

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY  
Consumer Advocate

May 12, 2010

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

RE: Petition of PPL Electric Utilities Corporation for a Declaratory Order Regarding a Pilot to Expand Website and Interactive Voice Response Capability to Allow Customers the Option of Setting Up a Payment Agreement or, in the Alternative, a Two-Year Waiver of 52 Pa. Code § 56.97(a) Docket No. P-2010-2168786

Dear Secretary Chiavetta:

Enclosed for filing is the Answer of the Office of Consumer Advocate, in the above-referenced proceeding.

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

Respectfully Submitted,

A handwritten signature in black ink that reads "Barrett Sheridan".

Barrett C. Sheridan  
Assistant Consumer Advocate  
PA Attorney I.D. # 61138

Enclosures

cc: Administrative Law Judge  
Office of Special Assistants

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PPL Electric Utilities Corporation	:	
for a Declaratory Order Regarding a Pilot	:	
to Expand Website and Interactive Voice	:	Docket No. P-2010-2168786
Response Capability to Allow Customers	:	
the Option of Setting Up a Payment	:	
Agreement or, in the Alternative, a Two-Year	:	
Waiver of 52 Pa. Code § 56.97(a)	:	

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ANSWER OF THE  
OFFICE OF CONSUMER ADVOCATE

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On April 7, 2010, PPL Electric Utilities Corporation (PPL or Company) filed a petition which requests that the Public Utility Commission (PUC or Commission) permit the Company to develop payment arrangements for customers facing termination through the use of the Company’s website or interactive voice response (IVR) telephonic service.<sup>1</sup> PPL acknowledges that Section 56.97(a) “Procedures upon Ratepayer or Occupant Contact Prior to Termination,” 52 Pa. Code § 56.97(a), explicitly requires PPL to make available “authorized utility employees” to provide specific, identified information to customers who are facing termination. PPL asks the PUC to issue a declaratory order that contact with the IVR system or website constitutes a contact with an “authorized utility employe” or, in the alternative, grant a waiver so that PPL may proceed to implement a pilot program to offer PPL’s website or IVR as alternatives to the

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<sup>1</sup> PPL served its Petition again on April 22, 2010 on all parties to the Commission’s Chapter 56 Rulemaking at Docket No. L-00060182. PPL provided expanded notice of its Petition at the request of Law Bureau.

personal contact by a customer with a PPL employee under Section 56.97(a). PPL requests expedited review and approval.

The Office of Consumer Advocate (OCA) submits that PPL's request for a declaratory order must be denied. Initially, PPL's request for expedited treatment is not justified where the question of how best to protect the interests of consumers who are at risk of termination of basic utility service is at issue.<sup>2</sup> Additionally, contrary to PPL's claim of uncertainty, the language of Section 56.97(a) very clearly states that when a customer has received a termination notice, the customer's contact with the utility shall be through an "authorized utility employee." An IVR system or website is not an employee with whom a customer can have the necessary personal contact. As such there is no uncertainty.

As to PPL's alternative request for a two-year waiver of the employee contact requirement of Section 56.97(a), the OCA does not support PPL's proposal to ask consumers who are risk of termination to use an IVR or website to enter into payment agreements as a means to prevent termination of service. Initially, from the OCA's reading of the PPL Petition, the designation of this program as a "pilot" seems to be a misnomer. PPL's Petition suggests that all customers facing termination, not just a sample control group, will be directed to PPL's website and IVR systems – potentially as a first resort – rather than as a clearly designated additional option.<sup>3</sup> Consumers who have received a termination notice and are 10 days away from the loss of basic utility service are the consumers most in need of personal contact with

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<sup>2</sup> PPL requests expedited review to help PPL manage increased call volumes associated with customers shopping for generation suppliers as well as consumers at risk of termination with the end of the winter moratorium. PPL Petition ¶¶ 29, 51. Expedited review is not justified due to the "unprecedented number of telephone calls" from shopping customers. *Id.* at 18, fn. 3. The end of the winter termination moratorium is a known and recurring event; an increase in call volumes in April and later is to be expected. The OCA submits that it is unreasonable to expect that expedited review of a petition filed on April 7, 2010 and time to implement PPL's proposed web and IVR redesign could in fact reduce customer calling volumes in Spring 2010.

<sup>3</sup> PPL offers no details as to how PPL would describe, in the 10-day termination notice, a consumer's choice of ways to contact PPL. See Petition ¶¶ 18, 21, 25, 34 (discussion of termination notice content).

PPL customer service representatives, as explicitly recognized by Section 56.97. PPL's discussion of how customer use of PPL's website and IVR for other purposes is increasing sheds no light on whether customers at imminent risk of termination have internet access, the bank account or credit or debit card necessary to make payments electronically, much less the skills under trying circumstances to navigate PPL's website or a complex IVR path and understand that they may be entering into a binding payment agreement. The OCA submits that at this time, the Commission should deny PPL's extremely broad waiver request.

The OCA acknowledges that there may be merit to PPL's proposal to offer consumers who are at risk of termination a supplemental way to obtain information through PPL's website or IVR system about the ways to avoid termination, so that they can prepare for contact with PPL's employee or prepare to resolve the payment arrearage. For example, PPL proposes that consumers who have received a termination notice could access online account information about the balance due. *Id.* ¶ 19. PPL also proposes to provide prompts to advise such consumers about low income assistance programs and medical certification procedures. The OCA agrees that making basic personal account information available on line, subject to appropriate security and privacy protections, and other information could be a benefit to consumers who have internet access and choose to visit PPL's website.

PPL's proposal to operate its website and IVR, to function as alternatives to a consumer's contact with a PPL customer service representative, cannot properly be labeled as a pilot. PPL proposes no control or test group. Instead, PPL would encourage all customers to use the website and IVR to contact PPL, so as to "build customer participation" in these systems. Petition ¶ 47. As described in its Petition, PPL's plan offers no protections or backstop provisions to assure that consumers who might opt to contact PPL through PPL's website during

the trial period would be no worse off than if the customer had directly called a PPL employee. PPL's plan also does not offer any means to determine if these processes are as effective as the personal contact required by Section 56.97 in assisting customers in maintaining service.

The OCA submits that waiver of the personal contact requirement of Section 56.97 raises significant issues that are not addressed in PPL's Petition. PPL's plan could place customers facing termination at risk for no discernable public benefit. PPL's requested waiver is not in the public interest and should be denied at this time.

## **I. ANSWER**

### **A. The Language of Section 56.97 Clearly Requires PPL to Use Actual Employees to Respond to Customers Facing Termination. PPL's Request for Grant of a Declaratory Order Must Be Denied.**

According to PPL's Petition, the Section 56.97(a) phrase "authorized utility employe" can or should be interpreted to include a series of website screens and prompts or recorded information provided by telephone in an interactive format. Petition ¶ 31. PPL states that its website and IVR will "automatically and accurately" advise customers "of all available methods for avoiding termination...." *Id.* ¶ 35. Thus, PPL contends that its website and IVR can achieve the same purpose – prevention of unnecessary terminations -- as Section 56.97(a)'s "authorized utility employe" requirement. *Id.* ¶ 32. To remove uncertainty and to eliminate controversy, PPL requests that the Commission enter a declaratory order which states that PPL's pilot "complies with Section 56.97." *Id.* ¶¶ 6, 39.

The OCA opposes PPL's request for grant of a declaratory order. Contrary to PPL's Petition, making available an automated electronic interface such as PPL's website or IVR cannot comply with the specific requirements of Section 56.97. First, as Section 56.97's title "Procedures upon ratepayer or occupant contact prior to termination" makes clear, Section 56.97

specifies the procedures, information and conduct of PPL employees who are authorized to assist consumers prior to termination. This special regulatory protection extends to both the “ratepayer” of record and also “occupants” of the household affected by the termination notice, terms defined by Chapter 56.<sup>4</sup> See 52 Pa. Code §§ 56.2, 56.97(a). This regulatory protection is commensurate with the important public policy goal of avoiding termination of vital utility service. The OCA submits that Section 56.97’s “authorized utility employe” directive is unique to Section 56.97. No other parts of Chapter 56 use this phrase.

Second, the meaning of “authorized utility employe” as used in Section 56.97(a) is not subject to uncertainty. Section 56.97(a) states:

- (a) If, after issuance of the initial termination notice and prior to the actual termination of service, a ratepayer or occupant contacts the utility concerning a proposed termination, an *authorized utility employe* shall fully explain:
  - (1) The reason for the proposed termination.
  - (2) All available methods for avoiding a termination, including the following:
    - (i) Tendering payment in full or otherwise eliminating the grounds for termination.
    - (ii) Entering a settlement or payment agreement.
  - (3) The medical emergency procedures.

52 Pa. Code ¶ 56.97(a)(emphasis added). Section 56.97(a) explicitly requires PPL to make available employees who are “authorized” to “fully explain” specific information and protections, as well as “all available methods for avoiding a termination....” *Id.* If a consumer contacts PPL concerning a proposed termination, PPL is required to provide an actual employee in order for the customer to discuss concerns related to the termination notice with such an authorized utility employee. The OCA submits that there is no uncertainty, based on the language of Section 56.97(a), that consumers who are facing termination must be placed in contact with an appropriate PPL employee.

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<sup>4</sup> For ease of reference, OCA will refer to “ratepayers” and “occupants” together as consumers or customers.

Third, PPL's Petition does not address or review Subpart (b) of Section 56.97. However, Subpart (b) provides further clear evidence that the contact between consumer and PPL, in the window of time between the consumer's receipt of the termination notice and termination, is intended to be direct contact with a live PPL employee, not some preprogrammed automated electronic interface. Section 56.97(b) states:

(b) The utility, ***through its employes, shall exercise good faith and fair judgment*** in attempting to enter a reasonable settlement of payment or otherwise equitably to resolve the matter. Factors to be taken into account when attempting to enter into a reasonable settlement or payment agreement include the size of the unpaid balance, the ability of the ratepayer to pay, the payment history of the ratepayer and the length of time over which the bill accumulated. If a settlement or payment agreement is not established, the company shall further explain the following:

- (1) The right of the ratepayer to file a dispute with the utility and, thereafter, an informal complaint with the Commission.
- (2) The procedures for resolving disputes and informal complaints, including the address and telephone number of the Commission: Public Utility Commission, Box 3265, Harrisburg, Pennsylvania, 17105-3265, (800) 692-7380.
- (3) The duty of the ratepayer to pay any portion of a bill which the ratepayer does not honestly dispute.

52 Pa. Code § 56.97(b)(emphasis added). Section 56.97(b) requires that the authorized PPL employee who has been contacted by a consumer who is at risk of termination “shall exercise good faith and fair judgment in attempting to enter into a reasonable settlement....” *Id.* The OCA submits that “good faith and fair judgment” are uniquely human factors which defy incorporation into programmed software or IVR paths.

Fourth, PPL's suggestion that Section 56.97 is out-dated and so should be broadly interpreted is incorrect.<sup>5</sup> See Petition ¶¶ 31-33, 39, 45. The PUC's Chapter 56 rulemaking, however, proposes only to reword, not eliminate, the "authorized utility employe" language in Section 56.97. The Commission's Chapter 56 Proposed Rulemaking Order would modify Section 56.97 in pertinent part as follows:

- (a) If, after the issuance of the initial termination notice and prior to the actual termination of service, a **[ratepayer] customer** or occupant contacts the **public** utility concerning a proposed termination, an authorized **public** utility **[employe] employe** shall fully explain....
- (b) The **public** utility, through its **[employees] employees**, shall exercise good faith and fair judgment in attempting to enter a reasonable **[settlement] informal dispute settlement agreement** or payment agreement or otherwise equitably resolve the matter....

See Standards and Billing Practices for Residential Utility Service, Proposed Rulemaking Order, Annex A, Section 56.97, 39 Pa.B. 925 (Feb. 14, 2009). The OCA submits that the Commission has properly proposed to preserve this important regulatory requirement, for the protection of consumers who are facing termination.

The OCA submits that Section 56.97(a) and (b) make clear that consumers who have received a termination notice must be placed in contact with, and obtain information and assistance from, an actual, authorized PPL employee who has the skill to provide the required explanations and to exercise judgment in eliciting information from the consumer to better inform the consumer of their options and rights. In the course of the consumer contact with the PPL employee in this window before termination, establishment of a payment agreement is but one possible outcome of the interaction. When a consumer does contact PPL to discuss a

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<sup>5</sup> PPL states that the PUC has solicited comments regarding "appropriate changes to Chapter 56 due to the impact of electronic and online transactions." PPL asks for regulatory relief now, so PPL customers will not be "disadvantaged" by having to wait for resolution of the rulemaking process. Petition ¶ 45.

payment agreement to resolve a termination notice, the OCA submits that this is not a mere mathematical exercise. Rather, Section 56.97(b) requires the Company customer service representatives to use good faith and fair judgment. While Chapter 14 constrains the Commission's role in setting payment agreements between the utility and consumer, Chapter 14 places no restrictions on the utility's discretion and flexibility. See, 66 Pa. C.S. § 1405.

The Commission must deny PPL's request for declaratory order that the phrase "authorized utility employe" could be read to mean a PPL webpage module or IVR path. PPL's claim of uncertainty is without merit. Contrary to PPL's suggestion, it is inconceivable that an IVR or website could be deemed to "exercise good faith and fair judgment" as required by authorized utility employees under the Commission regulation.

B. PPL's Request for a Two-Year Waiver of Compliance with Section 56.97(a) to Allow PPL to Encourage Consumers at Risk of Termination to Contact PPL through PPL's Website or IVR Should Not Be Granted.

1. Introduction.

If the Commission does not grant PPL a declaratory order, PPL requests in the alternative that the Commission grant PPL a two-year waiver from full compliance with Section 56.97(a). During the two-year time period, PPL proposes to implement what it terms a pilot program which would allow consumers, who have received a termination notice, the option of contacting PPL's website or IVR. Petition ¶ 13. PPL requests a waiver for two years to allow the Company time to implement its website and IVR redesign plan, adjust its communications plan, and "also to encourage customer participation" in PPL's website and IVR. *Id.* ¶ 47. PPL states that the additional options will be convenient for consumers and that the pilot will allow PPL "to gather practical experience in offering payment agreements through the Website and IVR systems." *Id.*

¶¶ 42, 46. According to PPL, grant of the waiver will benefit the public interest, as well as PPL's interests. Id. ¶ 48.

As an initial matter, the OCA submits that PPL's description of its two-year project as a "pilot program" does not reflect the contemplated program design. Based on PPL's limited description in its Petition, it appears that PPL will provide no screening, create no test or control group, and provide no protections to assure that consumers who resort to PPL's website or IVR to resolve their termination notice are not worse off than if they had contacted a PPL customer service representative, consistent with Section 56.97. PPL does not propose to open its pilot to just some consumers, on a controlled test basis, while maintaining the status quo for other consumers. Instead, PPL proposes that all consumers who receive a termination notice during the two-year period would be offered a choice between contacting PPL's call center employees, accessing PPL's website, or navigating PPL's IVR to resolve the customer's termination notice. Petition ¶ 47. Further, PPL proposes to expressly encourage all of these consumers to "participate" or use the website and IVR in place of contact with PPL's customer service representatives. Id. The only behavior that PPL proposes to monitor and track is "customer usage of the Website or IVR to establish payment agreements." Id. PPL has not proposed a true pilot program that is designed to test any of the underlying assumptions that led PPL to propose the pilot.

The OCA submits that the Commission should not grant the requested waiver. The Petition fails to establish that such a waiver is in the public interest. The OCA would also note that the details of the program proposed by PPL in the Petition are too vague for the Commission to determine that such a request could even arguably be in the public interest. For the reasons set forth herein, PPL's Petition should be denied.

2. PPL Has Failed to Show that Grant of a Waiver of Section 56.97(a) for Two Years Will Provide Consumers with Benefits and Protections Equal to Compliance with Section 56.97(a).

The OCA submits that PPL's program, intended to steer payment troubled customers facing termination away from personal contact with a trained PPL employee, has not been shown to be reasonable or in the public interest. While PPL's proposal may have some outward appeal to a more technologically savvy generation, and PPL states that it will provide all required information, PPL's Petition provides little in the way of justification or detail for its proposal. Indeed, identifying what basic content should be included in a web interface is not the hardest part. Instead, the OCA submits that the enormous challenge is to anticipate any and all unique fact scenarios and needs that a consumer might present and design a web interface that is sufficiently comprehensive and inclusive to assure that the ultimate public policy goal of avoiding termination of vital utility service is consistently met. The OCA seriously questions whether this can be achieved in a manner that meets both the spirit and the letter of Section 56.97 and is in the public interest.

The OCA submits that substituting a computer or IVR for a trained employee fails to recognize the significant role of such an employee in addressing termination and in protecting the health and safety of customers and the public. The OCA notes that PPL is presently subject to several settlements which require PPL to revise the scripts and procedures that guide PPL's customer service representatives during calls from customers who are facing termination and provide training. Public Utility Commission, Law Bureau Prosecutory Staff v. PPL Electric Utilities Corporation, Docket No. M-2009-2058182, Opinion and Order at 8-10 (Nov. 23, 2009)(Glassman); see also Public Utility Commission, Law Bureau Prosecutory Staff v. PPL

Electric Utilities Corporation, Docket No. M-2009-2059414, Opinion and Order (Nov. 23, 2009)(Yaw). The revised materials and related training are intended to help customer service representatives recognize dispute situations and screen customers who may qualify for a hold on termination due to a medical condition. Glassman at 8-10. PPL will develop these and other revised procedures relating to payment agreements and contact with customers who have had service terminated and submit them to the Bureau of Consumer Services (BCS) for approval. Id. Additionally, PPL “will use its monitoring and observation process to ensure it is in compliance with the new corrective actions....” Glassman at 10. PPL agreed to make the changes to improve the quality of its service.<sup>6</sup> Id. at 13. In the 2009 Donachy case, the Commission approved a settlement between Law Bureau and PPL based in part on the Commission’s expectation that PPL’s “[m]odification of employee training and customer service” will have “a positive impact on future termination proceedings.” Public Utility Commission, Law Bureau Prosecutory Staff v. PPL Electric Utilities Corporation, Docket No. M-2008-2057562, Opinion and Order at 13 (Mar. 31, 2009)(Donachy).

The OCA points to these settlements for two reasons. First to demonstrate the Commission’s and PPL’s recognition that PPL customer service representatives serve a vital role in advising consumers how to avoid termination of service. Second as a reminder that the harms – such as death or fire – which may follow from loss of utility service can be devastating and can affect more than just the ratepayer, where family or neighbors may be affected too. Even with training and scripts to guide the customer service representative, sometimes a consumer’s unique situation and needs are not identified and a termination which could have been avoided occurs. The OCA is extremely concerned that adoption of PPL’s proposal, to shift consumers who are at

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<sup>6</sup> In addition to PPL’s commitment to make prospective improvements, the Glassman settlement took notice of PPL’s efforts and \$1.25 million in expenditures from December 2008 to July 2009 on computer programming, process change and training. Glassman at 10.

risk of termination to a web or IVR interface, instead of personal contact with a trained and experienced customer service representative, will result in more terminations, which could have been avoided. The OCA submits that Section 56.97's requirement that the utility connect the consumer who is seeking the utility's assistance in avoiding termination of service with a trained utility employee is not only for the consumer's benefit but for the public's protection.

Nonetheless, PPL claims that its website and IVR can be designed so as to "automatically and accurately" advise customers "of all available methods for avoiding termination." Petition ¶ 35. The OCA submits that PPL's claim is more aspiration than reality. PPL's Petition provides no documentation or sample web pages to allow for examination of the content, ease of comprehension, or how the web pages interrelate and move the consumer along the path of learning how to avoid termination of service. Further, directing the consumer to a website or IVR encourages the consumer to accept the information provided electronically as correct and beyond dispute. The website or IVR may also cause the consumer to believe that information provided by PPL and questions posed to elicit information about the customer's situation is comprehensive. In other words, that other facts known to the consumer are not material and pertinent to identifying how the consumer may best avoid termination of service. PPL's Petition's fails to address how, in designing its website and IVR, PPL would account for consumer behavior and specific concerns in the use of electronic interfaces.

The OCA submits that PPL's plan to substitute its website or IVR as the method for a consumer to negotiate a payment agreement or otherwise make binding commitments comes with considerable risk to consumers. The OCA is very concerned that consumers at risk of termination may make a commitment through a web interface driven by concern to avoid

termination, not by full comprehension of the consumer's rights and options. PPL's request for a two-year waiver is simply not in the public interest, based on the facts and information available.

The OCA submits that Section 56.97(a) and (b) appropriately require PPL to provide consumers at risk of termination contact with an authorized customer service representative, so that the consumer may benefit from the specialized training and experience of the trained employee in guiding the consumer to how to avoid termination of service and such requirement should not be waived.

Moreover, the OCA submits that PPL's claim that increased calling volumes is a hardship to PPL which could justify granting PPL a two-year waiver of Section 56.97, a regulation which specifically requires PPL to make available CSRs to consumers who contact PPL about a termination notice, is without merit. See Petition ¶ 51. PPL cites to the end of its generation rate cap as leading to an "unprecedented number" of calls from shopping customers. *Id.* at 18, fn. 3. The OCA submits that if PPL desires to reduce the number of customer contacts made by telephone, PPL should not focus first on those customer contacts that are most critical – that is, calls from customers who are threatened with termination of utility service. PPL has not met the Commission's standard for grant of an exemption from full compliance with Section 56.97. See 52 Pa. Code § 56.222.

The Commission should reject PPL's request for grant of a two-year waiver of compliance with Section 56.97. PPL has not shown that consumers who are at risk of termination will receive through PPL's website or IVR the same level of both information and guidance which a PPL CSR would provide, towards the goal of avoiding termination of vital utility service.

3. PPL's Plan to Redesign its Website and IVR to Advise Consumers Who Are Facing Termination Is Unreasonably Vague and Lacks Crucial Protections.

PPL's proposal to modify its website and IVR, as presented in the Petition, is vague and fails to address basic issues. For example, PPL provides no sample web pages, IVR messages or logic flow to understand how the pilot will work or to determine if all information is being presented. In addition, PPL identifies no protections to assure that a consumer who opts to contact PPL through its website is no worse off, during the trial period, than if the customer had contacted a PPL customer service representative for guidance as to how to avoid termination of service. Thus, if PPL's web design is flawed and leads to termination of service that could have been avoided through contact with a customer service representative, the harmful consequences will fall on the customer and members of the household subject to the termination notice. These harms could be repeated during the course of PPL's requested two-year waiver period.

Pursuant to the Glassman settlement, PPL has agreed to "use its monitoring and observation process to ensure it is in compliance with the new corrective actions" for CSRs to follow. Glassman at 10. Yet, PPL identifies no similar plan to monitor consumers during their website contact or use of PPL's IVR. Instead, PPL would depend on reminders to the consumer that they could call a PPL employee during regular business hours, as an alternative to the website or IVR contact which PPL encouraged the customer to try first. Petition ¶¶ 21, 23, 24. Only if a consumer facing termination used PPL's IVR to establish a payment agreement and then says "no" when asked to accept would PPL's IVR "forward customers to a Customer Service Representative immediately." Id. ¶ 22.

Under PPL's plan, customers who are facing termination would be encouraged to take the initiative – and risk – of trying to learn how to avoid termination of service through an automated

interface. If the consumer is confused or dissatisfied with the results of contact through PPL's website or IVR, then the consumer would need to take further action to contact an actual PPL employee.

Even if some web interface may benefit consumers who are facing termination, the OCA submits that PPL's description of the proposed website information and prompts is too general and lacking in documentation to provide any degree of confidence that a website interface could serve as a reasonable substitute and alternative to consumer contact with a trained PPL employee. As noted, PPL has not provided any sample webpages or screens that would be necessary to understanding how PPL's proposal would work or what information would actually be available to the customer.

The OCA also submits that PPL has not provided any IVR messages or shown that a suitable series of questions and prompts can be developed to allow consumers at risk of termination to comfortably and successfully navigate PPL's IVR system towards the goal of determining the best options for the consumer to avoid termination of service. A consumer using the IVR system may have difficulty understanding the significance of some prompts or queries until the consumer has progressed further through the automated call.

PPL's Petition fails to provide necessary information to the Commission that would be necessary to understand the proposal. The Plan is simply too vague and lacking in necessary protections for the Commission to grant the requested waiver.

C. A Limited Pilot Program To Provide Additional Information To Consumers At Risk Of Termination May Be A Reasonable First Step.

The OCA recognizes that some consumers who are at risk of termination may have access to the internet and a willingness to contact PPL's website for information. Further, some customers may, due to their work schedules or for other reasons, may need to contact PPL at

times other than normal weekday business hours when PPL's Call Center and customer service representatives are available. A limited pilot program that utilizes the website to provide customers at risk of termination with information so that they can better prepare for their contact with PPL's customer service representatives and better prepare to resolve the payment problem may have some benefit. The OCA would be willing to work with PPL and other interested stakeholders in the development of such a pilot program.

The OCA submits, however, that this program should be limited to providing information to customers to better enable them to understand the termination procedure and how to negotiate a payment arrangement once they contact a PPL customer service representative. These alternatives should not be used for the purpose of actually negotiating payment agreements pursuant to Section 56.97.

III. CONCLUSION

Wherefore, the Office of Consumer Advocate respectfully requests that the Public Utility Commission deny PPL's request of issuance of a declaratory order and deny PPL's request for alternative relief through a waiver of Section 56.97(a).

Respectfully Submitted,



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Dated: May 12, 2010  
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CERTIFICATE OF SERVICE

Petition of PPL Electric Utilities Corporation :  
for a Declaratory Order Regarding a Pilot :  
to Expand Website and Interactive Voice : Docket No. P-2010-2168786  
Response Capability to Allow Customers :  
the Option of Setting Up a Payment :  
Agreement or, in the Alterative, a Two-Year :  
Waiver of 52 Pa. Code § 56.97(a) :

I hereby certify that I have this day served a true copy of the foregoing document, Answer of the Office of Consumer Advocate, 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 12<sup>th</sup> day of May 2010.

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