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August 4, 2010

**Via Electronic Filing**

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

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

Dear Secretary Chiavetta:

On behalf of the Retail Energy Supply Association ("RESA") enclosed for filing please find the original of its Comment along with the electronic filing confirmation with regard to the above-referenced matter.

Sincerely yours,

Deanne M. O'Dell, Esq.

DMO/lww  
Enclosure

cc: Office of Competitive Market Oversight (via email only)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Interim Guidelines :  
For Eligible Customer Lists : Docket No. M-2010-2183412  
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**COMMENTS OF  
RETAIL ENERGY SUPPLY ASSOCIATION**

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The Retail Energy Supply Association (“RESA”)<sup>1</sup> supports the Interim Guidelines set forth in the Commission’s Tentative Order dated July 15, 2010 at this docket. The Eligible Customer List (“ECL”) is a vital element of ensuring a successful competitive electricity market. Electricity generation suppliers (“EGSs”) need timely access to customer information to enable them to provide competitive offers that are attractive to the potential customer. Ensuring that the holder of this information, the electric distribution company (“EDC”), provides relevant data in a useful and timely way is the focus of the Interim Guidelines.

As explained in the Tentative Order, the Interim Guidelines were developed as a result of a collaborative process, lead by the Commission’s Office of Competitive Market Oversight (“OCMO”), involving a diverse group of interested stakeholders. RESA, collectively and through individual members, actively participated in this collaborative process and commends the Commission for its leadership role in addressing these competitive retail market issues. As a direct result of these efforts, many important issues were resolved through consensus ensuring that some of the most basic essentials related to ECL – such as the minimum data elements and

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<sup>1</sup> RESA’s members include ConEdison Solutions; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energy Plus Holdings, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Gexa Energy; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; PPL EnergyPlus; Sempra Energy Solutions LLC. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

the frequency of updates – will be implemented for the benefit of consumers. Regarding the remaining non-consensus issues, many of these issues were appropriately resolved and RESA recommends that the Commission not revise these findings. More specifically, the customer telephone number, a POLR indicator, an Interval Meter Indicator and Capacity and Transmission Obligations are all important elements that the Commission appropriately requires to be included in the ECL. These elements will provide the EGS with important information necessary to craft an appropriate competitive offer for the potential customer. RESA recommends that the Commission's final Interim Guidelines continue to require the inclusion of these data elements.

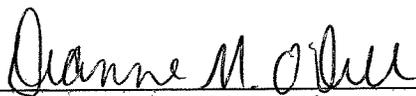
While RESA would prefer that the Interim Guidelines also include old account numbers, contact name and address, and a rate mitigation plan indicator in the ECL, RESA has chosen to support the Interim Guidelines as proposed recognizing that they are the product of significant efforts from a number of stakeholders and Commission staff and overall represent a reasonable approach to each of these issues. Further, RESA supports the timely finalization of these Interim Guidelines so that they can be implemented in advance of the market opening on January 1, 2011 for Allegheny Power, Metropolitan-Edison Company, Pennsylvania Electric Company, and PECO Energy Company to ensure that EGSs serving in each of these territories have timely access to information needed to develop competitive offers.

While RESA supports implementing the Interim Guidelines as proposed, RESA offers an alternate way to address the issue of contact name and address which the Commission has chosen not to include on the ECL. This issue involves providing the EGS with the contact name and number for the decisionmaker of a potential customer. Without this information, particularly for commercial accounts, EGSs may have difficulty locating the proper person for the potential customer who can make decisions related to generation and may even find that contracts are

signed by people without the authority to give such authorization. In the collaborative process, some EDCs made clear that they may not have this information available in their data systems and, therefore, opposed making the inclusion of this information on the ECL a Commission required mandate. Consequently, the Commission rejected requiring this information on the ECL. RESA is not opposing this recommendation. However, given the importance of ensuring that the EGS is dealing with an authorized person for the account and that some EDCs may have such information available, RESA suggests that the Commission direct EDCs to provide the information to the EGS upon request and when it is available. RESA believes this is an appropriate way to resolve the concerns of EGSs and to ensure that they get the information needed from the EDC when it is available without implementing a statewide mandate for EDCs who may not be able to comply. Therefore, RESA asks that the Commission make clear in its final order that EDCs provide, upon request and based on availability, the contact name and number for the person who has the decisionmaking authority for an account.

In conclusion, RESA appreciates all the efforts of the Commission staff and other stakeholders involved in this process. In the long-term RESA supports the standardization of data as it is provided to the EGS but, for the near-term, the Commission's Interim Guidelines are a good first step forward and RESA supports their adoption as proposed.

Respectfully submitted,



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