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November 26, 2008

**VIA MESSENGER**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor North  
Harrisburg, PA 17120

COPY

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

Dear Secretary McNulty:

Enclosed for filing are an original and sixteen (16) copies of the *Comments of Reliant Energy, Inc.* Kindly time-stamp the extra copy and return it to our messenger. Please contact me if you have any questions.

Very truly yours,

Richard J. Hudson Jr.  
For Reliant Energy, Inc.

Enclosures

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2008 DEC -1 PM 4:16  
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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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2008 NOV 26 AM 11:43  
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SECRETARY'S BUREAU

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

**COMMENTS OF RELIANT ENERGY, INC.**

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)?

Reliant supports development of appropriate licensing and qualification standards for conservation service providers. At a minimum, potential CSPs must demonstrate sufficient technical and managerial capability to provide a product or service designed to reduce electricity consumption and/or peak demand. The application and qualification process should be flexible and accommodate a wide variety of programs. Some providers may offer installation of physical efficiency measures, including weatherization or Energy Star™ appliance replacement programs. Other providers may arm end-users with information and analytical tools to help them determine how to reduce their peak demand and consumption. Still others may be providers that facilitate customer participation in RTO demand response programs or EGSs that offer customers innovative energy pricing options that provide clear economic incentives to reduce demand and consumption. Accordingly, qualification standards and experience requirements should be appropriate to the scope and type of product or service provided.

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

The minimum qualification standards should include technical experience, financial capability and/or certifications appropriate to the type of efficiency or conservation service provided by the prospective CSP. Reliant cautions against designing uniform qualification criteria applicable to all CSPs around specific energy efficiency measures or programs.

3. Should qualification standards, application materials, application requirements, and a contractor/dealer agreement similar to those used by Pennsylvania's Keystone HELP program ([www.keystonehelp.com](http://www.keystonehelp.com)) be adopted, and if so, what revisions to

the Keystone HELP program would be needed?

Reliant has no additional comment.

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

Reliant has no additional comment.

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

Reliant has no comment.

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

Reliant supports appropriate bonding requirements commensurate with the type and scope of service provided by the CSP. The bonding requirements should be sufficient to protect consumers in the case of default by a CSP, but should not present a significant barrier to entry by potential CSPs. Additionally, the Commission should take into consideration the extent to which an entity, such as an EGS, has already posted a bond with the Commission.

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

Reliant has no further comment.

8. Should background checks be performed? If so, what type?

Reliant has no comment.

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

Reliant has no comment.

10. Should customer or trade references be required? If so, what should be the minimum number of references?

Reliant has no comment.

11. Should satisfactory Better Business ratings be required?

Reliant has no comment.

12. What information should be included on an application form?

Reliant has no comment.

13. What documents should be provided with an application?

Reliant has no comment.

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

Reliant has no comment.

15. Should there be a requirement for periodic re-qualification? If so, how often and how extensive should it be?

Reliant has no comment.

16. What other criteria should the Commission require?

Reliant believes the qualification process should appropriately recognize the extent

to which certain entities, such as EGSs, have already demonstrated their ability to provide energy services that may qualify as conservation services under Act 129. EGSs licensed in Pennsylvania have already demonstrated technical, financial and managerial expertise in the energy industry consistent with 52 PA Code Section 54.31. EGSs are managed by highly qualified energy professionals and may already have extensive experience in providing services (such as demand response products, etc.) that may qualify as conservation services. A company already licensed as an EGS that wishes to offer existing products or services as a conservation/efficiency program under Act 129 should not be forced to go through an additional burdensome licensing and approval process. That being said, it is appropriate to require EGSs wishing to expand operations into other conservation service areas (such as installation of equipment upgrades, etc.) to demonstrate qualifications commensurate with the provision of such services.