

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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March 10, 2015

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

RE: Petition of PECO Energy Company for a
Temporary Waiver of 52 Pa. Code §56.97(a)
to Allow Customers to Establish Payment
Agreements through an Automated
Interactive Voice Response System
Docket No. P-2015-2467894

Dear Secretary Chiavetta:

Enclosed please find the Answer of the Office of Consumer Advocate to the Petition of PECO Energy Company in the above-referenced proceeding.

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Aron J. Beatty".

Aron J. Beatty
Senior Assistant Consumer Advocate
PA Attorney I.D. # 86625

Enclosures

cc: Certificate of Service

*202894

CERTIFICATE OF SERVICE

Petition of PECO Petition of PECO Energy :
Company for a Temporary Waiver of 52 Pa. :
Code §56.97(a) to Allow Customers to : Docket No. P-2015-2467894
Establish Payment Agreements through an :
Automated Interactive Voice Response :
System :

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Answer to the Petition of PECO Energy Company, 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 10th day of March 2015.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Johnnie Simms
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

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Pennsylvania Public Utility Law Project
118 Locust Street
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company	:	
For a Temporary Waiver of	:	
52 Pa. Code § 56.97(a) to Allow	:	
Customers to Establish Payment	:	Docket No. P-2015-2467894
Agreements Through an	:	
Automated Interactive Voice Response	:	
System	:	

ANSWER OF THE
OFFICE OF CONSUMER ADVOCATE

On February 18, 2014, PECO Energy Company (PECO or Company) filed a petition which requests that the Public Utility Commission (PUC or Commission) grant “a temporary waiver of 52 Pa. Code § 56.97(a) to allow customers the option to use PECO’s interactive voice response (“IVR”) system to make payment arrangements to avoid termination of service.” Petition at 1. Under the Company’s Petition, customers who wish to enter into a payment arrangement to avoid termination would have the option to speak with a customer service representative or use the automated IVR system. Petition at 3. The Company requests a four year waiver of Section 56.97(a) to allow implementation of IVR for payment arrangements. Petition at 3.

The Office of Consumer Advocate (OCA) supports efforts to make the protections of Chapter 14 and Chapter 56, including provisions regarding payment arrangements, easily accessible to all customers. The OCA recognizes that some customers may prefer the use

of an IVR system as these systems have become more common. As such, the OCA does not object to PECO's proposal to make payment arrangements available through its IVR system. The OCA submits, however, that the Company should work with the Commission's Bureau of Consumer Services, and other parties including the OCA, to ensure that the IVR options fully account for the protections contained in Chapter 14 and Chapter 56 and that the IVR scripts are easy to understand and utilize. The Company's Petition does not provide sufficient detail of the implementation of IVR for payment arrangement purposes to make this determination. The OCA further submits that if PECO is granted this waiver, it should be required to meet reporting requirements to ensure that the waiver remains appropriate.

In support of its Petition, PECO references the Commission's prior approval of automated IVR payment arrangements for PPL Electric Utilities. Petition at 3. In 2013, the Commission granted PPL a four-year waiver of Section 56.97(a) of its Regulations in order to allow PPL the ability to make payment arrangements via its website and also its IVR system. Petition of PPL Electric Utilities Corporation for Waiver of 52 Pa. Code §56.97(a) to Allow Customers to Establish Payment Agreements Online or Through an Automated Interactive Voice Response System, Docket No. P-2012-2327036 (Order entered January 24, 2013) (PPL 2013 Order). In that proceeding, the Commission reviewed the results of PPL's "pilot website and IVR program" that preceded the request for a four year waiver of Section 56.97(a). PPL 2013 Order at 4. The Commission held that "based on PPL Electric's demonstrated success with this program over the past two years in both customer use and satisfaction, we find that PPL Electric has shown that customers assistance has been enhanced, and thus further waiver of section 56.97(a) is warranted." PPL 2013 Order at 5.

Importantly, PPL's four year waiver request was directly linked to the particular content and structure of PPL's pilot website and IVR communications. Petition of PPL Electric Utilities Corporation for a Declaratory Order Regarding a Pilot to Expand Website and Interactive Voice Response Capabilities to Allow Customers the Option of Setting Up Payment Arrangements, or in the Alternative, a Two-year Waiver of 52 Pa Code § 56.97(a), Docket No. P-2010-2168786 (Order entered September 24, 2010 at 15-16) (PPL Pilot Order). PPL was directed to develop its scripts for the IVR system in consultation with the Commission's Bureau of Consumer Services (BCS) and to track the costs associated with the program. PPL Pilot Order at 15. In developing the pilot program, PPL developed the content of the website interface and IVR with input from the OCA, the Pennsylvania Public Utility Law Project (PULP), as well as BCS. PPL Pilot Order at 15.

The OCA has reviewed PECO's Petition and submits that the Company should submit the details of the IVR option to BCS and the parties in a similar manner to the PPL IVR process. The OCA supports the introduction of an IVR option for payment arrangements, provided all Chapter 14 and Chapter 56 protections remain in place and that the options are presented clearly and in an understandable format.

In addition, the OCA submits that the reporting requirements that were approved by the Commission in the PPL 2013 Order should be required here as well. The Commission should require that PECO report the following information:

- That PECO will inform the Commission's Bureau of Consumer Services, the Office of Consumer Advocate and other interested parties at least thirty (30) days in advance if it intends to make any substantive changes to the IVR systems regarding establishing payment agreements.
- That PECO will submit an annual statistical report detailing customer usage of the program to the Commission's

Bureau of Consumer Services and the Office of Consumer Advocate by February 15th of every year of the waiver beginning in 2014.

- That PECO will submit a comprehensive report to the Commission's Bureau of Consumer Services and the Office of Consumer Advocate sixty (60) days prior to the expiration of the four-year waiver granted by this Order. This report should evaluate the overall effectiveness of the program and include information such as any problems encountered with the original implementation and program availability, the frequency of and percentage of customer usage, the number of complaints stemming from use of the program, and the number of service terminations prevented from use of the program. PECO should also include any information and data that it believes will allow the Commission to fully evaluate the program's effectiveness.

These requirements are the same as those ordered by the Commission for PPL. PPL 2013 Order at 6.

WHEREFORE, The Office of Consumer Advocate respectfully submits that the Commission should require that PECO work with BCS and the parties to help ensure that the IVR payment arrangement protocols comply fully with Chapter 14 and Chapter 56 and are understandable and easy to use. Upon completion of the review process, the Commission should grant the waiver of Section 56.97(a) on a temporary basis to allow PECO to offer its customers who are facing potential termination of service the option of using PECO's IVR system to establish a payment arrangement. Additionally, the Commission should require PECO to provide BCS and other parties the reports identified herein as a condition of the waiver, consistent with Commission precedent as described above.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Aron J. Beatty", written over a horizontal line.

Aron J. Beatty
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