|  |  |
| --- | --- |
|  | Pennsylvania Public Utility Commission |
| Office of Competitive Market Oversight |
| CHARGE  |
| Re - Cap |
| Thursday July 31, 2014 9:30 am  |

**1. EGS’S AND FORMAL PROCEDURES AT THE COMMISSION:**

PUC Secretary Rosemary Chiavetta will discuss the importance of keeping contact information updated here at the Commission and how to go about doing so. The benefits of the Commission’s free E-Filing system will also be discussed (see this weblink: <http://www.puc.pa.gov/efiling/default.aspx>.). An additional topic will be EGSs receiving electronic service of Commission Orders, Secretarial Letters, etc.

Benefits of e-filing and e-service:

* You receive documents instantly – allowing you to take advantage of the entire response period.
* Can identify multiple individuals in your organization to receive documents.
* Reduces paper and the costs associated with handling paper.
* Is free – and easy to enroll at the above weblink. A brief users-guide is posted at this weblink.

Cannot be e-filed:

* Documents over 10 MB (you will receive an error message).
* Confidential documents (must still be mailed).

Filing deadlines:

* 4:30 pm EASTERN time.
* For physical mailing (overnight/priority/certified): the date you placed it in the mail.

Subscriptions: Once you establish an e-service account – you can subscribe to specific proceedings and receive an e-mail each time something occurs with that proceeding.

For more information on the above, please contact Secretary Chiavetta at rchiavetta@pa.gov.

**2. EGS’S AND INFORMAL PROCEDURES AT THE COMMISSION – RESPONDING TO INFORMAL COMPLAINTS:**

Informal Complaint Unit Manager Matt Hrivnak will discuss how suppliers should respond to informal complaints filed with the Commission’s Bureau of Consumer Services (BCS). Information provided in response to the informal complaint should include the following:

* Any contact with the complainant before and after the filing of the complaint; an explanation of what occurred, what was said, etc.
* Provide BCS with supporting evidence and documentation (audio files, signed enrollment forms, disclosure statements, marketing materials, etc.)
* If the complaint involves billing/payment- an account statement should be provided.
* The suppliers ‘final position’ on the matter.
* The supplier should provide the BCS investigator with enough information to consider the matter. If allegations are made by the complainant, the supplier should demonstrate compliance with the applicable rules (switching/slamming, deception, misrepresentation, etc.).

The Bureau of Consumer Services does have an electronic informal complaint system – complaints are posted on a secure website that suppliers and utilities can access and respond to (this system is not to be confused with the e-filing system discussed above in agenda item # 1 that is for *formal* complaints). Unfortunately, new enrollees are not being accepted at this time due to a pending system conversion. We will let CHARGE know when the system is accepting new enrollees.

Questions about informal complaint procedures can be directed to Matt Hrivnak at MHRIVNAK@pa.gov.

  **3. PAPowerSwitch.com UPDATE:**

Cyndi Page, with the Commission’s Office of Communications, will provide an update on recent additions to the PAPowerSwitch.com website.

Recent additions include:

* Consumer alerts
* Updated glossary
* Updated navigation and links to improve usability
* New information on fixed and variable rates
* Rates are now distinguishable by color: Fixed is green and Variable is orange
* Highlighted the “Narrow Your Choices” by an Orange heading
* Date that a price was last updated is now available by hovering over the price.
* Page on the Standard Offer Programs <http://www.papowerswitch.com/standard-offer-program>.
* Sample contract summary posted
* FAQs have been updated
* 4 new videos on shopping have been added (also on [www.puc.pa.gov](http://www.puc.pa.gov) and youtube.com)
* New fact sheets
* New mobile version of the website went live in April
* Stepped up our Facebook posts on all things PAPowerSwitch

Questions about PAPowerSwitch.com can be directed to Cyndi Page at CYPAGE@pa.gov.

**4. ACCELERATING SWITCHING (IMPLEMENTING THE 3-DAY SWITCH):**

The new supplier switching regulations, including the 3-day switch, went into effect on publication, June 14, 2014. The implementation deadline for 3-business day switching is December 14, 2014. While there has been much attention given to the EDCs role in implementing these new rules, EGSs also have a critical role in complying with the new regulations to ensure that customer switches are not delayed unnecessarily.

* Suppliers (and any third parties they engage to handle enrollments) are urged to review their procedures to ensure that they are in compliance with the new regulations that will be effective December 14, 2014.
* Under the new regulations, enrollments can be held for the 3-day rescission period and can be held with the consent/request of the customer for a future start date. Other than these exceptions, the holding of enrollments – including the routine holding for batching purposes - is not appropriate under the new rules.

Questions about these matters can be directed to Dan Mumford at dmumford@pa.gov.

**5. DOOR-TO-DOOR MARKETING REMINDER:**

All EGSs engaging in residential door-to-door marketing are reminded that per Section 111.14, they are to notify the Commission of such activities:

When a supplier engages in door-to-door sales and marketing activity, the supplier shall notify the Bureau of Consumer Services no later than the morning of the day that the activity begins. The notification shall include general, nonproprietary information about the activity, the period involved and a general description of the geographical area.

These notifications should include time periods (starting date and approximate end date) and the municipalities involved (city, borough, townships, etc.).

The PUC has an inbox for these notices: RA-PCDOORTODOOR@pa.gov (this inbox will soon appear on the OCMO webpage).

Questions about these notices can be directed to Annette Falcone in the Bureau of Consumer Services at anfalcone@pa.gov or 717-783-9088.

**6. STANDARD OFFER PROGRAM STATISTICS:**

Now posted on the PAPowerSwitch.com website: <http://www.papowerswitch.com/standard-offer-program>.

**7.** **UPDATES ON CURRENT PROCEEDINGS:**

* [**Tentative Order on the Interim Guidelines for Eligible Customer Lists**](http://www.puc.pa.gov/pcdocs/1292829.docx)**:** (Public Meeting of June 19, 2014. Docket No. M-2010-2183412.) Reply comment period closes August 4.
* [**Tentative Order on Request for Clarification on Notice Requirements for Combined Electricity & Natural Gas Disclosure Statements**](http://www.puc.pa.gov/pcdocs/1296329.docx) - Public Meeting of July 9, 2014. Docket No. L-2014-2409385. Clarification on 52 Pa. Code, Sections 54.5, 54.10 and 62.75.: Comment period is closed. Look for Final Order at an upcoming Public Meeting.
* [**Order on the Review of Rules, Policies & Consumer Education Measures Regarding Variable Rate Retail Electric Products**](http://www.puc.pa.gov/pcdocs/1273602.docx) - Public Meeting of February 20, 2014. Docket No. M-2014-2406134.: Commission staff considering what more needs to be done in addition to accelerated switching and new disclosure rules.
* [**Final Order on Requirements for Electric Generation Suppliers; Acceptable Security Instruments**](http://www.puc.pa.gov/pcdocs/1299164.docx) **- Public Meeting of July 24, 2014. Docket Number M-2013-2393141.** Note that EGSs will need to file amendments with accompanying financial information along with a $350 fee, for staff review before the security amounts can be reduced.
* **Investigation of Pennsylvania’s Retail Natural Gas Supply Market**, Public Meeting of September 12, 2013. I-2013-2381742: Upcoming Public Meeting.

**8. AGENDA TOPIC SUBMITTED BY CHARGE PARTICIPANT:**

* Issue: Processing by EDCs of Customer/EGS Disputes and Ability to Place Hold on Account

Background: The pricing events of early 2014 resulted in customers disputing EGS charges for a variety of reasons (e.g., inconsistency with contract terms, misleading marketing, etc.). When a customer's contract with the EGS permits the customer to withhold disputed amounts, there does not appear to be clear direction to the customer regarding any necessary interaction with the EDC to provide notice of the dispute. Also, there does not appear to be a mechanism for the customer to ensure that the EGS does not send a drop notice to the EDC while the dispute is pending. Finally, based on our review of some of the supplier tariffs and POR programs, it isn't clear that the EDC can obtain reimbursement from the EGS if the dispute is resolved in the customer's favor. The retail supply market in Pennsylvania would function more efficiently if these issues, and other relevant issues related to the processing of customer/EGS disputes, were clarified and standardized.

* Several participants noted thatdispute procedures for residential customers are already provided for in Chapter 56. See 52 Pa. Code §§ 56.140 – 181. :

<http://www.pacode.com/secure/data/052/chapter56/subchapFtoc.html>
Also see Definition of Initial Inquiry and Dispute at 52 Pa. Code § 56.2:
<http://www.pacode.com/secure/data/052/chapter56/s56.2.html>

* Given the above, this appears to be more of an issue with commercial/industrial customers. OCMO will consider this matter and will be in contact with CHARGE participants about steps to address this concern. Perhaps a working group can discuss and develop a proposal. OSBA asked to be kept in the loop, and asked OCMO for examples of complaints filed by small commercial customers.

**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
1. **Old Agendas/Recaps**
* All agendas and recaps are posted on the OCMO 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/electric_competitive_market_oversight.aspx>
1. **CHARGE Distribution List**
* To be added to the CHARGE distribution list, please send an email to ra-ocmo@pa.gov
1. **CHARGE Contact List**
* Contact list is on website at the following link:

<http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx>

* Please send contact information or updates to ra-ocmo@pa.gov
1. **Meeting Schedule for Remainder of 2014**
* September 25, 2014 at 9:30 am.