



William E. Lehman
(717) 236-1300 x248
welehman@hmslegal.com

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

June 13, 2012

VIA ELECTRONIC FILING AND HAND DELIVERY

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

RE: Petition of PECO Energy Company for Expedited Approval of its Dynamic Pricing Plan Vendor Selection and Dynamic Pricing Plan Supplement; Docket No. P-2012-2297304:
LETTER IN SUPPORT OF PETITION TO INTERVENE OF RELIANT ENERGY NORTHEAST LLC.

Dear Secretary Chiavetta:

Interstate Gas Supply, Inc. (“IGS”) files this letter in support of the Petition to Intervene and Opposition (“Intervention Petition”) filed by Reliant Energy Northeast LLC (“Reliant”) in the above-captioned matter.

IGS is an electric generation supplier licensed by the Pennsylvania Public Utility Commission (“Commission”) and serves customers in the PECO Energy Company (“PECO”) service territory. IGS has actively participated in the Commission’s ongoing efforts to create more competitive retail electricity markets in Pennsylvania.¹

On or about April 2, 2012, PECO filed the above-captioned Petition with the Commission seeking approval of its Dynamic Pricing Plan Vendor Selection and Dynamic Pricing Plan Supplement Default Service Program. With respect to time-of-use (“TOU”) service, PECO’s Plan proposes that customers who do not affirmatively respond to contract renewal notices from an EGS be returned to default service. This proposal is contrary to the Commission’s *Interim Guidelines*, and to the clear direction provided in the Commission’s

¹ *Investigation into Pennsylvania’s Retail Electricity Market: Intermediate Work Plan*, Docket No. I-2011-2237952 (Final Order entered March 2, 2012)(“RMI Order”)

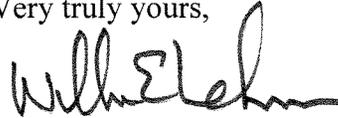
*Intermediate Work Plan Final Order*² as it relates to supplier referral programs and opt-in aggregation programs.

IGS is particularly concerned with PECO's proposal that would return customers to default service if they do not affirmatively respond to contract renewal notices from Reliant. Customers make an affirmative choice to request TOU rates and should not be returned to default service without making the same affirmative choice. This practice of automatically returning customers to default service at the end of a TOU program would be forcing them back to default service, which would be contrary to the standard in 66 Pa. C.S. § 2807(d)(1). It is anti-competitive by its very nature.

The Plan, if approved, will set the stage for deployment of TOU service throughout the state and thus will directly affect IGS in its continuing effort to participate in the competitive electricity marketplace. Therefore, IGS fully supports the modifications proposed by Reliant in its Intervention Petition at Paragraph 17 and urge the Commission to seriously consider these modifications.

Thank you for your attention to this matter. Please feel free to contact me at 717-236-1300 with any questions.

Very truly yours,



Todd S. Stewart
William E. Lehman
Counsel for Interstate Gas Supply, Inc.

TSS/WEL/alh
Enclosures

² See RMI Order, *fn. 1 supra*.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in the manner indicated below, and in accordance with the requirements of 52 P.A. Code §1.54 (relating to service by a party).

VIA EMAIL AND FIRST CLASS MAIL

Tanya J. McCloskey
Jennedy S. Johnson
Office of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923

Sharon Webb
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Richard A. Kanaskie
Office of Trial Staff
400 North Street, 2nd Floor
PO Box 1166
Harrisburg, PA 17108

Daniel Clearfield, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101

Christopher O'Hara, General Counsel
Reliant Energy Northeast LLC
NRT Tower at the Pavillions
1201 Fannin Street
Houston, Texas 77002

Charis Mincavage
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Anthony E. Gay
Exelon Business Services Company
2301 Market Street
P.O. Box 8699
Philadelphia, PA 19101-8699

Thomas P. Gadsden
Brooke Leach
Morgan Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921



William E. Lehman

Dated this 13th day of June 2012.