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SECRETARY'S BUREAU

October 28, 2011

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Docket No. M-00051865 – Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources – Technical Reference Manual 2012 Update

Dear Secretary Chiavetta:

Enclosed herewith please find the original and three (3) copies of the **"Comments on Behalf of EnerNOC, Inc. in Response to the Proposed Update to the Technical Reference Manual (TRM)"** in the above-captioned proceeding. Please enter this into the docket and timestamp the additional two (2) copies.

Should you have any questions, please do not hesitate to contact me at (717) 237-6716.

Sincerely,

RHOADS & SINON LLP

By: _____
Scott H. DeBroff, Esq.
Alicia R. Duke, Esq.
Counsel for EnerNOC, Inc.

Enclosures
cc: Kriss Brown at kribrown@pa.gov
Gregory A. Shawley at gshawley@pa.gov

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IMPLEMENTATION OF THE ALTERNATIVE ENERGY PORTFOLIO STANDARDS ACT OF 2004: STANDARDS FOR THE PARTICIPATION OF DEMAND SIDE MANAGEMENT RESOURCES – TECHNICAL REFERENCE MANUAL 2012 UPDATE	Docket No. M-00051865

COMMENTS ON BEHALF OF ENERNOC, INC. IN RESPONSE TO THE PROPOSED UPDATE TO THE TECHNICAL REFERENCE MANUAL (TRM)

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Dated: October 28, 2011

Counsel for EnerNOC, Inc.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IMPLEMENTATION OF THE ALTERNATIVE ENERGY PORTFOLIO STANDARDS ACT OF 2004: STANDARDS FOR THE PARTICIPATION OF DEMAND SIDE MANAGEMENT RESOURCES – TECHNICAL REFERENCE MANUAL 2012 UPDATE	Docket No. M-00051865

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AND NOW COMES, **EnerNOC, Inc** ("EnerNOC") by and through its counsel, **Scott H. DeBroff, Esquire** and **Alicia R. Duke, Esquire** of Rhoads & Sinon LLP, for the purpose of these "Comments" with respect to this proceeding before the Commonwealth of Pennsylvania Public Utility Commission ("PUC" or the "Commission") pursuant to 52 Pa. Code §§ 5.71-5.74. In support of this docket, EnerNOC avers the following:

1. EnerNOC is a leading provider of clean and intelligent energy management applications and services for the smart grid, which include comprehensive demand response and energy efficiency applications and services. EnerNOC manages a demand response (DR) portfolio of over 6,300 MW from over 3,900 commercial, institutional, and industrial end-use customers across more than 10,100 sites. EnerNOC actively participates in a range of capacity, energy, and

ancillary services markets, and is an active Aggregator of Retail Customers (ARC)2 in the demand response programs of ISO New England, New York ISO, ERCOT and PJM, among other ISOs/RTOs. In addition, EnerNOC partners with utilities both inside ISO/RTO regions and in traditionally regulated markets to provide cost effective and reliable demand side management services to utilities and their customers.

2. EnerNOC operates specifically in the Commonwealth of Pennsylvania as a Conservation Services Provider. As a Conservation Services Provider, EnerNOC provides commercial, industrial and institutional organizations with demand response and energy efficiency services. By letter dated July 2, 2009, the PUC also approved EnerNOC's Application to register as an Act 129 Conservation Service Provider. A primary focus of EnerNOC's service is support for small to medium size commercial and small industrial and institutional customers and the cost of metering is a primary determinant of the customers who can be cost-effectively served.

3. EnerNOC has participated in the other related Act 129 proceedings. EnerNOC participated as a party in all of the Energy Efficiency and Conservation Plan proceedings for each Pennsylvania investor owned utility.

4. On September 23, 2011, a Tentative Order was entered in this proceeding seeking comments on the proposed additions and updates to the TRM. The Tentative Order represents the Commission's continuing efforts in establishing a comprehensive TRM with a purpose of supporting both the AEPS Act and the EE&C Program provisions of Act 129.

5. On October 8, 2011, the Tentative Order was published in the PA Bulletin.

6. EnerNOC would like to submit the following Comments in response to the Tentative Order.

7. EnerNOC's counsel and parties to whom all correspondence and pleadings in this docket should be directed to are:

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COMMENTS TO THE PROPOSED 2012 TRM ANNUAL UPDATE

EnerNOC first expresses its appreciation for the Commission's efforts to solicit stakeholder input to the proposed changes to the Technical Reference Manual (TRM). The proposed changes addressed in the Tentative Order are significant and we appreciate the opportunity to provide our comments and suggestions.

As noted above, EnerNOC is actively involved in the Commonwealth's Act 129 demand response programs as a registered Conservation Services Provider. EnerNOC is also very active as a Curtailment Services Provider in the PJM demand response programs.

PJM is EnerNOC's largest market, and Pennsylvania is the most important state in that market, with over 1,000 MW of demand response resources currently participating in the PJM emergency DR programs. We expect that many existing participants in PJM's emergency DR programs will also participate, through EnerNOC, in the demand response programs offered by the Commonwealth's Electric Distribution Companies (EDCs).

EnerNOC's comments are focused on the Demand Response programs of the 2012 TRM Section 1.1, Determination of Act 129 Peak Load Reductions Step 1a and Section 1.2 Determination of the Top 100 Hours (100 hours of highest peak load) Step 2b.

EnerNOC requests additional clarity into how the Customer Baseline (CBL) adjustments will be calculated under Step 1a in Section 1.1, Determination of Act 129 Peak Load Reductions. Step 1a states that, "[p]eak load reductions from critical peak pricing (CPP) programs will be determined consistent with EDC EM&V Plans and consistent with PJM Customer Baseline methods and business rules, as they may be reasonably applied to the CPP programs." Currently the PJM Open Access Transmission Tariff (OATT) stipulates that CBL adjustments will be determined based on the "start of the event." EnerNOC believes that a complication could arise if

a customer is dispatched for an Act 129 event on the same day as a PJM economic or emergency Demand Response event, but with different start times. In this scenario a customer could begin curtailing for an economic dispatch in a PJM program, which could negatively affect their adjustment for a subsequent Act 129 dispatch. EnerNOC would suggest that the "start of the event" be interpreted to mean the start of the earliest dispatch event on an event day. Alternatively, EnerNOC would recommend that if a customer is dispatched for multiple events on a single day, the "day of adjustment" could be considered optional.

The Tentative Order also states in Step 1a that "[w]hen determining customer baselines, Act 129 DR event days and PJM DR event days (e.g., for PJM emergencies and economic events for which participants have settlements) will be excluded." In order to comply with this provision of Step 1a, EnerNOC and the EDC it is contracting with for the Act 129 DR program, will need to be apprised of any instance when a customer of that EDC is enrolled in a PJM emergencies and economic event program with another CSP and participates in a PJM emergency or economic DR dispatch. EnerNOC believes the best way to obtain information about the PJM DR event is if the third party CSP provides standard reports to the EDC and/or EnerNOC that document when that customer participated in the PJM DR event. The fundamental premise of a customer's baseline is that it should represent the customer's "normal" load. Normal load is that which would have occurred but for actions taken to reduce load. Without obtaining and confirming information about the PJM DR events run by another CSP it will be very difficult for EnerNOC and the EDC to determine the appropriate customer baseline.

WHEREFORE, EnerNOC, Inc. respectfully requests that the Pennsylvania Public Utility Commission enter these Comments to the September 23, 2011 Tentative Order into the record. We look forward to participating in the process going forward and contributing our experience and expertise. Thank you again for the opportunity to comment on this important matter.

Respectfully submitted,

By: _____

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DATED: OCTOBER 28, 2011

COUNSEL FOR ENERNOC, INC.

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IMPLEMENTATION OF THE ALTERNATIVE ENERGY PORTFOLIO STANDARDS ACT OF 2004: STANDARDS FOR THE PARTICIPATION OF DEMAND SIDE MANAGEMENT RESOURCES – TECHNICAL REFERENCE MANUAL 2012 UPDATE	DOCKET NO. M-00051865

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document "**Comments on behalf of EnerNOC, Inc. in Response to the Proposed Update to the Technical Reference Manual (TRM)**" in hand to the Commission and electronically to Kriss Brown at kribrown@pa.gov and Gregory A. Shawley at gshawley@pa.gov.

Dated: **October 28, 2011**

By: _____

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