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| PUC logo | COMMONWEALTH OF PENNSYLVANIA  PENNSYLVANIA PUBLIC UTILITY COMMISSION  P.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE** |

September 28, 2010

TO ALL INTERESTED PARTIES:

Re: Implementation of Act 129 of 2008 Phase 4 –

Relating to the Alternative Energy Portfolio Standards Act

Docket No. M-2009-2093383

On May 28, 2009, the Pennsylvania Public Utility Commission (Commission) adopted a Final Order establishing the procedures and guidelines related to the quarterly adjustment of the Tier I Alternative Energy Portfolio Standards Act (AEPS Act) requirements.[[1]](#footnote-1) In that Order, the Commission directed all electric distribution companies (EDCs) and electric generation suppliers (EGSs) with an AEPS Act compliance obligation to report monthly sales data to the Alternative Energy Credit Program Administrator (Program Administrator) on a quarterly basis.[[2]](#footnote-2) This data was to be submitted by the Twentieth day after the end of each quarter.[[3]](#footnote-3) With this Secretarial Letter, the Commission is revising this reporting schedule for EDCs and EGSs.

The Commission notes that this past AEPS Act reporting period was the first year in which the Commission had to make quarterly adjustments to the Tier I requirements. This initial year of implementing this new requirement has revealed some unanticipated problems and difficulties encountered by EGSs and EDCs in obtaining and reporting reasonably accurate retail sales data within this time frame. To facilitate the reporting of reasonably accurate EGS sales data to obtain an accurate quarterly adjustment, the Commission is revising the EDC and EGS quarterly reporting schedule as follows:

1. EDCs and EGSs will have up to **60 days** to report their monthly sales data after the close of a quarter. This will alter the reporting schedule as follows:

**Quarter 1** Submission is due **Oct. 30th**

**Quarter 2** Submission is due **Jan. 30th**

**Quarter 3** Submission is due **April 30th**

**Quarter 4** Submission is due **July 30th**

1. EDCs and EGSs shall use **RTO market settlement data** to report the monthly sales data. This data will be used to make a tentative Tier I requirements adjustment in each quarter. The Commission recognizes that this data includes line losses. The Commission will true-up the quarterly Tier I adjustments at the end of AEPS Act reporting year, when more accurate retail sales data without line losses can be determined.
2. EDCs are requested to notify the administrator immediately if any EGS serving in its service territory has not opened an account on the PAAEPS website. This notification should contain known EGS contact information so that the Program Administrator may contact the EGS and assist the EGS in setting up such an account. Each EDC and EGS must have an account on the PAAEPS website to be able to enter sales data.

These new reporting requirements are temporary until appropriate reporting requirements are formalized in regulations. The Commission anticipates updating its AEPS Act regulations in the near future to include the quarterly adjustment procedures and will be soliciting comments on how to determine final retail sales data.

If you have any questions regarding this temporary change in policy, please contact Scott Gebhardt at 717-425-2860 or [sgebhardt@state.pa.us](mailto:sgebhardt@state.pa.us). The above is an interim adjustment that will be utilized until a formal rulemaking can be created with your assistance and input.

 Sincerely,

Rosemary Chiavetta

Secretary

cc: Chairman’s Office

Vice Chairman’s Office

Commissioners’ Office

Karen Oill Moury, Director of Operations

Bohdan R. Pankiw, Chief Counsel

Robert F. Young, Deputy Chief Counsel

Wayne L. Williams, Director, Conservation, Economics and Energy Planning

1. *See Implementation of Act 129 of 2008 Phase 4 – Relating to the Alternative Energy Portfolio Standards Act* Final Order at Docket No. M-2009-2093383 (entered May 28, 2009). [↑](#footnote-ref-1)
2. *Id*. at 10. [↑](#footnote-ref-2)
3. *Id*. [↑](#footnote-ref-3)