

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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October 21, 2014

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

RE: Petition of PECO Energy Company for Temporary Waiver  
of Regulations Related to the Required Days in a Billing  
Period  
Docket No. P-2014-2446292

Dear Secretary Chiavetta:

Enclosed please find the Office of Consumer Advocate's Answer in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kristine E Robinson".

Kristin E. Robinson  
Assistant Consumer Advocate  
PA Attorney I.D. # 316479

Enclosures

cc: Office of Administrative Law Judge  
Office of Special Assistants  
Certificate of Service

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company	:	
for Temporary Waiver of Regulations	:	Docket No. P-2014-2446292
Related to the Required Days	:	
in a Billing Period	:	

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ANSWER OF THE  
OFFICE OF CONSUMER ADVOCATE

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Pursuant to Section 5.61 of the Regulations of the Pennsylvania Public Utility Commission (Commission), the Office of Consumer Advocate (OCA) hereby files this Answer to the Petition of PECO Energy Company (PECO or Company) for Temporary Waiver of Regulations Related to the Required Days in a Billing Period (Petition). The OCA submits the following in support of its Answer:

**I. Introduction**

On October 1, 2014, PECO filed its Petition requesting the Commission to temporarily waive the definitions of “billing month” and “billing period” as defined in 52 Pa. Code Section 56.2 and the billing frequency requirement at 52 Pa. Code Section 56.11 as applied to the Company. Petition at ¶¶ 10-11. Section 56.2 defines “billing month” as “[a] period of not less than 26 and not more than 35 days” and provides that a “billing period” for an electric utility “must conform to the definition of billing month.” 52 Pa. Code § 56.2. Section 56.11 provides that “[a] public utility shall render a bill once every billing period to every residential customer in accordance with approved rate schedules.” 52 Pa. Code § 56.11. PECO requests a four-year waiver of the regulations related to the required days in a billing period in order utilize a short-

period Bill on Supplier Switch (BOSS) approach to switch customers to and from suppliers within three days as required by 52 Pa. Code Section 57.174.

Section 57.174(a) provides:

Time frame requirement.

(a) When a customer has provided the selected EGS or current EGS with oral confirmation or written authorization to select the new EGS or default service provider, consistent with electric data transfer and exchange standards, the EDC shall make the change within 3 business days of the receipt by the EDC of the electronic enrollment transaction.

52 Pa. Code § 57.174(a). The Commission has stated that multiple off cycle switches are permitted within a single billing period. Chapter 57 Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier, Final-Omitted Rulemaking Order, Docket No. L-2014-2409383, 27-28 (entered April 3, 2014). Pursuant to the Commission's Order, EDCs are required to implement the switching regulations within six months of their effective date, absent good cause shown.

PECO proposes to generate a short-period BOSS bill for electric service when a default service customer enrolls with an EGS during the billing cycle; when an EGS customer switches to another EGS during the billing cycle; or when an EGS customer returns to default service during the billing cycle. Petition at ¶ 5. Then, in order to return the customer to his/her normal billing cycle, PECO would generate a short on-cycle bill for the remainder of the billing cycle (on-cycle bill).<sup>1</sup> *Id.* In its Petition, PECO outlined what would be included in both the BOSS and on-cycle bills. Petition at ¶¶ 6-8. Consistent with the temporary waiver, PECO also requests

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<sup>1</sup> PECO has provided that for customers who are on budget billing, the short-period BOSS bill will be informational and not a request for payment. Petition at ¶ 16. Rather, the entire budget payment will be requested when the on-cycle bill is issued. *Id.*

the Commission to approve certain tariff changes related to the periodicity of billing. Petition at ¶ 23; See Petition at Appendix A.

The OCA submits the following in response to PECO's Petition:

## **II. Answer**

In general, the OCA supports PECO's efforts to comply with the Commission's switching regulations and provide customers with the opportunity to move off of potentially expensive EGS service on an off-cycle basis. The OCA acknowledges that lengthy switching delays can result in some customer frustration and a reduction in attained savings. To that end, the OCA supports efforts to shorten the switching timeframe as soon as reasonably possible.

The OCA is concerned, however, with PECO's proposed BOSS approach. The use of multiple bills may be confusing to customers and could result in payment problems for customers who may have multiple "due dates" that are unanticipated. Additionally, the Company has not detailed the additional expense of multiple billings and their associated mailing costs. While the OCA recognizes the constraints of billing system changes in such a short period of time, the OCA submits that PECO's request of a temporary waiver is appropriate as experience is gained with this approach.

The OCA also submits that as part of a temporary waiver request, PECO should be required to monitor its operation to determine if customer confusion or payment difficulty results. PECO should also be required to continue to explore the potential for reflecting multiple switches on a single monthly bill during this waiver period. PECO should be required to report to the Commission and the interested parties about understanding and satisfaction with the multiple bill approach and its exploration of a single bill approach throughout the waiver period.

WHEREFORE, the Office of Consumer Advocate respectfully submits that PECO's request for a waiver of the Commission's regulations should be granted at this time, subject to the above-stated condition.

Respectfully Submitted,



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Dated: October 21, 2014

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CERTIFICATE OF SERVICE

RE: Petition of PECO Energy Company For Temporary Waiver of Regulations Related to the Required Days In A Billing Period  
Docket No. P-2014-2446292

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Answer, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 21st day of October 2014.

SERVICE BY E-MAIL and INTEROFFICE MAIL

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