

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rulemaking Re: Amended Reliability :  
Benchmarks and Standards for the :  
Electric Distribution Companies : Docket No. M-00991220  
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OFFICE OF CONSUMER ADVOCATE'S  
REPLY COMMENTS

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Tanya J. McCloskey  
Senior Assistant Consumer Advocate  
Lori A. Herman  
Assistant Consumer Advocate

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street, Forum Place, 5th Floor  
Harrisburg, PA 17101-1923  
(717) 783-5048

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## I. INTRODUCTION

On October 10, 2003, the Office of Consumer Advocate ("OCA") filed its Comments in the above-captioned proceeding. Comments on the Commission's Tentative Order in this proceeding were also filed by the Energy Association of Pennsylvania ("EAP"); PPL Electric Utilities, Inc. ("PPL"); Allegheny Energy d/b/a West Penn Power Company ("West Penn"); UGI Utilities ("UGI"); the FirstEnergy Companies which include Metropolitan Edison, Pennsylvania Electric, and Pennsylvania Power (collectively "FE Companies"); PECO Energy Company ("PECO"); Wellsboro Electric Company ("Wellsboro"); Citizens Electric Company ("Citizens"); Pike County Power & Light Company ("Pike"); and the Pennsylvania AFL-CIO Utility Caucus ("AFL-CIO"). In general, the EAP and the electric distribution company ("EDC") commenters argue that more variability is needed in setting the performance standards and that the EDCs should not be held accountable to a standard based on pre-restructuring data since such data is unreliable. The EAP and the EDCs seem to suggest that no enforceable performance standards or benchmarks can be established and that customer survey data be relied upon more than the objective standards of SAIFI, CAIDI, and SAIDI in evaluating performance.

The AFL-CIO and the OCA, on the other hand, point out that the Commission's amended benchmarks and standards do not achieve the mandate of the Act that service quality be maintained, and that the amended benchmarks and standards continue to allow for system performance that is worse than pre-restructuring levels of performance. The AFL-CIO captured the problem as follows:

While there is no question that the new standards represent major improvement over the old standards, the new standards are all (with

two exceptions) substantially worse than the actual level of reliability experienced prior to restructuring.

The differences between the new standards and the pre-restructuring level of system performance are not trivial. It must be recalled that CAIDI and SAIDI represent the average number of minutes that a customer is without electricity. So, for example, the new SAIDI standard of 172 for PPL says that it is "normal" or "acceptable" for a customer to be without electricity for nearly three hours when service is interrupted to the customer. In contrast, prior to restructuring, PPL's actual performance was to restore service to customers in less than two hours (ranging from 87 minutes from 1993-1995 to 116 minutes from 1995-1997).

AFL-CIO Comments at 3 (emphasis in original).

After a review of the Comments, the OCA remains convinced that the Commission's proposal here does not achieve the mandate of the Act to maintain service reliability. To further weaken the standards and benchmarks, as called for in the Comments of the EDCs and EAP by introducing more variability, softening or eliminating enforcement of the standards and benchmarks, and relying more on subjective customer survey data, is not in the public interest. As the OCA set forth in its Comments, the Commission must establish a mechanism that requires an EDC to achieve its pre-restructuring performance, at a minimum, on the key reliability indices. OCA Comments at 2. The Commission would also be well within its discretion to require performance that exceeded these historic levels. The Commission must not lose site of the key goal here -- achieving adequate and appropriate system reliability.

The OCA will not reply to each and every argument or position presented in the Comments of the other parties. However, the overall statements by EAP and the EDCs that reliability has improved since restructuring is not borne out by the objective data. The EAP and EDCs rely upon customer survey data that reflects the customer's satisfaction with the way a

complaint call or contact with the EDC was handled by the customer service representative. See, EAP Comments at 3; FE Companies Comments at 16-17. There are many areas of customer interaction with an EDC that are analyzed through this type of survey and not just a customer's satisfaction with the level of reliability or with whether the customer has received reasonably continuous service. The objective indices of the SAIFI, CAIDI, and SAIDI provide a better indication as to whether an appropriate level of reliability is being achieved. These objective indices show that for all but PECO and Duquesne, the major EDCs' most recent three year average performance is worse than the pre-restructuring benchmark performance on almost every major index. See, OCA Comments at 2, Table 1. The recomputation of the benchmark does little to change this picture, even though it allows for worse performance for some utilities. Only PPL benefits from the recomputed benchmark in that its most recent performance is now better for CAIDI and SAIDI. Compare, Tentative Order, Appendix B, Columns E and K.

In these Reply Comments, the OCA will address the broad issues raised by the EDCs and EAP regarding the quality of the pre-restructuring data, the need for variability including the return to the standard deviation approach for the small EDCs, the enforcement of the standards and benchmarks, and the greater reliance on customer survey data in lieu of the objective standard of CAIDI, SAIFI, and SAIDI to measure reliability. It remains the OCA's position that the Commission must further tighten its benchmarks and standards to achieve the mandate of the Act.

## II. REPLY COMMENTS

### A. Data Quality Issues Will Always Exist And Cannot Stand In The Way Of Establishing Appropriate Performance Benchmarks And Standards.

#### 1. There Has Been No Showing That The Historic Data Does Not Represent An Appropriate Level Of Reliability.

The EDCs and EAP raise a number of issues regarding the quality of the data that the Commission used to establish the historic performance benchmarks and the resulting standards. Some EDCs, such as West Penn, argue that since some of their historic data was missing, it would be unfair to hold them to any standard or benchmark calculated for this historic period. West Penn Comments at 4-5. Others argue that since they have installed automated outage management systems, the more recent data from the new system should be utilized in that it should be more accurate. FE Companies at 5-6, 11; Wellsboro at 3-4; Pike at 2. The most recent data from these systems, however, shows performance that is worse than the historic benchmarks. The OCA submits that data quality issues cannot stand in the way of establishing appropriate, enforceable benchmarks and standards designed to achieve the goal of the Act.

It is important to note that the historic data that forms the basis of the current benchmarks and standards was provided by the EDCs to the Commission in the 1998 to 1999 time frame during the first rulemaking and comment period in this original docket. The data provided by the EDCs to the Commission at that time represented the best available basis for the Commission to use in assessing pre-restructuring performance and setting the benchmarks and standards. Now, with the possibility of having to achieve those benchmarks and standards, the EDCs and EAP argue that the data is too inaccurate to form the basis of reliability standards. See, e.g., EAP Comments

at 12. It is far too late, however, to call this historic data "bad" or unreliable for the purpose of establishing pre-restructuring performance. The historic data was collected by the EDCs using the best technology available to each EDC at the time. It must serve as the basis for determining the pre-restructuring level of performance since it was the basis of pre-restructuring reliability analysis by both the Commission and the Companies.

More to the point, there is no evidence presented by the EDCs that shows or even supports the claims that the historic data is not representative of pre-restructuring performance or that installation of new Outage Management Systems is the sole cause of the seeming deterioration in reliability. The claim that new Outage Management Systems are causing the appearance of deterioration in reliability has not been subjected to evaluation or review. In fact, the LB&FC Report made the point that careful analysis of such claim is needed before any adjustments should be considered. The LB&FC Report on this point is worth quoting:

PECO and Penn Power appear to recognize the importance of documenting changes in their reliability data gathering to assure that the PUC's historic performance levels and standards are relevant for considering company reliability performance. PECO, for example, introduced a new outage management system in 2001. PECO staff transitioned from one automated system to another in ways that allowed prior or current years reliability data to be compared through system implementation planning and analysis prior to a during the initial phase of the new system's implementation.

\* \* \*

GPU and Allegheny Power have introduced new outage management systems. They have suggested that their performance levels and standards are no longer relevant; however, they have not requested the Commission to consider if adjustments are required. Moreover, they have not provided data and information needed by the Commission to consider if adjustments are required and to make such adjustments.



LB&FC Report at 46-47.

It is interesting to note that PECO, who moved to a new Outage Management System after the time period for setting the historic benchmarks, has been able to exceed the historic benchmark levels of performance while the FirstEnergy Companies, following a similar implementation, have failed. If the EAP and EDC Comments are accepted, it would strongly suggest that the benchmarks for PECO be changed to reflect this better level of performance being reported from its new outage management system. The OCA does not support a change in any of the benchmarks based on these unsupported claims. But, if changes in outage management systems are to form the basis for new benchmarks and standards, such changes should be applied across all companies.

The OCA submits that although new data collection technology might show reliability that is inferior to historic levels, that does not mean that this decline in reliability is purely a result of a better quality of data. Many companies, both in Pennsylvania and in other states, have implemented new Outage Management Systems without apparent deterioration of service reliability. The OCA strongly urges the Commission to not reach any conclusions about the effects of changes in data collection technology without a full evidentiary record of the effects of such changes.

2. Data Quality Issues Should Not Be The Focal Point Of This Proceeding.

The OCA submits that the EDCs' and EAP's allegations about the data quality issues must not distract the overall purpose of this proceeding. This proceeding is to establish performance benchmarks and standards that meet the mandate of the Act. Data quality issues will always exist in this area as data collection technology improves over time. At this time, the Commission should retain the existing historic benchmarks that are based on the best available data from the relevant

historic period. It is only through maintaining these historic benchmarks, which have set the expected performance levels for the past four years, that the Commission can fairly say that it has implemented the mandate of the Act. As will be discussed in more detail below and in the rulemaking, the OCA suggests that if new data collection technology is installed and raises a compliance question, that matter should be addressed in the monitoring and enforcement of the standards. To the extent that it can be proven that sub-par performance is *solely* the result of improved data collection, a transition period or revision in the benchmarks or standards could be entertained on a case by case basis after the development of a full record.

The issue of data quality, though, cannot stand in the way of establishing and enforcing appropriate reliability benchmarks and standards. Data quality issues are more appropriately addressed in any enforcement procedures or mechanisms.

3. The Requests of Individual EDCs For A Change In Their Historic Performance Benchmarks Should Not Be Entertained.

a. Introduction

Several EDCs have asked for a further change in their historic performance benchmarks to reflect their concerns about historic data quality. The OCA submits that the Commission should not entertain such requests through this Tentative Order. Any such requests would more properly be made as a separate petition where the merits and all underlying facts can be thoroughly examined on the record. However, the OCA would note several problems and flaws with some of these requests.

b. FirstEnergy Companies (Met-Ed, Penelec, Penn Power)

At page 11 of their Comments, the FirstEnergy Companies request revised benchmarks and standards which are set forth in the attachment to their comments. Notably, the Companies propose benchmarks that represent significantly worse reliability than allowed by either the existing or recomputed benchmarks and standards. Some of the changes would reduce reliability performance requirements by as much as 70%, while many of the changes reduce reliability by 40% to 60%. These proposed benchmark levels suggest that the Companies' performance levels might not be acceptable at all, much less for use in setting a reliability standard. Significantly, though, the Companies propose to use data from 1998-2002 to establish the benchmarks and standards. FE Companies Comments at 11, Attachment. This data is post-restructuring and will not properly capture pre-restructuring performance that must be maintained.

Additionally, the FirstEnergy Companies' proposal for Met-Ed and Penelec are out of line with the Commission's Order in the case involving the merger of GPU and FirstEnergy. In the Commission's Order, Met-Ed and Penelec are required to implement the Service Quality Index proposed in that proceeding. Joint Application For Approval of The Merger Of GPU, Inc. and FirstEnergy Corp., Docket Nos. A-110300F0095 and A-110400F0040 at 83, Ordering ¶16.c. A comparison of the FirstEnergy proposals for Met-Ed and Penelec to the Service Quality Index under the Commission's Order is reflected in the following Table:

**TABLE 1**

**Comparison Of FirstEnergy Proposals  
To Merger Requirements**

Index	Met-Ed Merger Requirements	Met-Ed Proposal	Penelec Merger Requirements	Penelec Proposal
SAIFI	1.2	1.17 (benchmark) 1.29 (3-yr. standard) 1.41 (12-mo. standard)	1.5 (by 2004) 1.2 (by 2006)	1.39 (benchmark) 1.52 (3-yr. standard) 1.66 (12-mo. standard)
CAIDI	125 (by 2004) 120 (by 2006)	156 (benchmark) 171 (3-yr. standard) 187 (12-mo. standard)	125 (by 2004) 120 (by 2006)	143 (benchmark) 158 (3-yr. standard) 172 (12-mo. standard)

Source: Joint Application for Merger, Service Quality Index attached to Recommended Decision and Attachment to FE Companies Comments.

The OCA submits that there is no justification here for changing the benchmarks and standards for the FirstEnergy Companies. In particular, there is no reason to establish revised reliability benchmarks that are well below the merger requirements for Met-Ed and Penelec.

c. West Penn

West Penn also requests a change to its benchmarks and standards arguing that the proposed benchmark is skewed by a period of missing data and its conversion to a new outage management system. Of note, the Commission's recomputation of the benchmarks resulted in only minor changes to West Penn's historic benchmark performance. It is not clear to the OCA that there was "missing data" in 1999 when the Commission first calculated the historic benchmark for West Penn or whether the Commission relied on and utilized data provided by the Company during that

time period. Also, it is not clear whether the Commission's recomputation used the same underlying data or whether the Company could not now produce the same data used in 1999.

If the Commission entertains a request from West Penn for a change in its benchmarks and standards, this must occur in an appropriate proceeding and the effect of the change to a new outage management system must be fully documented. Additionally, the Commission must not rely on post-restructuring data to establish those standards.

d. Pike

Pike has also proposed that it utilize more recent data from 1999 to 2002 to establish its benchmarks and standards. Pike Comments at 2. This time period is post-restructuring and will not properly establish whether the reliability of service has been maintained at pre-restructuring levels. There is no basis for a change in Pike's benchmarks and standards at this time.

4. Conclusion

The OCA submits that data quality issues will always exist and cannot stand in the way of the Commission establishing and enforcing appropriate benchmarks and standards. The OCA suggests that the Commission maintain its current benchmarks and revise its minimum performance standards, as recommended in the OCA's Comments, so that an EDC is expected to achieve its historic benchmark on a 3-year rolling average basis. The 12-month rolling average standard could allow some minor variation from the historic benchmark. Data quality issues should be addressed through an appropriate enforcement procedure with appropriate evidence of the effect of the change in data collection methodologies if an EDC is unable to meet the Commission standards. The OCA submits that lowering benchmarks and standards would not be the appropriate way to proceed and would not be in the public interest.

B. Allowing Further Variability In The Minimum Performance Standards Does Not Achieve The Mandate Of The Act And Does Not Serve To Move EDCs To Appropriate Levels Of Reliability.

A number of EDCs have suggested that variability in the minimum performance standards above the levels proposed by the Commission for the 3-year rolling average and the 12-month rolling average should be included in the Commission's final standards. The small EDCs and EAP have suggested a return to the standard deviation approach for the small EDCs, although they suggest using a 1.0 to 1.5 standard deviation rather than the 2 standard deviations contained in the Commission's original minimum standards. See, EAP Comments at 6; UGI Comments at 3; Citizens Comments at 2; Wellsboro Comments at 1-2; Pike Comments at 3. The OCA submits that allowing variability from the historic performance for the 3-year rolling average should not be permitted, and additional variation in the 12-month rolling average minimum performance standard cannot be supported. Moreover, a return to the failed standard deviation approach, even for just the small EDCs, cannot be supported.

As noted in the OCA's Comments, the Act calls for reliability to be maintained *at a minimum* at pre-restructuring levels. Allowing an EDC to achieve performance that is always worse than the pre-restructuring level is not acceptable under the Act. The proposal by the EDCs and EAP to allow for greater variation from the historic averages cannot meet the requirements of the Act and simply allows for further deterioration of reliability in the Commonwealth.

C. The Commission Must Establish An Enforcement Mechanism In Its Rulemaking That Assures Compliance With The Requirements Of The Act.

One of the main themes of the Comments of the EDCs and EAP is that the Commission should not adopt any enforcement mechanisms or penalties for failure of the EDCs to

meet the minimum performance standards. See, EAP Comments at 7-8; UGI Comments at 4-6; PECO Comments at 4. The EAP calls for a transition stage where EDCs can explain any "aberration" in performance prior to the Commission undertaking any enforcement action or issuing any non-compliance finding, order or Secretarial Letter. EAP Comments at 8. In part, this approach is again a reflection of the claim that the performance standards are based on "bad" data. PECO suggests that the Commission change the language in the Tentative Order to remove any suggestion of a mandatory enforcement action and make the language consistent with the rulemaking. PECO Comments at 4.

The OCA submits that monitoring and enforcement of the performance standards and benchmarks is absolutely essential to ensuring that reliable service is available in the Commonwealth. Without an enforcement proposal that will ensure compliance, having performance benchmarks and standards is meaningless. The OCA will discuss in more detail its proposal for enforcement of the Commission's benchmarks and standards in its Comments in the Rulemaking docket at L-00030161. The OCA does not disagree with PECO that the language in this docket should be consistent with the language that results in the rulemaking. That change should occur at the conclusion of the rulemaking. The other EDC and EAP suggestions that the historic data is "bad" or cannot be relied upon for enforcement should be rejected.

As noted above, the OCA expects that data quality issues will continue as data collection technologies continue to improve. Rather than forsake enforcement because there will always be data quality issues, the Commission should ensure that the enforcement mechanism in place can address data quality issues. If an EDC can prove conclusively that its failure to comply with a Commission standard is solely the result of a changed data collection methodology, then the

Commission should consider a transition period for the EDC to improve performance or a revision in the benchmarks or standards if the new data so warrants. This should be done on a case by case basis, and only when the EDC's failure can be fully demonstrated to result from the change in data collection methodologies or technology. Poor performance should not escape Commission oversight merely due to the assertion that past data may not be as good as current data.

PECO raises a related argument. PECO argues that large storms, clustered together but not meeting the major event definition, can heavily influence the reported performance results. PECO argues that automatic fines or penalties would be inappropriate in these circumstances. PECO Comments at 5-6. PECO's arguments miss the mark. First, PECO's arguments suggest that weather alone is the driving force for the reliability metrics. In fact, many items fully within the Company's control have an impact on the EDC's performance. Such things as on-going maintenance, tree trimming, storm preparedness and storm response all have an impact on the values recorded by the metrics. How a company responds to both usual and unusual sequences of events all bear on reliability. If, however, the imposition of fines or penalties is a concern, the OCA would suggest that the enforcement procedures contain a mechanism that allows petitions for waiver for a particular series of events at a particular time. In this way, such events, and the EDCs response to the events, can be properly evaluated.

As noted above, the OCA will discuss enforcement issues in more detail in the rulemaking proceeding. The Commission, however, must establish enforcement mechanisms and procedures that assure compliance with the Act.



D. The Use Of Customer Survey Data Is Not An Adequate Substitute For The Objective Standards Of SAIFI, CAIDI and SAIDI.

In their Comments, the EDCs and EAP point to customer survey data both locally and nationwide that shows that a large percentage of customers are satisfied with their "utility" service. EAP Comments at 3-4; West Penn Comments at 7; FE Companies Comments at 16-17. The EDCs and EAP suggest that this customer survey data should be relied upon more than the objective metrics of CAIDI, SAIFI, and SAIDI for determining whether the EDCs have achieved acceptable reliability. See, e.g., EAP Comments at 3-4; FE Companies Comments at 16-17; West Penn Comments at 7. This suggestion is flawed in several respects. The OCA agrees that the customer survey data has value for EDC management both as one part of an assessment of overall company performance and an indication of areas where customer service may be lagging. Customer survey data, however, cannot substitute for the objective reliability standards that measure the average duration and frequency of outages experienced by customers and the system.

Customer survey data does not serve the same purpose as the objective reliability indices. Importantly, overall customer survey data may not capture very significant problems that are affecting smaller numbers of customers in localized areas. It is for this reason that continued reporting of operating area data and troubled circuit data is essential. Additionally, deterioration in service performance may not impact customer perceptions until such interruptions become routine or catastrophic in a particular area. Even then, customer expectations might be decreased as problems persist. Finally, it is difficult to design a survey that captures the necessary customers and data to fully assess reliability performance. A customer survey along troubled circuits might provide a very different level of perceived satisfaction with reliability than a general survey.

The FirstEnergy Companies' arguments regarding the use of customer survey data in assuring compliance with the statutory mandate are particularly off the mark. The FirstEnergy Companies point to customer survey responses regarding *overall* quality of service in attempting to make an argument that customers view their service as reliable today. At pages 16-17 of their Comments, the FirstEnergy Companies can only point to customer satisfaction with the Companies' customer service representatives and the ease of reaching the Companies. These responses do not have a bearing on whether customers believe that their actual electric service is as reliable as in the past or as reliable as it should be. In fact, in 2002, approximately 28% of the complaints to the Commission's Bureau of Consumer Services about Met-Ed and Penelec were about service interruptions. See, 2002 Bureau of Consumer Services Report and Evaluation, p. 26. The next highest level of complaint activity concerned billing disputes, which accounted for 13% of all complaints to BCS. Id. Relying on data about *overall* customer service quality in a customer survey is not an adequate response to issues concerning actual reliability performance.<sup>1</sup>

The OCA submits that the objective technical standards must be the paramount standards for assessing reliability in the Commonwealth. To the extent that customer surveys can be conducted addressing specific reliability issues, the OCA does not object to their use or consideration regarding these issues. But such subjective surveys cannot overcome the hard fact that most EDCs are not meeting the standards and benchmarks set forth by the Commission, standards and benchmarks that do not currently achieve the mandate of the Act.

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<sup>1</sup> West Penn also cites customer survey data for Pennsylvania from a Potomac survey. It is not clear what the precise question was that gave rise to the percentages found in the charts.

E. The Commission May Wish To Consider A Uniform Standard In The Future But Should First Ensure That Reliability Is, At A Minimum, Maintained At Pre-Restructuring Levels.

The EDCs have different views on whether a statewide standard should be utilized by the Commission. For example, PPL suggests in its Comments that a single statewide standard should be explored, arguing that by doing so, EDCs like PPL that have achieved performance above the statewide mean could be held to a less restrictive standard. PPL Comments at 4. UGI, on the other hand, suggests that the Commission should not adopt a uniform methodology, but allow the standards to be established based on each EDC's individual performance. UGI Comments at 3. As the OCA noted in its Comments, the Commission may wish to consider a move to a statewide standard at some point, but in no instance can the move to a statewide standard result in any individual EDC achieving a level of reliability that is worse than its own pre-restructuring performance. Such a reduction in service quality by any EDC would clearly conflict with the mandates of the Act.

At this time, the OCA is concerned with the apparent deterioration in reliability that is occurring in the Commonwealth. A review of the statistics indicates that for most EDCs, reliability performance is worse than pre-restructuring performance, by any measure. As clearly demonstrated in Appendix B of the Commission's Tentative Order, of the 11 EDCs, six would have recorded a failure to meet one or more of the rolling 3-year average standards for 1999-2001. These same utilities would also fail one or more standards considering the more recent 2000-2002 data. Considered against the current benchmarks, the performance result is even worse. As shown in the OCA's Comments at page 2, only PECO, which is subject to specific reliability improvement requirements under the settlement of its merger proceeding, has performance that consistently meets

or exceeds pre-restructuring levels for all of the relevant indices. Given the current status of reliability in the Commonwealth as compared to pre-restructuring levels, the OCA submits that the Commission's focus should be on working closely with each individual EDC to develop compliance plans. These plans should have specific implementation steps that restore reliability to levels that the residences and businesses of the Commonwealth have a right to expect and enjoy.

Once the EDCs have been restored to appropriate levels of reliability, the Commission should consider whether a move to a statewide, enforceable standard is in the public interest. Such a standard would be within the Commission's discretion to establish so long as this change would not allow any individual utility to have reliability performance worse than its pre-restructuring reliability. At this time, however, the Commission's attention needs to be directed at ensuring that each EDC's reliability performance meets its pre-restructuring level at a minimum, that reliability throughout the Commonwealth is adequate, and that service is reasonably continuous and without unreasonable interruption or delay. 66 Pa.C.S. §1501, 2802(3).

F. The Procedures For Excluding Major Event Data And The Reporting Requirements Are Reasonable And Should Be Maintained.

The EDCs and EAP also argue that there should be no formal process for requesting the exclusion of data under the major event criteria and that reporting requirements should be scaled back so that reports are less detailed and issued less often. *See, e.g.*, EAP Comments at 11-13; FE Companies Comments at 14-16; PPL Comments at 5-6. The OCA disagrees.

The OCA submits that the Commission should retain the formal process for requesting exclusion of major event data from the reported results at this time. In the past, the major event criteria has not been uniformly applied by the EDCs. Although the Commission provides

clarification about the application of the criteria to underlying data in this Tentative Order, the Commission should utilize a formal process to ensure that the criteria are being applied uniformly, and that the guidance it has provided is sufficient. Given the significant differences in the application and interpretation of this regulation in the past, a formal process to review the continuing use of the regulation is in order.

Additionally, the reporting that the Commission seeks in the Tentative Order is an important element in ensuring that reliability is maintained. The OCA agrees that reporting requirements should be reasonably streamlined, should focus on the necessary data, and should be done often enough so that Commission staff can properly monitor progress of an EDC over the course of a year in meeting the performance standards and benchmarks. At this time, the Commission's proposal for quarterly monitoring seems appropriate to achieve these goals.

### III. CONCLUSION

For the reasons set forth above, and for the reasons set forth in the OCA's Comments, the OCA continues to urge the Commission to modify its proposals to further tighten the reliability benchmarks and standards. The Commission must ensure that reliability is, at a minimum, maintained at historic, pre-restructuring levels, and that service is continuous and without unreasonable interruption. The Commission should develop benchmarks and standards to achieve these results.

Respectfully submitted,

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Tanya J. McCloskey  
Senior Assistant Consumer Advocate  
Lori A. Herman  
Assistant Consumer Advocate

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

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76575