

Deanne M. O'Dell
717.255.3744
dodell@eckertseamans.com

September 28, 2015

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Petition of the NRG Retail Affiliates for Clarification and/or Reconsideration of the Commission's September 3, 2015 Final Order; Docket No. M-2009-2092655

Dear Secretary Chiavetta:

Direct Energy, the largest competitive retail energy supplier in North America, and a licensed electric generation supplier ("EGS") in Pennsylvania submits this letter in support of the Petition filed by the NRG Retail Affiliates ("Petition") regarding the Commission's September 3, 2015 Final Order ("*Final Web Portal Order*"). Direct Energy supports granting the relief requested by the Petition which would direct the electric distribution companies ("EDCs") to provide EGSs access to near real-time (48 hour or less) billing quality interval usage ("BQIU") data through the "Active EGS" Rolling 10-Day process as set forth on pages 24-26 of the February 17, 2015 Electronic Data Exchange Working Group ("EDEWG") Pennsylvania Web Portal Working Group Solution Framework ("EDEWG Report"). Failure to grant this relief would deny Direct Energy access to the 48 hour (or less) old interval usage data for all of its customers for at least fourteen months hampering the ability of Direct Energy to develop competitive products and services for Pennsylvania consumers like the those that are offered in other markets where Direct Energy has access to this data.

In Texas, for example, Direct Energy is providing customers with a "Bill of the Future." Each billing cycle customers see an itemized list of how much energy they are using for all of their electronics and electric appliances each month. This gives customers the ability to monitor not only how much they are spending on electricity, but to determine where they can be more efficient in their energy usage. Customers are also able to monitor their appliances for maximum performance. Thus, if the customer's heating or cooling system is not operating at its targeted efficiency, the customer can see that and detect any operating problems before a breakdown. In addition, customers are able to compare their usage with that of their neighbors' usage, monitor their energy usage, and view their Bills of the Future over time through the Direct Energy My Account online portal. If customers have a Nest Thermostat, which is offered through many Direct Energy products, then they can access their heating/cooling usage information through their My Account portal. Finally, Direct Energy offers time-of-use products in various states

such as in Illinois and Connecticut. Access to near real-time (48 hour or less) billing quality interval usage data is the best way to design and maintain these offerings.

Because the *Final Web Portal Order* does not direct EDCs to implement the “Active EGS” 10-Day Rolling solution to provide suppliers access to the 48 hour (or less) old interval usage data for all of their customers, there are no regulatory requirements in place today requiring EDCs to provide EGSs this data. Such a result denies customers the benefits of a competitive marketplace where a multitude of these products are available from a variety of suppliers. Even though suppliers are not able to provide these products because they cannot access the data, EDCs do provide them as part of their Energy Efficiency and Conservation Plans. As explained in the Petition, this provides EDCs with an unfair competitive advantage and an incentive to deny suppliers access to the information.

Importantly, the process for an “Active EGS” Rolling 10-Day solution was detailed in the EDEWG Report with the recommendation that “EDCs pursue this proposal either before or during implementation” of the “By Request” SOAP Web Service.¹ The “Active EGS” Rolling 10-Day solution would allow suppliers to access a file on the EDC’s website containing detailed bill-quality account-level interval usage on a specific usage delivery data with publication occurring over a rolling 10-day period.² This solution is a reasonable way to permit EGSs to access this important usage data for their customers notwithstanding any additional or long-term processes that may be implemented.

For these reasons, Direct Energy urges the Commission to direct that EDCs provide EGSs access to near real-time (48 hour or less) billing quality interval usage data through the “Active EGS” Rolling 10-Day process. Given that this solution has already been discussed through EDEWG and involves adding customer information to the EDC’s existing supplier portal, Direct Energy agrees with the Petition that the process should be made available by December 31, 2015.

Thank you for your time and consideration of this important issue and do not hesitate to contact me if you have any questions or concerns.

Sincerely,



Deanne M. O’Dell
DMO/lww

cc: Office of Competitive Market Oversight (via email to ra-OCMO@pa.gov)

¹ EDEWG Report at 25.
² EDEWG Report at 24.