

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Harrisburg, PA 17120**

**Petition of PECO Energy Company for  
Approval of its Default Service Plan**

**Public Meeting - January 9, 2014**  
**2283641 - OSA**  
**Docket No. P-2012-2283641**

**MOTION OF**  
**COMMISSIONER PAMELA A. WITMER**

Before the Pennsylvania Public Utility Commission (Commission) for consideration is the Petition of PECO Energy Company (PECO or Company) for Approval of its Customer Assistance Program (CAP) Shopping Plan, filed on May 1, 2013. Through today's action, PECO's CAP Shopping Plan is approved in part and denied in part.

As a follow-up to my Motion dated September 27, 2012 at this docket, I enthusiastically support the changes adopted here today to place PECO's CAP customers on a path to full participation in the Commonwealth's retail electricity market, as required by the Electricity Generation Customer Choice and Competition Act. Today's Order eliminates the barriers that PECO CAP customers have encountered since the inception of electric competition in the Commonwealth. By rejecting a limitation on CAP offers to be lower than PECO's Price to Compare (PTC), by allowing electric generation suppliers (EGSs) to recoup incentives and/or institute a termination fee if CAP customers cancel a contract during its term and by opening up PECO's Standard Offer Program to CAP customers as of April 15, 2014, these customers will now be able to freely shop for the best deal to meet their individual needs, thus realizing the benefits that the market approach can provide while still maintaining the very important consumer protections afforded to CAP customers.

Although I agree with the vast majority of the Order, there is one modification I propose. While I acknowledge the importance of regular reporting for the CAP Shopping Plan in order to monitor the program's effectiveness, I believe it is more efficient for PECO, not participating EGSs, to compile and provide these reports to the Commission, as much of the information that will be included in the report is already available through PECO's billing system or is already in PECO's possession.<sup>1</sup> In addition, as part of the reporting, PECO should not only track retail

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<sup>1</sup> As described in PECO Exh. JJM-2R, information that would have been submitted by EGSs includes the following: "confidential reports to the Commission and the Company on a semi-annual basis, detailing the number of Cap customers served monthly over the six-month period and the following metrics for each customer served: (1) supplier name; (2) PECO customer account number; (3) the EGS CAP rate (per kWh); (4) PECO's Price-to-Compare for the months in which they serve the customer during the six-month reporting period. Reporting periods shall be June through November; and December through May, and must be provided within 90 days following the end of the reporting period."

electric prices paid by CAP customers but also track any additional benefits, services or incentives EGSs are providing to CAP customers that are not otherwise captured in PECO's bills. Examples could include home energy audits, smart thermostats, cash bonuses, dual fuel offers, etc. Accordingly, participating EGSs should provide to PECO a description of benefits, services or incentives given to CAP customers that are not included in PECO's bills, by month and by account number, so that PECO can include this information when compiling their CAP Shopping Plan reports submitted to the Commission. Due to the unquestionably sensitive nature of this information, PECO is to keep this information confidential. PECO should also be allowed to recover the reasonable costs associated with the compiling of these reports.

I am pleased to see the Commission open the power of Pennsylvania's robust retail electricity market to all customers in PECO's service territory and remove the stigma that somehow CAP customers are unable to make informed decisions regarding their electricity provider and electricity needs. I look forward to reviewing the results of removing these hurdles for CAP customers so that they can freely shop within the PECO service territory.

**THEREFORE, I MOVE THAT:**

1. The Petition of PECO Energy Company for Approval of its Customer Assistance Program Shopping Plan is approved in part and denied in part.
2. The Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

**DATE: January 9, 2014**



**PAMELA A. WITMER  
COMMISSIONER**