

# CITIZEN POWER

*Public Policy Research Education and Advocacy*

June 20, 2016

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Investigation of Pennsylvania's Retail Electric Market, Dockets I-2011-2237952 and L-2014-2409383**

Dear Secretary Chiavetta:

Enclosed please find Citizen Power's Comments in the above referenced proceeding.

Sincerely,



Theodore Robinson  
Counsel for Citizen Power

Enclosures

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation of Pennsylvania's Retail : Dockets No. I-2011-2237952 and  
Electric Market : L-2014-2409383

**COMMENTS OF CITIZEN POWER, INC.**

**I. INTRODUCTION**

On May 19, 2016, the Pennsylvania Public Utility Commission ("PUC" or "Commission") issued a *Tentative Order* in Dockets I-2011-2237952 and L-2014-2409383 proposing a temporary waiver of its regulations at 52 Pa. Code §57.173(2) regarding an electric distribution company's ("EDC") provision of confirmation letters in instances in which a customer requests an instant connect based upon the recommendation of the Commission's Office of Competitive Market Oversight ("OCMO"). The waiver is proposed to be in place for three years in order to observe the implementation of both instant connects and seamless moves to determine if the proposed notification process is adequate and appropriate. Citizen Power, Inc. ("Citizen Power") respectfully submits these comments in response to the *Tentative Order*.

**II. COMMENTS**

Citizen Power agrees with the Commission's reasoning for waiving the requirement that the confirmation letter be mailed by the end of the next business day following the receipt of the notification of the customer's selection of an electric generation supplier ("EGS") for instant


connect situations. However, we recommend a slight revision to the proposed provision requiring that the confirmation letter be mailed by the end of the next business day after the start of service at the new account location. As an alternative, we propose that the confirmation letter should be mailed by the end of the business day on the date of the start of service at the new account location or by the end of the next business day following the receipt of the notification of the customer's selection of an EGS, whichever date is latest. As long as the EDC has sufficient notice of the selection of an EGS, we do not believe that the EDC should wait until the day after service starts to mail the notification letter when it could easily be mailed the day of the start of service.

In addition, we propose that the Commission direct EDCs to send, in addition to the confirmation letter, an electronic mail version of the confirmation letter to any customer that has provided the EDC with their email address. This email could be sent by the end of the next business day following the receipt of the notification of the customer's selection of an electric generation supplier without any possibility of being received by the incorrect individual. The Office of Consumer Advocate had previously advocated for the use of electronic mail confirmation letters in their December 14, 2011 Comments in Docket M-2011-2270442. Since part of the rationale behind suspending part of 52 Pa. Code §57.173(2) for a period of three years is to observe the implementation of instant connects and the notification process, providing for electronic mail delivery of the confirmation letter could provide valuable information regarding the efficacy of electronic notification. At the same time, by requiring both email and regular mail versions of the confirmation letter to be sent, consumers are protected from the possibility that they miss the email and are not notified of the selection of an EGS.

### III. CONCLUSION

Citizen Power supports the suspension of certain provisions of 52 Pa. Code §57.173(2) for a period of three years. However, we respectfully request the Commission consider our proposed modifications.

Respectfully Submitted,

By:   
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