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January 28, 2015

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor (filing room)  
Harrisburg, PA 17120

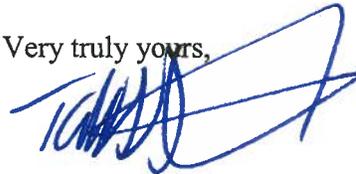
Re: Petition for Interstate Gas Supply, Inc. for Clarification  
Docket No. P-\_\_\_\_\_;

Dear Secretary Chiavetta:

Enclosed for electronic filing, please find Interstate Gas Supply, Inc.'s Petition for Clarification in the above-captioned matter. Copies will be provided as indicated on the Certificate of Service.

If you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,



Todd S. Stewart  
Counsel for Interstate Gas Supply, Inc. d/b/a  
IGS Energy

TSS/jld  
Enclosure  
cc: Per Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA E-MAIL AND FIRST CLASS MAIL**

Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101-1923

Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North 2nd Street  
Harrisburg, PA 17101

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Office of Law Bureau  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
4 North Street, 3<sup>rd</sup> Floor  
PO Box 3265  
Harrisburg, PA 17105-3265



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Todd S. Stewart

Dated: January 28, 2015

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RE:           Petition of Interstate Gas Supply, Inc.     :           Docket No. P-\_\_\_\_\_

              For Clarification

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**PETITION OF INTERSTATE GAS SUPPLY, INC.  
FOR CLARIFICATION  
OF COMMISSION REGULATIONS**

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**NOW COMES**, Interstate Gas Supply, Inc. d/b/a IGS Energy (“IGS”) by and through its counsel in the above-captioned matter, Hawke McKeon & Sniscak, LLP, and hereby petitions the Pennsylvania Public Utility Commission (“Commission”) for clarification of the Commission’s regulations at 52 Pa. Code § 111.7. As stated more completely below, IGS intends to deploy a new process for door-to-door enrollments in Pennsylvania which involves the use of Home Energy Consultants (“HEC”). HECs are employees of IGS (as opposed to independent contractors) whose compensation is primarily derived from salary (as opposed to sales commission). These HECs are equipped with communications enabled tablet computers that also have GPS capabilities which will allow IGS to track the whereabouts of the HECs while conducting sales activities. This tracking capability allows IGS to record that an HEC was present at the residence of the enrolled customer during the enrollment process and to record the date and time of sale which will coordinate with the locational information provided by the GPS. The tablet computer also has the capabilities to allow customers to verify their consent to the terms and conditions via electronic signature and to ensure almost real time electronic delivery of executed sales documents to the customer at the email address provided by the customer. The

use of the tablet computer also allows IGS to separately verify the transactions if the customer so consents.

As more fully described below, IGS seeks clarification that its new enrollment mechanisms, including the verification process described herein complies with Subsection “b” of 52 Pa. Code § 111.7. In support of its Petition for Clarification, IGS states and avers as follows:

## **I. INTRODUCTION**

1. IGS is a licensed electric generation supplier in the Commonwealth of Pennsylvania at License No. A-2011-2228643. IGS also is a licensed supplier of natural gas in the Commonwealth of Pennsylvania at License No. A-125051.

2. IGS provides service as an EGS/NGS throughout most of the electric distribution company (“EDC”) and natural gas distribution company (“NGDC”) service territories in Pennsylvania.

3. IGS has recently developed a process for door-to-door enrollments that employs HECs equipped with communications enabled tablets. The tablet computers have GPS technology that allows IGS to track the location of the HECs and the times at which the HECs engage in sales and effectuate customer enrollments. The HEC enrollment process also has the capabilities of completing an enrollment with electronic signature to verify the acceptance of the terms and conditions. When an electric signature is utilized, the customer is emailed an electronic copy of the electronically executed documents -- a paper copy is typically mailed within 24 hours of the enrollment. If a customer is uncomfortable engaging the electronic process, a wet signature version on a paper copy is available and the customer will proceed to a third-party verification process.

4. At the conclusion of the electronic sales transaction, and if the customer affirmatively consents to the HEC remaining on the premises (after being specifically asked that question) the customer is then presented with the tablet computer and asked to complete, on their own, a series of questions intended to verify the transaction. The first question is whether the customer was informed of their ability to request that the sales representative leave the premises during the verification process which the customer now must answer, with the answers being recorded electronically, and importantly, on their own, in order for the verification to be complete. Further, the questions asked of the customer are identical to the questions the customer would otherwise answer if the verification was being completed telephonically. If the customer answers all of the questions appropriately, the customer then signs the verification form and is provided an electronic copy of that form, and the transaction is considered to be complete. If the customer responds inappropriately to the verification questions, an error message appears and the sale cannot be completed. If the customer affirms the transaction, the visit is concluded with the transaction being considered verified. If the customer does not consent to the sales representative remaining on the premises during the verification process, the HEC leaves the premises and the transaction is concluded through a traditional third-party verification telephone call process.

5. IGS further states that in IGS' post enrollment quality assurance customer surveys indicate that customers tend to be most dissatisfied with the third-party telephone verification process, as a segment of the sales transaction, and consider it to be complicated, superfluous and impersonal part of the process. IGS is seeking to implement this verification process, at least in part, in response to this type of customer feedback.

## II. REQUEST FOR CLARIFICATION

6. The Commission's regulations at 52 Pa. Code § 111.7(b) state:

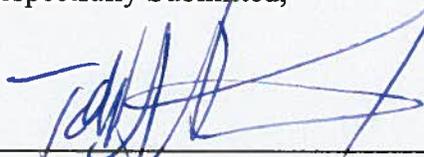
A supplier shall establish a process to verify a transaction that involved in the agent. The process shall confirm that the customer authorized the transfer of the customer's account to the supplier. . . . (2) The verification process shall be separate from the transaction process and initiated only after the transaction has been finalized. When verifying a transaction that resulted from the Agent's contact with a customer at the customer's residence, the verification process shall be initiated only after the agent has physically exited the customer's residence, unless the customer agrees that the agent may remain in the vicinity of the customer during the verification process. Prior to initiating the verification process, the agent shall inform the customer that the agent may not be in the vicinity during the verification unless the customer agrees to the agent's presence.

7. IGS believes that the verification process described above complies with the above quoted regulation. Specifically, the verification process is separate and is completed only after the sales transaction is completed. Further, before the verification process begins the HEC asked the customer whether the HEC may remain at the premises during the verification and informs the customer that they have the right to ask the HEC to leave. If the HEC is asked to leave the premises, the transaction is completed through a third-party verification telephone call. If the customer affirmatively agrees to allow the HEC to remain, the process is completed through the tablet verification described above, which electronically captures the customer's consent to the HEC remaining on the premises.

8. For the foregoing reasons, IGS requests that the Commission clarify that the use of the tablet computer to verify the HEC's enrollment of customers (as described above) is consistent and in compliance with 52 Pa. Code § 111.7(b)(2). Specifically, IGS requests that the Commission find, that the HEC tablet verification process if conducted in a manner described in this pleading is considered a separate verification process as set forth in 52 Pa. Code § 111.7(b)(2), and that the enrollment and verification process is otherwise compliant with the Commission's regulations.

**WHEREFORE**, IGS respectfully requests that the Commission clarify the application of its regulations, to address whether IGS' intended verification process complies with the requirement that a verification be separate from the sales process, and that its process, as described herein, otherwise comply with the requirements of 52 Pa. Code § 111.7.

Respectfully Submitted,



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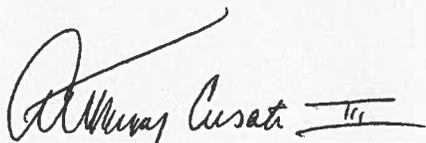
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*Counsel for Interstate Gas Supply, Inc. d/b/a IGS  
Energy*

DATED: January 28, 2015

**VERIFICATION**

I, Anthony Cusati, III, certify that I am DIRECTOR OF REGULATORY AFFAIRS for Interstate Gas Supply, Inc., and that in this capacity I am authorized to, and do make this Verification on their behalf, that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief, and that Interstate Gas Supply, Inc. expects to be able to prove the same at any hearing that may be held in this matter. I understand that false statements made therein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authorities.

  
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Anthony Cusati, III,

DATED: 1/28/15