



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Fax
www.postschell.com

Michael W. Hassell

mhasell@postschell.com
717-612-6029 Direct
717-731-1985 Fax
File #: 2507/142281

August 4, 2010

BY E-FILE AND BY HAND

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

RE: Interim Guidelines for Eligible Customer Lists (Docket No. M-2010-2183412)

Dear Secretary Chiavetta:

Enclosed please find the Comments of PPL Electric Utilities Corporation to the Tentative Order Regarding Interim Guidelines for Eligible Customer Lists for the above-referenced proceeding.

Respectfully Submitted,

A handwritten signature in cursive script that reads 'Michael W. Hassell'.

Michael W. Hassell

MWH/skr
Enclosure
cc: Office of Competitive Market Oversight

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Interim Guidelines for Eligible Customer Lists : Docket No. M-2010-2183412
: :

**COMMENTS OF PPL ELECTRIC UTILITIES
CORPORATION TO THE TENTATIVE ORDER
REGARDING INTERIM GUIDELINES FOR
ELIGIBLE CUSTOMER LISTS**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

I. INTRODUCTION

By Tentative Order entered July 15, 2010, the Pennsylvania Public Utility Commission (“Commission”) requested comments on draft interim guidelines concerning information to be provided in Eligible Customer Lists (“ECLs”) provided by Electric Distribution Companies to Electric Generation Suppliers.

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) is a “public utility” and an “electric distribution company” as those terms are defined under the Public Utility Code, 66 Pa.C.S. §§ 102 and 2803, subject to the regulatory jurisdiction of the Commission. PPL Electric furnishes electric distribution, transmission, and default service provider (“DSP”) electric supply services to approximately 1.4 million customers throughout its certificated service territory, which includes all or portions of twenty-nine counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania.

PPL Electric fully supports the Commission’s ongoing efforts to facilitate competition, and supports the Commission’s efforts to improve and make more uniform the types of information provided in ECLs. PPL Electric was a participant in the team formed under the

auspices of the Committee Handling Activities for Retail Growth in Electricity (CHARGE), which held discussions that developed the positions set forth in the draft interim guidelines. It is important to note that the team discussions identified a large number of consensus issues, and this speaks well of the collaborative efforts of the participants.

PPL Electric emphasizes that substantial time and costs can be incurred to program its system to provide information to be included in the ECLs. There is not currently in place any mechanism, other than a base rate proceeding, for an EDC to recover the incremental costs to program and reprogram its computer system. Operating and capital budgets are not unlimited, and further requests to change data development and collection for the ECLs can result in other programming projects to assure and improve customer information and billing system functionality being postponed. Therefore, PPL Electric respectfully requests, upon completion of this proceeding, that the Commission not entertain further proposals to change the ECLs through December 31, 2012. During this “moratorium”, all parties will have the opportunity to gain experience during two full years of statewide marketing and enrollment activity which will, importantly, include activity related, not simply to marketing and enrollment targeted to POLR customers, but, also, marketing and enrollment targeted to the customers of EGSs whose existing supply contracts will be expiring.

To facilitate review by the Commission and other interested parties, the following limited comments track the organization of the Tentative Order.

II. CONSENSUS ISSUES

PPL Electric has one clarifying comment on the consensus issues, and comments with respect to the matter of requests for restricting access due to domestic violence or other dangerous situations.

a. On Peak/Off Peak Information

Under the category of information to be included in the ECL “to the extent the information is available” are On Peak kWh and Off Peak kWh. PPL Electric notes that what is considered “on peak” and “off peak” times may vary from EDC to EDC and from one rate classification to another. Therefore, the information that PPL Electric provides with respect to On Peak/Off Peak kWh usage may be different from information available to EGSs from other EDCs. Furthermore, EGSs may have established pricing relative to a completely different set of On Peak and Off Peak hours. The Company requests that the Commission clarify that “available information” with respect to On Peak/Off Peak kWh usage may differ among EDCs and among rate schedules.

b. Restricting Access to Information

At page 5 of the Tentative Order, the Commission requests comment on a mechanism to restrict access to a customer’s service address in the event of a domestic violence or other dangerous situation. In a statement issued contemporaneously with the Tentative Order, Vice Chairman Christy invited comment on whether customers should have the right to restrict release of all customer information.

Operationally, PPL Electric is able to prevent a customer’s service address from being provided on the ECL. However, PPL Electric notes that it would incur substantial expense to solicit customers’ requests to limit such information outside its periodic scheduled solicitations. Therefore, PPL Electric proposes that any additional restriction on release of customer information be implemented on the basis of a customer contact initiated by the customer following issuance of a final order in this proceeding and prior to the Company’s next scheduled solicitation of customers for the purpose of determining their desire to restrict the release of information under 52 Pa. Code § 54.8. PPL Electric’s next solicitation informing customers of

their right to restrict release of information is scheduled for September 2011, and as part of that scheduled solicitation, PPL Electric would advise customers of their rights to further restrict information as authorized by the Commission.

Although PPL Electric is willing and able to exclude service address information from the ECL if requested, PPL Electric is unable and unwilling to determine whether a domestic violence or other dangerous situation in fact exists. PPL Electric does not have the capability to confirm a customer's assertion that they may be exposed to danger from release of information, and PPL Electric is not willing to bear the risk of a lawsuit in the event it rejected what appeared to be an unsupported claim of danger that subsequently, and perhaps tragically, turned out to be a valid claim.

With regard to Vice Chairman Christy's request for comment on the broader issue of release of all customer information, PPL Electric notes that it has been contacted by various customers who, for one reason or another, are extremely concerned about the release of any of their information. Such concerns may be based upon a belief that even blocking disclosure of a service address is insufficient for a dangerous or abusive situation, or may be a reaction to identity theft or general privacy concerns. As discussed above, the Company does not have the ability to define and confirm an abusive/dangerous situation and believes it inappropriate to place the Company in a position where it must make such determinations. If the Commission were to authorize customers to restrict any or all information, this would permit PPL Electric to comply with customer requests without inquiring as to the motive for a request.¹ Therefore, in response to the Vice Chairman's statement, PPL Electric supports giving any customer the option to restrict release of all customer information.

¹ For example, if a customer called to restrict information, PPL Electric would not be required to inquire whether the request was due to a dangerous or abusive situation, or to advise a customer that information could be restricted if a dangerous or abusive situation existed.

III. NON-CONSENSUS ISSUES

a. Customer Telephone Number

PPL Electric has no objection to the release of customer telephone numbers, subject to the customer's right to restrict release pursuant to 52 Pa. Code § 54.8. PPL Electric requests that the Commission reaffirm in its final order that EGSs are responsible to check and comply with the requirements of Pennsylvania's "do not call" list.

b. Old Account Numbers

PPL Electric supports the Commission's tentative conclusion that old account numbers not be provided in the ECL. PPL Electric further supports an approach of one-to-one mapping of accounts in the case of system-wide account number changes.

c. Contact Name and Address

PPL Electric supports the tentative conclusion that customer contact name and address information not be included in the ECL. PPL Electric does not maintain customer contact information in any consistent or up-to-date fashion. As a result, PPL Electric is unable to populate such a field in the ECL with information that is reasonably certain to be complete and correct.

d. Rate Mitigation Plan Indicator

PPL Electric agrees that this element should not be included in the ECL. From a conceptual perspective, both of the Company's Commission-approved mitigation plans are competitively neutral, meaning that customers' participation in the program will not be affected by whether they take POLR supply or supply from an EGS. From a practical perspective, PPL Electric notes that its current Rate Stabilization Plan ("pre-pay plan") is scheduled to expire December 31, 2011. The Company's Rate Mitigation Plan ("deferral plan") has only 124 customers enrolled as of July 30, 2010 and it is also scheduled to expire for most participants on

December 31, 2011. Only a handful of the customers, who are either the largest customers served under Rate Schedule RS or customers served under Rate Schedule RTS, will continue to participate until December 31, 2012. Based on these considerations, such a field should not be included.

e. POLR Indicator

The Commission tentatively concludes that the ECL should include a field indicating whether a customer is currently receiving Provider of Last Resort (“POLR”) service from the EDC.

PPL Electric’s current ECL already includes a POLR Indicator, and therefore PPL Electric does not object to the Commission’s tentative conclusion. PPL Electric does note one qualifying point. PPL Electric’s POLR indicator excludes any customer either currently receiving service from an EGS, or who has a pending request to receive service from an EGS. However, it is possible that other EDCs do not have in place the ability to flag pending requests for service from an EGS. Therefore, PPL Electric proposes that the Commission confirm that this information would be provided to the extent available.

f. Interval Meter Indicator

PPL Electric supports the Commission’s tentative conclusion that the ECL include a field to identify whether an account has an interval meter.

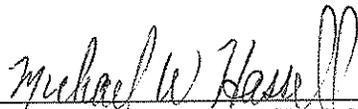
g. Capacity and Transmission Obligation

PPL Electric supports the Commission’s tentative conclusion that the ECL include both current capacity and transmission obligations and future capacity and transmission obligations when available. PPL Electric requests that the Commission confirm that future obligations become “available” only after they have been calculated and provided to PJM. For PPL Electric, those calculations are submitted sometime after January 1 and before January 31 of each year.

IV. CONCLUSION

As stated above, PPL Electric supports the efforts of the Commission in this proceeding to improve and make more uniform the types of information provided in ECLs. As discussed in the foregoing comments, the Company supports just a small number of modifications and clarifications. Accordingly, PPL Electric respectfully requests that the Commission's Final Order modify the Tentative Order consistent with the Company's comments.

Respectfully submitted,



David B. MacGregor (ID # 28804)
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
Phone: 215-587-1197
Fax: 215-587-1444
E-mail: dmacgregor@postschell.com

Paul E. Russell (ID # 21634)
Associate General Counsel
PPL Services Corporation
Office of General Counsel
Two North Ninth Street
Allentown, PA 18106
Phone: 610-774-4254
Fax: 610-774-6726
E-mail: perussell@pplweb.com

Michael W. Hassell (ID # 34851)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: mhassell@postschell.com

Of Counsel:

Post & Schell, P.C.

Date: August 4, 2010

Attorneys for PPL Electric Utilities Corporation