

Paul E. Russell
Associate General Counsel



PPL
Two North Ninth Street
Allentown, PA 18101-1179
Tel. 610.774.4254 Fax 610.774.6726
perussell@pplweb.com

E-FILE

September 28, 2015

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

**Re: Submission of the Electronic Data Working Group's Solution
Framework for Historical Interval Usage and Billing Quality Interval
Use
Docket No. M-2009-2092655**

Dear Ms. Chiavetta:

Enclosed for filing on behalf of PPL Electric Utilities Corporation ("PPL Electric") is an original of PPL Electric's Answer to the Petition of the NRG Affiliates for Clarification and/or Reconsideration of the Commission's September 3, 2015 Final Order in the above-captioned proceeding.

Pursuant to 52 Pa. Code § 1.11, the enclosed document is to be deemed filed on September 28, 2015, which is the date it was filed electronically using the Commission's E-Filing System.

If you have any questions regarding the enclosed document, please call me at (610) 774-4254 or Bethany Johnson – Manager, Regulatory Operations at (610) 774-7011.

Very truly yours,

A handwritten signature in black ink that reads "Paul E. Russell". The signature is written in a cursive, flowing style.

Paul E. Russell

Enclosures

cc: Tanya J. McCloskey, Esquire
Mr. John R. Evans
J. Edward Simms, Esquire
Deanne M. O'Dell, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Submission of the Electronic Data :
Exchange Working Group's Web Portal :
Working Group's Solution Framework for : Docket No. M-2009-2092655
Historical Interval Usage and Billing :
Quality Interval Use :

**ANSWER OF PPL ELECTRIC UTILITIES CORPORATION TO
THE PETITION OF THE NRG RETAIL AFFILIATES FOR
CLARIFICATION AND/OR RECONSIDERATION OF
THE COMMISSION'S ORDER ENTERED SEPTEMBER 3, 2015**

Paul E. Russell (Pa. Bar I.D. 21643)
Associate General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Phone: 610-774-4254
Fax: 610-774-6726
E-mail: perussell@pplweb.com

Dated: September 28, 2015

Counsel for PPL Electric Utilities Corporation

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. LEGAL STANDARD.....	3
III. ARGUMENT.....	4
A. NRG’S PETITION FAILS TO SATISFY THE STANDARD FOR GRANTING RECONSIDERATION	4
B. THE COMMISSION SHOULD REJECT NRG’S CONTENTIONS THAT THE “ACTIVE EGS” ROLLING 10- DAY PROCESS BE IMPLEMENTED BEFORE THE WPWG PROVIDES ITS RECOMMENDATION.....	7
1. NRG’s Petition Is Not Ripe	7
2. The Commission Previously Determined that StS Functionality Physically Cannot Be Implemented in Three Months.....	9
3. NRG’s Anti-Competitive Claims Are Without Merit.....	10
IV. CONCLUSION.....	14

PPL Electric Utilities Corporation (“PPL Electric”), pursuant to 52 Pa. Code § 5.572, hereby respectfully submits this Answer to the Petition for Clarification and/or Reconsideration (“Petition”) filed by NRG Home, Green Mountain Energy Company, and Energy Plus Holdings LLC (collectively, “NRG”) on September 18, 2015. In its Petition, NRG seeks reconsideration of the Final Order of the Pennsylvania Public Utility Commission (“Commission”) entered September 3, 2015, at Docket No. M-2009-2092655 (“*Final Order*”). Specifically, NRG requests that the Commission mandate electric distribution companies (“EDCs”) to implement an “Active EGS” Rolling 10-Day process by December 31, 2015, which would provide electric generation suppliers (“EGSs”) with billing quality interval use (“BQIU”) data. NRG previously proposed the “Active EGS” Rolling 10-Day process in its letter to the Commission dated March 13, 2015, and in its Comments filed on May 26, 2015.

For the reasons explained below, PPL Electric respectfully requests that the Commission deny NRG’s Petition.

I. INTRODUCTION

On December 6, 2012, the Commission entered a Final Order at Docket No. M-2009-2092655 (“*December 2012 Order*”) directing the Electronic Data Exchange Working Group (“EDEWG”) to convene a Web Portal Working Group (“WPWG”) to develop standardized solutions for third parties to access customers’ BQIU data and Historical Interval Usage (“HIU”) data through a web portal provided by an EDC. Under the *December 2012 Order*, the EDEWG was required to complete the development of standards for HIU by March 1, 2014, and for BQIU by March 1, 2015. After request by the EDEWG, the Commission extended the deadline for developing the HIU standards to March 1, 2015.

On February 17, 2015, the EDEWG Leadership filed the Solution Framework, which outlined the standards for third parties to acquire HIU and BQIU data within 48 hours of daily

meter reads. The Solution Framework recommended adoption of a Single User-Multiple Request (“SU-MR”) process to provide HIU and BQIU data. In the cover letter to that filing, the EDEWG Leadership noted that the remaining item that needed to be resolved was whether EDCs should be required to implement a System-to-System (“StS”) solution. Consequently, the EDEWG Leadership asked the Commission to address that issue. The EDEWG Leadership also requested the Commission to approve the Solution Framework and provide guidance on the implementation and timing of the items detailed in the Solution Framework.

Thereafter, NRG sent a letter to the Commission dated March 13, 2015. In that letter, NRG explained that it had concerns with the Solution Framework and requested the Commission to, among other things, reject use of SU-MR and require EDCs to implement the “Active EGS” Rolling 10-Day process by no later than the third quarter of 2015.

On April 23, 2015, the Commission entered a Tentative Order at Docket No. M-2009-2092655 (“*Tentative Order*”), in which the Commission proposed that EDCs implement SU-MR within eight months of a Final Order being entered and StS within 12 months of a Final Order being entered. Commissioner James H. Cawley also entered a Statement into the record, which asked commenters to address six questions. Several parties filed Comments, including PPL Electric and NRG. In its Comments, NRG again advocated that the Commission implement the “Active EGS” Rolling 10-Day process on an accelerated basis “as the Mandatory System-to-System (StS) Solution.” (NRG Comments, p. 4.)

On September 3, 2015, the Commission entered its *Final Order*. Pertinent to NRG’s Petition, the Commission rejected NRG’s proposal to implement the “Active EGS” Rolling 10-Day process as the StS solution at this time. Instead, the Commission directed the EDEWG to reconvene the WPWG to develop, but not implement, an StS solution. The Commission also

required the WPWG to provide its recommended StS solution to the Commission within six months of the *Final Order*'s entry date. The Commission directed EDCs to implement SU-MR within 12 months after entry of the *Final Order* and the StS solution within 14 months after entry of the *Final Order*. The Commission also stated that EDCs could request an extension of the StS solution's implementation date if necessary.

On September 18, 2015, NRG filed the pending Petition for Clarification and/or Reconsideration. In its Petition, NRG avers that the Commission should direct EDCs to implement the "Active EGS" Rolling 10-Day process by December 31, 2015.

For the reasons explained below, as well as those more fully explained in the Commission's *Final Order*, NRG's Petition should be denied.

II. LEGAL STANDARD

The Commission's standard for granting reconsideration following final orders is set forth in *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553, 559 (1982) (emphasis added):

A petition for reconsideration, under the provisions of 66 Pa. C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein it was said that "[p]arties ..., cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them...." What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission.

Thus, in order for a petition to warrant reconsideration by the Commission, it must demonstrate new and novel arguments that were raised below by the petitioner, but not previously considered by the Commission. The Commission has cautioned that the last portion of the operative

language of the *Duick* standard -- “by the Commission” -- focuses on the deliberations of the Commission, not the arguments of the parties. *See Pa. PUC v. PPL Elec. Utils. Corp.*, Docket No. R-2012-2290597, p. 3 (Order Entered May 22, 2014). Therefore, a petition for reconsideration cannot be used to raise new arguments or issues that should have been but were not previously raised.

A petition seeking relief under the *Duick* standard may properly raise any matter designed to convince the Commission that it should exercise its discretion to rescind or amend a prior order in whole or part. Importantly, however, the *Duick* standard does not permit a petitioner to raise issues and arguments considered and decided below such that the petitioner obtains a second opportunity to argue properly resolved matters. *See id.* As explained by the Pennsylvania Supreme Court, petitions for reconsideration of a final agency order may only be granted judiciously and under appropriate circumstances because such action results in the disturbance of final agency orders. *City of Pittsburgh v. Pa. Dep’t of Transp.*, 416 A.2d 461 (Pa. 1980).

As explained below, NRG’s Petition fails to satisfy the standards for granting reconsideration and should be denied.

III. ARGUMENT

A. NRG’s Petition Fails to Satisfy the Standard for Granting Reconsideration

NRG’s Petition should be denied because it fails to satisfy the *Duick* standard for granting reconsideration. NRG’s Petition re-raises its arguments that the Commission accelerate implementation of the “Active EGS” Rolling 10-Day process, which clearly were previously considered and rejected by the Commission in its *Final Order*. Further, NRG’s Petition improperly raises a claim of “anti-competitive” conduct that NRG should have made in its Comments. Thus, as more fully explained below, NRG’s Petition should be denied.

First, in its Petition, NRG requests the Commission to direct EDCs to implement the “Active EGS” Rolling 10-Day process by December 31, 2015. (NRG Petition, p. 9.) NRG claims that the *Final Order* “does not provide any direction regarding the ‘Active EGS’ Rolling 10-Day process.” (NRG Petition, p. 9.) NRG’s claim is without merit. NRG’s proposal for an “Active EGS” Rolling 10-Day process clearly was considered by the Commission in its *Final Order*, which provides, in pertinent part, as follows:

NRG, WGL, DE, and RESA, however, believe that EGSs will find no value in the SU-MR solution and contend that the StS solution should be implemented first. They further assert that the StS solution should be easier and cheaper for the EDCs to implement, and specifically request the “Active EGS” Rolling 10-Day Batch CSV files (Active EGS) solution be implemented whereby licensed EGSs would log into existing EDC secure supplier portals and download these files daily. NRG Comments at 4-6; WGL Comments at 1-2; DE Comments at 2; RESA Comments at 2-6.

NRG argues that the StS functionality should be implemented within four months from the date on the Final Order. NRG Comments at 6-7.

The Commission finds the above arguments for implementing both the SU-MR and StS options persuasive. Ample evidence exists that both options will be utilized if they are implemented. Therefore, the Commission orders those EDCs with smart meter requirements to implement both the SU-MR and StS options.

The Commission agrees with the EDCs that the privacy and security protections related to the StS solution require further development. Furthermore, the Commission requires that a single, uniform StS solution be developed and implemented across all EDCs with smart meter requirements. Therefore, the Commission directs EDEWG to reconvene the WPWG in order to develop, but not implement, an StS solution. The Commission requires those EDCs with smart meter requirements to participate in the WPWG. The WPWG must provide a recommended StS solution to the Commission, for its review and approval, within six months of the entry date of this Final Order. When considering an StS Option, any solution should be designed to scale efficiently with the volume of information from any increases in the number of smart meters or any additional deployments, such as the Batch CSV file solution provided in the Framework. Also, the file layouts from the SU-MR solution must be uniform with the outputs from the StS solution. Finally, access standards

and confidentiality of customer information must be established. The Commission will review the WPWG's submission and provide a Final Order outlining the directives regarding the StS functionality and EDC submission of appropriate compliance plans.

Final Order, pp. 15, 17-18 (emphasis added) (footnotes omitted). Clearly, the Commission addressed NRG's proposal and recognized privacy and security concerns that require further development for an StS solution. Accordingly, the Commission directed the WPWG "to develop, but not implement, an StS solution" at this time. *Id.* Moreover, the Commission specifically directed the WPWG to consider "the Batch CSV file solution provided in the Framework." *Id.* at p. 18. Indeed, the solution referenced is the "Active EGS' Rolling 10-Day (Batch CSV Files)" StS option. Solution Framework, p. 24 (Feb. 17, 2015). Thus, the Commission already considered NRG's proposal for an "Active EGS" Rolling 10-Day process and has not foreclosed that such an StS solution could be developed and recommended by the WPWG.

Second, NRG improperly raises a new argument for the first time in its Petition that it should have raised in its Comments. NRG now claims that the Commission must direct EDCs to implement the "Active EGS" Rolling 10-Day process to remedy alleged anti-competitive practices by EDCs.¹ (*See, e.g.*, NRG Petition, p. 9.) Specifically, NRG avers that EDCs provide BQIU data to conservation service providers ("CSPs") pursuant to the EDCs' Energy Efficiency and Conservation ("EE&C") Plans to develop and market products and services, and that EDCs deny access to such information to EGSs. (NRG Petition, pp. 2-4, 9.) If NRG believed that immediate implementation of the "Active EGS" Rolling 10-Day process was needed to prevent alleged discrimination in data access between CSPs and EGSs, NRG could have and should have raised such an argument in its Comments. A petition for reconsideration cannot be used to raise

¹ For the reasons explained in Section III.B.3, *infra*, NRG's anti-competitive arguments are without merit.

new arguments that should have been previously raised. *See Pa. PUC v. PPL Elec. Utils. Corp.*, Docket No. R-2012-2290597, p. 3 (Order Entered May 22, 2014). Therefore, merits aside, NRG's anti-competitive argument is not properly before the Commission.

Based on the foregoing, NRG has failed to meet the *Duick* standard for granting reconsideration of the *Final Order*, and its Petition should be denied.

B. The Commission Should Reject NRG's Contentions that the "Active EGS" Rolling 10-Day Process Be Implemented before the WPWG Provides Its Recommendation

Even assuming for the sake of argument that NRG's Petition satisfies the threshold for granting reconsideration, which it clearly does not for the reasons explained above, NRG's arguments are without merit. Therefore, as further explained below, the Commission should deny NRG's Petition.

1. NRG's Petition Is Not Ripe

NRG's Petition is not ripe because the Commission has not adopted an StS solution yet. NRG wholly misreads the *Final Order* in contending that the Commission has directed the implementation of the "By Request" Simple Object Access Protocol ("SOAP") Web Service as the StS solution. (NRG Petition, p. 16.) As explained previously, the Commission did not adopt an StS solution in its *Final Order*. Rather, the Commission directed the EDEWG to reconvene the WPWG to develop an StS solution for the Commission's consideration. *See Final Order*, p. 18. Further, the Commission expressly stated that "[w]hen considering an StS Option, any solution should be designed to scale efficiently with the volume of information from any increases in the number of smart meters or any additional deployments, such as the Batch CSV file solution provided in the Framework," *i.e.*, the "Active EGS" Rolling 10-Day process supported by NRG. *Id.*; *see* Solution Framework, p. 24. Therefore, not only did the Commission

not adopt the “By Request” SOAP Web Service as the StS solution, the Commission expressly requested the WPWG to consider the “Active EGS” 10-Day Rolling process.

As a result, NRG’s remedy is to address the adoption of its proposed “Active EGS” Rolling 10-Day process in the reconvened WPWG. NRG participated in the WPWG to help develop the Solution Framework and can participate in the WPWG when it reconvenes. Consequently, the WPWG is the proper forum for NRG to voice its concerns about the “By Request” SOAP Web Service and advocate for the adoption of the “Active EGS” Rolling 10-Day process. Thereafter, if NRG’s proposal is not recommended by the WPWG, NRG can file Comments in opposition with the Commission. However, granting NRG’s requested relief at this time is premature.

In addition, NRG’s Petition attempts to dodge the issue of ripeness by mischaracterizing the “Active EGS” Rolling 10-Day process as being “not an StS process.” (NRG Petition, p. 18.) NRG claims that the Commission directed EDCs to implement the “By Request” SOAP Web Service because “the only StS process detailed in the EDEWG Report” is the “By Request” SOAP Web Service. (NRG Petition, p. 19.) NRG’s claims are inaccurate and contradict NRG’s own Comments. In its Comments, NRG repeatedly referred to “Active EGS” as an StS solution. (*See, e.g.*, NRG Comments, p. 4.) Moreover, NRG stated the following in its Comments: “The EDEWG Report includes proposals for two separate and distinct StS solutions: the ‘Active EGS’ 10-Day Rolling Solution, and the ‘By Request’ Simple Object Access Protocol Web Service (SOAP) Solution.” (NRG Comments, p. 5.) Therefore, NRG cannot now claim that the “Active EGS” Rolling 10-Day process is not an StS solution and that the Commission directed EDCs to implement the “By Request” SOAP Web Service as the only StS solution identified by the EDEWG.

Based on the foregoing, NRG's Petition is not ripe. The Commission did not adopt an StS solution in its *Final Order*. If NRG wants to advocate for the adoption of the "Active EGS" 10-Day Rolling process as the StS solution, it can do so in the reconvened WPWG. For these reasons, NRG's Petition should be denied.

2. The Commission Previously Determined that StS Functionality Physically Cannot Be Implemented in Three Months

NRG's request that the "Active EGS" 10-Day Rolling process be implemented by December 31, 2015, is not physically possible because of concerns about privacy, security, and development time.

As EDCs noted in their Comments, there are privacy and security issues that need to be addressed concerning third party access to customer data through a StS functionality. (*See* PPL Electric Comments, pp. 6-7; Duquesne Light Comments, pp. 4-6; FirstEnergy Companies Comments, pp. 3-7.) Indeed, time is needed to develop the different and additional privacy and security protocols for an StS solution. (*See* Duquesne Light Comments, pp. 5-6.) Moreover, EDCs observed that technical issues with StS and the devotion of resources to higher priority projects require sufficient lead time for StS's implementation. (*See* PPL Electric Comments, pp. 6, 8-10; Duquesne Light Comments, pp. 7-8.) Based upon these Comments, the Commission observed in its *Final Order* "that the privacy and security protections related to the StS solution require further development." *Final Order*, p. 17. As a result, the Commission directed the WPWG to develop an StS solution and to establish "access standards and confidentiality of information." *Id.* at p. 18. To provide enough time for the WPWG to develop this solution, the Commission ordered the WPWG to submit its recommendation within six months of the *Final Order*'s entry date. *Id.* Further, EDCs were given 14 months from the *Final Order*'s entry date to implement the selected StS option. *Id.*

Nowhere in its Petition does NRG contest the Commission's finding that the identified privacy and security concerns need to be addressed before an StS solution can be implemented. Further, NRG fails to dispute that EDCs will need more than three months to implement an StS solution, including the "Active EGS" Rolling 10-Day process. In short, NRG fails to provide any support for its contention that the "Active EGS" Rolling 10-Day process can be implemented by December 31, 2015.

Based on the foregoing, it is not possible for EDCs to implement the "Active EGS" Rolling 10-Day process by December 31, 2015. Therefore, the Commission should deny NRG's Petition.

3. NRG's Anti-Competitive Claims Are Without Merit

a. No Discrimination Against Electric Generation Suppliers Exists

NRG incorrectly contends that EDCs discriminate against EGSs in the manner that access to customer data is provided. In support, NRG claims that EGSs currently do not have access to "efficient and scalable" BQIU data, whereas CSPs do. (NRG Petition, pp. 9, 13-14.) NRG alleges that EDCs are discriminating against EGSs by providing this data to CSPs and placing EGSs at a competitive disadvantage. (NRG Petition, p. 9.) NRG's arguments must be rejected for several reasons.

First and foremost, contrary to NRG's claims, CSPs utilizing PPL Electric's system do not have access to customer data of different or better quality than the data currently available to EGSs. Both EGSs and CSPs currently can obtain 48-hour BQIU data that is not in batch format. Further, CSPs using PPL Electric's system do not currently receive 10-Day Rolling BQIU data.

In fact, on PPL Electric's system, CSPs have less access to customer data than EGSs. EGSs access customer data through the Supplier Portal, while CSPs access customer data

through the Customer Portal. However, CSPs need customer consent to obtain this data, whereas EGSs do not. As a result, EGSs have easier access to this data. Moreover, EGSs have superior access to customer data than CSPs on PPL Electric's system in other respects. For instance, through the Electronic Data Interchange ("EDI"), EGSs can obtain the HIU and the monthly and annual BQIU data for all customers. On the other hand, CSPs do not have access to EDI and, thus, do not have access to the monthly and annual BQIU data.

Second, no discrimination exists because EGSs and CSPs are different. It is well-established that to substantiate a claim of undue discrimination, the entity receiving undue preference must be similarly situated to the entity claiming discrimination. *See, e.g., Humanic v. The Bell Tele. Co. of Pa.*, Docket No. C-871162, 1988 Pa. PUC LEXIS 480, at *17-19 (Order Entered Oct. 12, 1988); *Pa. PUC v. City of Bethlehem*, Docket Nos. R-00072492, R-00072492C0001, *et al.*, at pp. 22-24 (Order Entered Oct. 14, 2011). Here, that is clearly not the case. EGSs provide competitive electric generation supply service to end-use customers in Pennsylvania. *See* 66 Pa. C.S. § 2803. On the other hand, CSPs provide EE&C measures to help customers reduce their electric consumption pursuant to EDCs' Commission-approved EE&C Plans. *See* 66 Pa. C.S. § 2806.1(m). Therefore, to the extent that EGSs and CSPs are treated differently, such treatment is not unduly discriminatory.

For these reasons, NRG's argument that EDCs are unduly discriminating against EGSs in favor of CSPs is without merit. Thus, the Commission should deny NRG's Petition.

b. NRG Confuses the Products Provided by Electric Generation Suppliers and Conservation Service Providers

NRG's claim of undue discrimination also must be rejected because it confuses the products that EGSs and CSPs provide to customers in Pennsylvania. NRG contends that EDCs provide CSPs with access to BQIU data that enables CSPs to develop and market "value-added

retail services and products” to customers. (NRG Petition, p. 3.) NRG avers that EGS do not have access to such data, which denies EGSs the ability to develop similar services and products. (NRG Petition, pp. 3-4, 14-16.) In support, NRG observes that an NRG affiliate in Texas, Reliant, provides special pricing plans, energy monitoring tools, and customer alerts using BQIU data. (NRG Petition, pp. 4-6.) NRG further alleges that PPL Electric and PECO Energy Company (“PECO”) provide BQIU data to CSPs to provide similar products to customers. Specific to PPL Electric, NRG claims that Aclara is under contract with PPL Electric to provide an EE&C product that “allows customers to view their hourly interval data and access rate structures, energy usage, and costs.” (NRG Petition, p. 11.) NRG’s claims are without merit for several reasons.

First, as explained previously, CSPs do not have access to any customer data that is not available to EGSs. On this basis alone, NRG’s claim that CSPs can provide products and services that cannot be provided by EGSs due to data access must be rejected.

Second, NRG operates under the mistaken assumption that the products provided by EGSs and CSPs are alike. EE&C measures are statutorily required and provided pursuant to Commission-approved EE&C Plans. These measures are available to shopping and non-shopping customers. Unlike products provided by EGSs, the EE&C measures are pass-through costs that provide no profit to the EDC. EDCs merely recover “all reasonable and prudent costs incurred in the provision or management” of the EE&C Plan through a reconcilable automatic adjustment clause and do not recover “decreased revenues” resulting from “reduced energy consumption or changes in energy demand.” 66 Pa. C.S. § 2806.1(k)(1)-(2).

Third, NRG identifies products offered by its affiliate, Reliant, that are not similar to products and services offered under EDCs’ EE&C Plans. For instance, PPL Electric is unaware

of any EDC subject to Act 129 of 2008 (“Act 129”) that has EE&C programs under which participating customers can receive discounted pricing for electric usage on nights and weekends or can obtain bill credits for lower usage during high demand hours. Furthermore, some of the products identified by NRG, such as time of use or “free” day of the week, are similar to those that other EGSs currently offer to customers in Pennsylvania. Since those EGSs have the same access to BQIU data as NRG, it is wholly unclear how NRG currently is being denied the ability to provide similar products.

Finally, NRG misunderstands the contractual relationship between Aclara and PPL Electric. Although Aclara is a registered CSP with the Commission, it is not providing CSP services pursuant to a program under PPL Electric’s EE&C Plan.² Aclara does not have authority to use PPL Electric customer data to provide products or services to customers. Aclara merely provides Information Technology services for PPL Electric’s website. These services enable all shopping and non-shopping customers receiving electric distribution service from PPL Electric to review helpful information about their usage on PPL Electric’s website.

Based on the foregoing, NRG utterly confuses the products that EGSs and CSPs provide, and NRG’s anti-competitive claims are without merit. For these reasons, the Commission should deny NRG’s Petition and affirm the well-reasoned findings and conclusions set forth in the *Final Order*.

² Indeed, if Aclara was contracting with PPL Electric to provide EE&C measures pursuant to PPL Electric’s EE&C Plan, such a contract would have to be filed with and approved by the Commission. See 66 Pa. C.S. § 2806.1(a)(8); *Energy Efficiency and Conservation Program*, Docket Nos. M-2012-2289411, M-2008-2069887, at p. 98 (Order Entered Aug. 3, 2012) (Phase II Implementation Order).

IV. CONCLUSION

WHEREFORE, for all the foregoing reasons, as well as those more fully explained in the Pennsylvania Public Utility Commission's September 3, 2015 *Final Order*, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission deny the Petition for Clarification and/or Reconsideration filed by the NRG Home, Green Mountain Energy Company, and Energy Plus Holdings LLC.

Respectfully submitted,



Paul E. Russell (Pa. Bar I.D. 21643)
Associate General Counsel
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Phone: 610-774-4254
Fax: 610-774-6726
E-mail: perussell@pplweb.com

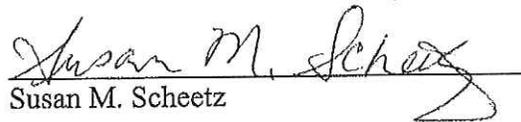
Dated: September 28, 2015

Counsel for PPL Electric Utilities Corporation

VERIFICATION
(Docket No. M-2009-2092655)

I, Susan M. Scheetz, being a Billing Specialist and EDEWG Co-Chair at PPL Electric Utilities Corporation, hereby state that the facts set forth are true and correct to the best of my knowledge, information and belief and that I expect that PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: September 28, 2015


Susan M. Scheetz