

CHARGE Conference Call

January 20, 2011 – 9:30 a.m.

Call-in number: 1-866-618-6746 and Access Code: 6060145

Recap of Discussion

17. EGS Marketing Activities

- PUC adopted final order on November 4, 2010, which is available at the following link: <http://www.puc.state.pa.us/general/ConsolidatedCaseView.aspx?Docket=M-2010-2185981>
- Proposed rulemaking order is being prepared by staff for January 2011 Public Meeting
- Staff is closely monitoring EGS marketing activities to: 1) immediately resolve serious concerns; 2) refer matters as necessary to prosecutory staff for appropriate handling; and 3) prepare report for PUC due in April 2011 about the use of unlicensed independent contractors by licensed EGSs
- Based on concerns that have been raised, staff has asked EGSs marketing to residential customers to take steps to ensure that agents make it clear they are working for the EGS and that they do not hold themselves out as representatives of the EDCs

30. Estimated State Tax Amount on Bills

- Question has arisen about whether the presentation of “estimated total state taxes” on residential bills is required for generation charges of EGS as there is no standard treatment among EGSs; more recently, EDEWG asked CHARGE to resolve issue so that requirement for tax field on EDI 810 Bill Ready Invoice can be eliminated
 - Components of EDC’s “estimated total state taxes” components are Capital Stock, Property Tax-Local and PURTA, State Unemployment Compensation, PA State Income Tax, and Gross Receipts Tax
 - Resolution of this issue will not affect presentation of GRT by EGSs
 - Staff is reviewing statute and regulations to offer guidance to EGSs on issue of whether their state taxes (other than GRT) must be displayed
- EGSs are either not populating the state tax field or are populating it with zero; EGS prices are computed using different methods, raising questions about whether requirement is practical; no party expressed desire to require EGSs to show “estimated total state taxes”
- Staff will consult internally and seek guidance from Commission

31. Eligible Customer List

- PUC adopted final order on November 12, 2010, which is available at the following link: <http://www.puc.state.pa.us/general/ConsolidatedCaseView.aspx?Docket=M-2010-2183412>
- OCA has filed Petition for Review with Commonwealth Court; order remains in effect unless it is stayed and/or overturned on appeal
- PA Coalition Against Domestic Violence has also filed an appeal and has sought a stay of the order

33. Last-In Enrollments (Placeholder)

- Spreadsheet was previously circulated to show how EDCs handle multiple enrollments for the same customer before the 16-day cut-off date
- Group has generally discussed value of standardizing enrollment process going forward; benefits of standardization were identified; and issue will remain on the list for further discussion
- Issue was discussed during calls on April 29, May 13, May 27 and June 10, 2010; summary of discussion appears in recaps for those calls

34. Mixed Meter – EGS Authority

- Questions have been raised about whether EGSs must have authority to serve residential customers when a residential customer is served as part of a mixed meter situation
- While the PUC expects EGSs to seek amendments to licensing authority in these situations, Staff is continuing to internally discuss language to carve out exemptions so that these EGSs may not have to comply with certain inapplicable residential customer protection requirements in Chapters 54 and 56
- Staff gave update, noting that it may be feasible to exempt compliance with inapplicable residential customer protection requirements when service to such customers is incidental to service to a commercial account and asking whether EGSs are still seeking resolution of the issues; staff continues to have questions about how EDCs bill these customers
 - EGSs still desire clarification of whether license must be amended and whether they are required to compliance with Chapters 54 and 56 in these situations
 - Staff will pursue desired clarifications, and noted that it will be difficult to provide a bright line defining incidental service, especially for purposes of Chapter 56

37. Supplier Consolidated Billing Implementation

- EDEWG document summarizing issues that need to be addressed for full implementation of supplier consolidated billing was circulated on August 25; and Blue Star provided responses based on Illinois experience which were distributed on October 25
- Both documents are available at links next to the agenda for the October 28 call at http://www.puc.state.pa.us/electric/electric_CompetitiveMarketOversight.aspx
- Currently PPL has an interim structure in place allowing Blue Star to implement SCB
- Staff summarized results of surveys that were done of EGSs regarding interest in SCB and will be reaching out to EDCs to complete the survey process as to capabilities
 - Of 18 EGSs who responded to surveys, 10 noted that they currently utilize SCB in Pennsylvania or another state; 9 said they are definitely interested and would probably utilize SCB if it were available in PA; 2 are possibly interested; and as to timing, 6 indicated they might use it within the next year
- Future work will be coordinated with EDEWG
- Existence and status of SCB mechanisms in restructuring implementation plans will be considered; any interested party is free to formally petition the Commission on this issue in the event that the CHARGE process is deemed too slow
- Further discussion will be held during the next call

41. Budget Billing for Dynamically-Priced Products

- Group has discussed whether it is appropriate or necessary to require EGSs to offer budget billing option to customers in connection with dynamically-priced products
- Staff asked for feedback on the draft language that was circulated prior to the call; no concerns were expressed
- Staff will provide recommendation to the Commission and update group on future call

43. Displaying Prices on PAPowerSwitch

- Suggestion has been made for consistency in the way pricing is displayed on PAPowerSwitch; major concern is that in some instances, an introductory price rather than an average price is being displayed
- Group has discussed possible remedies, noting the difficulty of making apples-to-apples comparisons due to variations in the components that are included in EGS prices and suggesting that a working group may need to be formed to develop clear guidelines
- A short-term solution to the use of an introductory price would be if PAPowerSwitch can accommodate showing both that price and the price that will be in effect after the introductory period
- Staff is consulting with PAPowerSwitch vendor to determine feasibility of enabling suppliers to show an introductory price and the subsequent price
- Update will provided during next call

General Matters

A. New Issues

- Any new issues or questions about issues previously discussed on CHARGE calls should be submitted to ra-ocmo@state.pa.us

B. Old Agendas/Recaps

- All agendas and recaps are posted on the OCMO page of the website along with various other documents that have been distributed or relied upon during CHARGE discussions, at the following link -
http://www.puc.state.pa.us/electric/electric_CompetitiveMarketOversight.aspx

C. CHARGE Distribution List

- To be added to the CHARGE distribution list, please send an email to ra-ocmo@state.pa.us

D. CHARGE Contact List

- Contact list is on website at the following link:
http://www.puc.state.pa.us/electric/electric_CompetitiveMarketOversight.aspx
- Please send contact information or updates to ra-ocmo@state.pa.us; purpose of this list is to enable stakeholders to contact one another directly to resolve issues and is separate from email distribution list

E. Meeting Schedule for 2011

- January 20, 2011, 9:30 a.m.
- February 3, 2011, 9:30 a.m.
- February 17, 2011, 9:30 a.m.
- March 3, 2011, 9:30 a.m.
- March 24, 2011, 9:30 a.m.
- April 7, 2011, 9:30 a.m.
- April 21, 2011, 9:30 a.m.
- May 12, 2011, 9:30 a.m.
- June 2, 2011, 9:30 a.m.
- June 23, 2011, 9:30 a.m.