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THE E CUBED COMPANY, L.L.C.

November 26, 2008

Providers of
Strategic Energy
Services At
The Exponential
Interface Among

- Energy
- Economics and
- Environment

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Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

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Re: Implementation of Act 129 of 2008 Phase 2
Registry of Conservation Service Providers
Docket No. M-2008-2074154

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Secretary:

The E Cubed Company, LLC, on behalf of the Joint Supporters, a voluntary association of companies and organizations, including leading regional and local conservation service providers, demand response providers, equipment manufacturers and providers and, developers, hereby presents its comments regarding the subject matter.

The Joint Supporters have participated in previous Commission efforts regarding energy efficiency, net metering and alternative energy. In addition, we have been, and continue to be, active in utility commission proceedings throughout New England, as well as, in New Jersey and New York on such matters as energy efficiency program development, demand response issues, alternative energy and energy conservation.

In addition to these activities, The E Cubed Company offers outsourced energy management services and project management services. Most recently these services were provided for the development of a 1 megawatt combined heat and power plant for a mixed-use development in Brooklyn, NY.

With regards to the sixteen (16) questions listed in the Secretarial Letter dated November 14, 2008, while we have not addressed every specific question asked we do offer the following comments.

1. What are the minimum qualification standards that the Commission should require to allow a person to be listed on the registry to be established under Section 2806.2(a)?

We believe that the qualification standards used should match the level and type of work involved in the project. So, for example, the qualification requirements of the Pennsylvania Department of General Services in the Pennsylvania Guaranteed Energy Savings Act program would be appropriate for larger and more complicated

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projects. The Commission should also require that utilities accept any company that is accredited by professional associations such as NAESCO. The Commission should also mandate that utilities accept as CSPs firms that have successfully participated in energy efficiency programs in other states that are fundamentally the same as will be offered in Pennsylvania programs. In the case of smaller projects, in particular those involving single-family residences, simplified standards appropriate to the level of work expected should be employed. These might include industry affiliations such as; NATE certified installers, BPI certified (Building Performance Institute) or other specific technology certifications.

2. Should the minimum qualification standards include factors such as: technical training, professional experience, industry certifications, financial integrity, and/or history of lawful operations?

Yes. Furthermore, as stated in #1 above and in other answers below, the level of and extent of training, experience, etc. that is required should be commensurate with the type of work to be performed.

3. Should qualification standards, application materials, applications requirements, and a contractor/dealer agreement similar to those used by Pennsylvania's Keystone HELP program (www.keystonehelp.com) be adopted, and if so, what revisions to the Keystone Help program would be needed?

The application process, forms and materials required should be uniform across all of the utilities in the state. This will ease the process for CSPs that wish to participate in multiple utility service territories and also ease the process for the utilities as well, in terms of verification of information provided and the like.

As to the specific standards to be used and whether the HELP standards are appropriate, we believe as stated in #1 above that the standards required should be appropriate for the nature of the project involved.

4. Should certain training or certifications be permitted to substitute for some or all minimum experience requirements?

Prospective CSPs that have gone through rigorous certification programs such as those offered by NAESCO and other similar professional associations such as the American Heating and Refrigeration Institute, as well as, manufacturer training should be permitted to substitute such certification for experience.

5. What effect, if any, should be given to entities approved as conservation service providers in other jurisdictions?

As stated in our answer to question #1, we believe that CSPs who can demonstrate successful experience in similar programs in other states should be accepted into Pennsylvania programs.

6. Should bonding or a letter of credit be required? If so, what should be the minimum amount?

Should it be decided that bonding or a letter of credit be required, then a stakeholder group that includes experienced CSPs/ESCOs should be created to work with the utilities in developing the requirements, with the Commission overseeing the group to ensure a reasonable consensus is developed. This will help ensure that the requirements produced are neither too strict nor too loose.

7. Should insurance be required? If so, what type and what minimum amounts?

The utilities should simply employ their own normal standards for liability insurance.

8. Should credit histories be required? If so, what should be disqualifying?

The utilities should simply employ their own normal standards for credit checks.

9. What information should be required on an application form?

The same that is required by the Pennsylvania Department of General Services in their Pennsylvania Guaranteed Energy Savings Act program for the larger CPSs that will be implementing projects at commercial facilities. For the residential CSPs, the application should be simpler and more appropriate for the level of work to be performed.

10. What documents should be provided with an application?

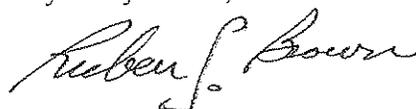
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11. Should the Commission charge a registration fee? If so, what would be a reasonable registration fee?

There should be no registration fee.

The E Cubed Company, LLC and the Joint Supporters appreciate this opportunity to submit these comments.

Very Truly Yours,



Ruben S. Brown, M.A.L.D.
President, The E Cubed Company, LLC

On behalf of The Joint Supporters who for this purpose include:

Capstone Turbine Corporation
Climate Energy, LLC
E Cubed Company, LLC
ECR International, Inc.
Energy Concepts Engineering, PC
Energy Curtailment Specialists, Inc.
Energy Spectrum, Inc.