



**NRG Retail Northeast**  
3711 Market Street  
Philadelphia, PA 19104

May 21, 2013

**Electronic Filing**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street - Filing Room (2nd Floor)  
PO Box 3265  
Harrisburg, PA 17105-3265

**RE: EDC Customer Account Number Access Mechanism for EGSs  
Docket No. M-2013-2355751; Comments of NRG Retail Affiliates**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is an electronic copy of Comments in the above-referenced proceeding on behalf of Green Mountain Energy Company, Energy Plus Holdings LLC, and Reliant Energy Northeast LLC (collectively, the NRG Retail Affiliates).

If you have any questions regarding this filing, please direct them to me at 609.280.7701 or via email at [john.holtz@greenmountain.com](mailto:john.holtz@greenmountain.com).

Respectfully yours,

A handwritten signature in black ink, appearing to read 'John Holtz', with a stylized flourish at the end.

John Holtz  
Director – Market Development

cc: Office of Competitive Market Oversight

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

EDC Customer Account Number Access : Docket No. M-2013-2355751  
Mechanism for EGSs :  
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**COMMENTS OF NRG RETAIL AFFILIATES  
TENTATIVE ORDER**

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Date: May 20, 2013

## **Tentative Order Comments of NRG Retail Affiliates**

### **Introduction**

Green Mountain Energy Company, Energy Plus Holdings LLC, and Reliant Energy Northeast LLC (collectively, the NRG Retail Affiliates) respectfully submit these Comments in response to the Pennsylvania Public Utility Commission (Commission) Tentative Order of April 18, 2013 regarding the recommendation from the Commission's Office of Competitive Market Oversight (OCMO) for the development of procedures to facilitate Electric Generation Suppliers (EGS) access to the Electric Distribution Company (EDC) account numbers for completion of enrollment requests in instances where the account number is not available from either the customer or from the Eligible Customer List (ECL).<sup>1</sup>

The NRG Retail Affiliates are grateful to the Commission and Staff for advancing this important matter concerning customer experience with shopping for electric supply. The collaboration among stakeholders on this matter reflects positively on OCMO, and especially on its Committee Handling Activities for Retail Growth in Electricity (CHARGE) as a productive forum for developing solutions to issues affecting the functioning of competitive retail energy markets in Pennsylvania.

Green Mountain Energy Company (Green Mountain) has been actively offering renewable electricity to customers in the PECO and PPL service territories since May 2012, primarily at public venues such as farmers markets and outdoor events, where prospective customers typically do not have their EDC account number. An EDC-issued account number is necessary to effectuate the Electronic Data Interchange (EDI) enrollment transaction. Without the account number a customer's order for generation supply service either cannot be processed by the EDC or the enrollment is delayed while attempts are made post-sale to contact the customer and obtain an account number.

Shortly after launching in the eastern Pennsylvania market, Green Mountain wrote to PECO and PPL requesting account numbers on behalf of customers who authorized the company to obtain account information related to their enrollment orders. Both EDCs responded via email that the companies could not provide account numbers to EGSs due to customer protection policies and regulations.

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<sup>1</sup> Tentative Order, *EDC Customer Account Number Access Mechanism for EGSs*, Docket No. M-2013-2355751, April 18, 2013

In the course of attempting to fulfill service orders taken at public events for which account numbers were not readily available from customers, Green Mountain found that a significant number of customers were not on the ECL. Among PECO enrollment requests nearly half of the customers were not on the ECL. Approximately 25 percent of PPL customers could not be found on the ECL. Those same rates persist to this day. The experience in the Duquesne territory during the first four months of 2013 was 20 percent of customers signing up for Green Mountain Energy at public events were not found on the ECL.

The additional outreach to the customer to obtain their account number - - for a transaction they believe was already completed at the point of sale - - discourages customer participation, diminishes the credibility of the EGS in the perception of the customer, increases costs, and also creates a barrier to efficient enrollment by EGSs, thereby impeding customer choice. The delay may also result in a lost savings opportunity or commencement of value-added services for customers which, in turn, results in customer frustration and disappointment, and a less-than-favorable opinion of the competitive retail market.

Since June 2012, Green Mountain has proactively pursued implementation of a mechanism to allow for the retrieval of account numbers for customers who authorized an enrollment, but were not on the ECL. Green Mountain has worked cooperatively with PPL and PECO, and met with Commission staff, the Office of Consumer Advocate and stakeholders to propose an account number retrieval solution.

### **Framing the Issue: It's all about the customer**

As noted in the Tentative Order, OCMO states: *We are convinced that the inability to obtain customer account numbers in the context of selling at public venues is a serious impediment to shopping.*<sup>2</sup>

NRG Retail Affiliates strongly agree. And so do customers.

The following example illustrates the frustration customers experience when a seemingly simple transaction requires multiple steps and actions by the customer. Last July, customer "DB" signed an electric service enrollment form, while shopping away from her residence.<sup>3</sup> However, she did not have her 10-digit EDC account number. Later at the Green Mountain office a supervisor logged into the EDC's secure supplier portal to check DB's enrollment information against the ECL for the account number in order to complete her enrollment request. DB was not on the ECL. Green Mountain called once and sent three email messages to DB requesting her account number, with instruction for finding

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<sup>2</sup> Tentative Order, *EDC Customer Account Number Access Mechanism for EGSs*, Docket No. M-2013-2355751, April 18, 2013

<sup>3</sup> Customer name withheld for privacy.

the number on a utility bill or by calling the EDC. Frustrated that she needed to make multiple contacts with the EDC and Green Mountain, DB sent the following final email message on July 23, 2012:

*“Please cancel like I said its crazy to think I will spend an hour with [EDC name] and then have to call your company then call [EDC name] again.. Crazy I do work sorry”<sup>4</sup>*

Shopping for a retail electricity provider should not be more challenging than setting up service with a local electric utility company, or for that matter, other consumer transactions for home services such as wireless phone, cable television and Internet service.<sup>5</sup> Establishing a process for EGSs to obtain account numbers on behalf of customers in order to complete their service request is a step toward a better functioning market and, most important, a better shopping experience for customers.

The current process imposes an inconvenient impediment to customers who wish to sign up for electric supply service in locations where they would not normally have their utility account number on hand, such as events, farmers’ markets, storefronts and other venues away from home. Without the account number, the EGS is unable to successfully complete the service enrollment the customer has affirmatively authorized.

At the same time, NRG recognizes the need to protect consumers and the choices they have made to keep their data private. Allowing customers to grant authorization to an EGS to acquire their account number directly from the EDC for the purpose of enrolling with that EGS will not reverse or undo a customer’s election to opt-out of the Eligible Customer List. Rather, this authorization is specific to a one-time transaction. The customer’s election regarding the ECL remains unchanged.

While a customer may have chosen at a prior time to opt-out of the ECL, that should not prevent them later from easily switching – and at a time and place of their convenience.

There is a distinction between a customer opting-out of the ECL to avoid unwanted *marketing from many EGSs*, and that same customer freely *shopping* for electric supply service and authorizing the EGS of their choice to obtain the account information necessary to complete the order. Authorizing a single EGS to get the information necessary to complete an order is not the same as making the customer’s information widely available to any licensed EGS. The customer is exercising his or her free will.

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<sup>4</sup> Customer email message received by Green Mountain Energy Company, Monday, July 23, 2012, 3:58 PM

<sup>5</sup> Consumers may initiate electric service with any Pennsylvania EDC without an account number, and enter into a service agreement with companies providing wireless, home phone, high-speed Internet or cable TV service without an account number from another provider.

It is worth noting that at public sales venues it is the customer initiating the sales contact. No sales agent is knocking at their door. No telemarketer is interrupting dinner. As OCMO notes in the Tentative Order: *The ability to talk face-to-face with a sales agent in a public location is less intrusive than a transaction at a customer's residence.*<sup>6</sup> A mechanism allowing EGSs to efficiently obtain account numbers for customers shopping at public venues would serve as an incentive to reduce the reliance on sales channels focused on reaching customers at home where they have access to their account information.

Another benefit of EGS marketing activity at public places is it will increase the visibility of retail competition and make the concept of shopping for an electricity supplier more mainstream.

The Commission has endeavored to make energy shopping more mainstream. The Commission created a robust *PA Power Switch* website for customers and has sponsored public shopping events around the Commonwealth. The Commission has ordered and supported numerous customer education communications to assure Pennsylvanians that shopping for energy suppliers is easy and convenient. These efforts to promote the virtues of energy shopping become hollow when a customer must go through additional steps and perhaps experience some inconvenience because they did not have their utility account number when they were at the mall, the farmer's market, the festival in their town.

The solution is for the Commission to order the swift implementation of an efficient and secure mechanism for EGSs, with proper customer authorization, to obtain account numbers from EDCs.

### **NRG Retail Affiliates Responses to OCMO Questions**

**Q1. EDCs may propose using different technologies to provide account numbers. If so, how much variation among utilities would be too confusing or burdensome upon the suppliers using the systems?**

- A. A single, uniform process across all Pennsylvania EDCs for retrieving customer account numbers would result in greater efficiency and lower cost for EGSs. The most efficient and secure system would utilize the EDCs passcode-protected supplier portal for retrieving customer account numbers. However, NRG Retail Affiliates does not oppose variations among utilities as an interim solution while account number retrieval is evaluated in terms of volume, effectiveness and consumer protection.

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<sup>6</sup> Tentative Order, *EDC Customer Account Number Access Mechanism for EGSs*, Docket No. M-2013-2355751, April 18, 2013

**Q2. Technologies that have been discussed include the internet, interactive voice response (IVR) telephone and electronic data exchange (EDI). Are some technologies preferable to others and if so, why?**

- A. The preferred mechanism for account number retrieval is through the EDC passcode-protected supplier portal. Such an automated approach would reduce delays in manually processing account number requests, and is consistent with the ECL program. Further, the system is more secure because only a licensed EGS with log-in credentials provided by the EDC can access the portal. NRG Retail Affiliates is supportive of the PECO process design submitted to CHARGE on December 4, 2012.<sup>7</sup> In the PECO design an EGS would log in to the supplier portal and manually upload a request file. The EDC then runs a query against the customer account database to retrieve account numbers based on a match of the attributes provided in the request file. The EDC returns a near-real time response on the request file to the EGS, which can be opened or saved from the portal, similar to how portal users currently retrieve ECL files or settlement information.

An alternative mechanism is the exchange of batch files between EGS and EDC via Secure File Transfer Protocol (SFTP). In this option the EDC creates a stored procedure to perform a recurring account number look-up query of the EDC database based on the EGS input, which then populates the EGS file with the output and the file is uploaded back into the SFTP site.

With both options:

- The process begins with the EGS obtaining authorization from the customer.
- The EGS is responsible for verifying the customer is not on the ECL.
- The query will only return an account number on a precise match of the customer attributes in the request (input) file; absent an exact match the output file will indicate “NO HIT,” or “MULTIPLE” indicating multiple customer records match the attributes.
- In cases where the search results in “NO HIT” or “MULTIPLE” there is no obligation on the EDC to perform additional research on the customer. An EGS may re-submit a request for the same customer in a future request with corrected information.

NRG Retail Affiliates do not support IVR or EDI technologies as a solution for account number retrieval. Green Mountain has extensive experience with the use of utility company IVR systems in New York. Such systems are unreliable and cause customer frustration. Customers are reluctant to provide personal information through a telephone in a public venue. If the IVR is

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<sup>7</sup> PECO, *EDC Account Number Retrieval In Pennsylvania’s Retail Electricity Market, Feasibility Assessment Status Report-Out to Charge*, December 4, 2012

unable to achieve a match (for example the account is in another spouse's name), the call is transferred to the utility's general call center, resulting in long on-hold wait time. IVR is prone to being out of service, particularly on weekends and holidays when there is no one available at the utility to repair the system. Lastly, an EDI option would require costly and extensive modification of EDC systems.

**Q3. In providing account numbers, should there be limits on the response time back from the EDC, and if so, should the timeframes be dependent upon the technology being used?**

- A. Response time from the EDC should be as quick as possible to comply with the Commission's regulation at 52 Pa Code Sec. 57.173 which requires EGSs to "notify the EDC of the customer's EGS selection by the end of the next business day following the customer contact." An automated system accessible by the EGS through the EDC supplier portal allows for near-real time retrieval of account numbers by an EGS and eliminates the need for action by the EDC. Solutions that involve the exchange of files via Secure File Transfer Protocol (SFTP) with queries to databases may be acceptable on an interim basis, but these processes often require at least two business days for response – and contravene the requirements of §57.173.

**Q4. What specific identifying data should a supplier be required to submit to the EDC to get an account number? At a minimum, should a customer's name and address be required?**

- A. Based on discussions with PECO and PPL, NRG Retail Affiliates believe the following identifying data is sufficient for a query of the EDC customer database:
- Customer name as appears on the bill
  - Additional name on bill
  - Address Line 1
  - Address Line 2 (as necessary)
  - Zip Code

**Q5. What level of precision is necessary to ensure accurate data?**

- A. NRG Retail Affiliates encourages a process that ensures precise match between the request submitted by an EGS and the response provided by the EDC. The responses to account retrieval requests should produce the following output: the account number only with an exact match of the attributes in the request file; "NO HIT" would indicate the query was unable to find a precise match for the attributes provided; "MULTIPLE" would indicate that multiple customer

records match the set of attributes. In cases where the search results in “NO HIT” or “MULTIPLE” there is no obligation on the EDC to perform additional research on the customer. An EGS may re-submit a request for the same customer in a future query with corrected information. Additionally, the system should format address data to USPS standard format (ex. – interpret “St.” as “Street,” “Ave.” as “Avenue,” and vice versa) to ensure greater effectiveness. Software is available that can be used by the EDCs to convert their customer data files into the USPS standard format.<sup>8</sup>

**Q6. The amount and recovery of costs could vary by EDC and by the technology used. If there are significant costs, can they be estimated at this time? Who should be responsible for those costs and what mechanisms should be used to assess and collect costs?**

- A. NRG Retail Affiliates do not believe that any costs associated with developing and maintaining the account look-up mechanism should be borne by ratepayers. Neither the Code nor the Commission’s regulations explicitly require a customer to provide an account number to effectuate the customer’s choice of an EGS. Because the EDCs have made *their* account numbers a requirement of the EDI process for completing an enrollment with an EGS, the customer must either know or retrieve his/her EDC account number and provide it to the EGS from which he/she has chosen to receive service.<sup>9</sup> The account number barrier to completing an enrollment creates an unfair market power advantage for the EDCs. Thus, any cost associated with allowing customers to enroll – unimpeded – with the EGS of their choice is rightfully the obligation of the EDCs. However, in the interest of advancing greater convenience for customers, and recognizing that not every EGS conducts marketing at public events, the NRG Retail Affiliates support a “user fee” structure. Under such a structure, EGSs would be assessed a reasonable and justifiable fee per transaction until all EDC development costs are recovered. Each EDC should submit its cost for implementation of a customer account number retrieval mechanism to the Commission for approval. The Commission should determine reasonable and justifiable transaction fees. Ongoing maintenance costs of the system, if any exist, should be the obligation of the EDC.

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<sup>8</sup> There are a variety of United States Postal Service CASS-certified applications and web services that can be used to format address data to USPS standard format. Costs for solutions vary based on the length of license and the volume of transactions. Solutions with unlimited transactions start at \$10,000 for a three-year site license.

<sup>9</sup> Electronic Data Exchange Standards for Deregulation (Revised), which is available at: [http://www.puc.pa.gov/electric/EDI/EDEWG\\_Revised\\_Plan/Revised\\_Plan\\_v2\\_6.doc](http://www.puc.pa.gov/electric/EDI/EDEWG_Revised_Plan/Revised_Plan_v2_6.doc).

**Q7. What safeguards are needed to ensure that account numbers are accurately communicated and provided only to the customer and supplier involved?**

- A. Existing Commission regulations provide adequate safeguards for protecting consumer information such as account number retrieval. As OCMO noted in the Tentative Order<sup>10</sup>, EGSs are required by the Commission's regulations to maintain the confidentiality of customer information. Specifically, § 53.8 provides that an "EGS may not release private customer information to a third party unless the customer has been notified of the intent and has been given a convenient method of notifying the [EGS] of the customer's desire to restrict the release of private information." Likewise, § 54.43(d) requires that an EGS "shall maintain the confidentiality of a consumer's personal information including the name, address and telephone number, and historic payment information, and provide the right of access by the consumer to his own load and billing information." EGSs who violate these provisions are subject to Commission sanctions, including the imposition of civil penalties and the suspension or revocation of their license. Further, additional security measures are dictated by the technology used for retrieving account numbers, i.e., passcode-protected EDC supplier portal or Secure File Transfer Protocol. For security purposes EDCs generally limit distribution of credentials for supplier portals to a specific number of individuals within the EGS's organization.

**Q8. What information and format should be required in an LOA?**

- A. NRG Retail Affiliates recommend that the authorization for an EGS to obtain an account number directly from the utility on behalf of the customer be incorporated into the electric generation service enrollment form that accompanies the Disclosure Statement. The enrollment form – used by suppliers who plan to access the query tool on the supplier portal – must include a statement printed in boldface type and accompanied by a signature line that reads: **I authorize [EGS name] to contact [EDC name] to obtain my account number for purposes of completing my enrollment for electric supply service with [EGS name].** This recommended approach and format was developed by Green Mountain in consultation with the Office of Consumer Advocate.<sup>11</sup> NRG Retail Affiliates urges the Commission to refrain from adopting a requirement for a separate authorization document. The energy supply sales transaction is sufficiently documented and verified without the introduction of additional transaction documentation that will serve only to further complicate and lengthen the enrollment process for

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<sup>10</sup> Tentative Order, *EDC Customer Account Number Access Mechanism for EGSs*, Docket No. M-2013-2355751, April 18, 2013

<sup>11</sup> Green Mountain met with OCA in Harrisburg on July 31, 2012 to discuss the account number look-up issue, including limitations on the sales channels for which the process would be applicable, format specifications and language of the LOA, and certification and recordkeeping requirements for utilizing account number look-up.

the customer.<sup>12</sup> As stated earlier in these comments, enrolling for competitive electric service in Pennsylvania is more complicated than any other consumer service transaction.

**Q9. Are there possible reporting requirements that should be developed so that the Commission can monitor the effectiveness and security of the systems? This could include things like the total number of account numbers provided and the number of complaints or problems associated with the provision of account numbers under these mechanisms.**

- A. NRG Retail Affiliates support annual reports by the EDCs to the Commission to evaluate the volume of requests by EGSs, the success rate of matches, as well as to assess complaints and problems associated with the mechanism.

**Q10. What are the appropriate sales channels that would be authorized to use this process?**

- A. NRG Retail Affiliates supports the account number retrieval option for enrollments that occur at public events.<sup>13</sup>

**Q11. What process should the EDCs use to develop their solutions, including the level of stakeholder involvement and Commission oversight?**

- A. The EDCs should present their solutions at technical conferences with PUC Staff and stakeholders. The EDCs should consider and act on stakeholder feedback, as appropriate and timely.

**Q12. What are reasonable timeframes for the development and implementation of these systems?**

- A. The account number look-up issue has been discussed and vetted over the course of seven CHARGE meetings since July 2012, along with at least one technical conference attended by the EDCs.<sup>14</sup> Two EDCs, PECO<sup>15</sup> and PPL, have already designed specific solutions. Duquesne

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<sup>12</sup> See Sec. 111.7. Customer authorization to transfer account; transaction; verification; documentation; Adopted October 24, 2012; Docket No. L-2010-2208332.

<sup>13</sup> See Sec. 111.2. Definitions, "Public Event: An event in a public location which may facilitate sales and marketing activities or may result in a customer enrollment transaction."

<sup>14</sup> See CHARGE Conference Call *Recap of Discussion*: July, 26, 2012; August 23, 2012; October 3, 2012; November 1, 2012; December 13, 2012; February 7, 2013; March 21, 2013.

<sup>15</sup> PECO, *EDC Account Number Retrieval In Pennsylvania's Retail Electricity Market, Feasibility Assessment Status Report-Out to Charge*, December 4, 2012

and First Energy reported to CHARGE more than five months ago that the two companies have had internal meetings on the matter to consider process design options.<sup>16</sup> As OCMO noted in the Tentative Order: *We are also confident, again based on the efforts of the stakeholders to date, that it is technically possible to provide an automated mechanism to facilitate EGS access to customer account numbers when that number is unavailable at the time of an in-person enrollment*<sup>17</sup>.

For all of the above, implementation of an account number retrieval mechanism should be implemented by all EDCs within 60 days of the adoption of a Final Order by the Commission.

**Q13. Are there any other concerns, suggestions or questions that the Commission needs to address?**

A. Staff, in the Tentative Order, raises the question of what role the utility has in verifying or reviewing the customer authorization for account number retrieval.<sup>18</sup> The EDC is not the enforcement authority in such matters. In accordance with 52 Pa. Code §§ 57.172-57.176, the “written authorization” need not be provided to the EDC but the EGS is required to maintain the supporting information and produce it when requested.<sup>19</sup> The same standard applies to all enrollment transactions, including those completed with the assistance of the query tool.

**Conclusion**

An account number retrieval process will promote customer convenience and satisfaction, and encourage customers to take advantage of opportunities to shop at public events for electric supply service. It may also stimulate greater emphasis by EGSs on conducting sales at public venues, and complements the Commission’s accelerated switching policy goals<sup>20</sup>. NRG Retail Affiliates thank OCMO for its responsiveness, time and stewardship of this matter and urges the Commission to order the EDCs to implement an account number retrieval process as soon as possible.

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<sup>16</sup> See CHARGE Conference Call *Recap of Discussion*: December 13, 2012.

<sup>17</sup> Tentative Order, *EDC Customer Account Number Access Mechanism for EGSs*, Docket No. M-2013-2355751, April 18, 2013.

<sup>18</sup> Tentative Order, *EDC Customer Account Number Access Mechanism for EGSs*, Docket No. M-2013-2355751, April 18, 2013.

<sup>19</sup> See 52 Pa. Code §§ 57.172-57.176 (Chapter 57, Subchapter M – Standards for Changing a Customer’s Electricity Generation Supplier).

<sup>20</sup> Final Order, *Interim Guidelines Regarding Standards For Changing a Customer’s Electricity Generation Supplier*, Docket No. M-2011-2270442, October 24, 2012.