www.puc.pa.gov/efiling/default.aspx>

**7) Seamless Moves and Instant Connects:**

The major EDCs will be implementing seamless move/instant connect functionality this summer.The EDCs are also planning EGS outreach efforts to keep everyone informed – we urge suppliers to please pay attention and participate in these efforts – and to remain in contact with EDCs as implementation approaches:

* Duquesne Light (M-2014-2401127): July 1, 2016  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2014-2401127>
* PECO (M-2014-2401085): July 1, 2016  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2014-2401085>
* PPL (M-2014-2401103): September 30, 2016  
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2014-2401103>
* FirstEnergy (M-2014-2401151, M-2014-2401148, M-2014-2401130, M-2014-2401155): September 30, 2016   
  <http://www.puc.pa.gov/about_puc/consolidated_case_view.aspx?Docket=M-2014-2401151>

**8) OCMO Team Changes.**

OCMO Director Kirk House retired on April 1.

The OCMO team is currently:

* Acting Director: Dan Mumford: (717) 783-1957 ([dmumford@pa.gov](mailto:dmumford@pa.gov) or [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)).
* Acting Deputy Director: Megan Good: (717) 425-7583 ([megagood@pa.gov](mailto:megagood@pa.gov) or [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)).
* Kriss Brown and Jennedy Johnson (Law Bureau)
* Lee Yalcin and Jeff McCracken (Technical Utility Services and handling EDEWG/EDI matters)
* Dave Hixson (Office of Communications)
* Matt Hrivnak (Bureau of Consumer Services)
* Nathan Paul (Audits Bureau and handling natural gas matters)
* Matt Stewart (Technical Utility Services and handling natural gas matters)

**General Matters**

1. **New Issues**

* Any new issues or questions about issues previously discussed on CHARGE calls should be submitted to [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)

1. **Old Agendas/Recaps**

All agendas and recaps are posted on the CHARGE page of the website along with various other documents that have been distributed or relied upon during CHARGE discussions, at the following link –   
<http://www.puc.pa.gov/utility_industry/electricity/office_of_competitive_market_oversight/charge.aspx>

1. **CHARGE Distribution List**

* To be added to the CHARGE distribution list, please send an email to [ra-ocmo@pa.gov](mailto:ra-ocmo@pa.gov)