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September 28, 2015

Via Electronic Filing

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

Re: Petition of the NRG Retail Affiliates for Clarification and/or Reconsideration of the Commission's September 3, 2015 Final Order; Docket No. M-2009-2092655

Dear Secretary Chiavetta:

Enclosed please find the Retail Energy Supply Association's Answer in Support of NRG Retail Affiliates' Petition for Clarification and/or Reconsideration of the Commission's September 3, 2015 Final Order in the above-referenced proceeding. All parties have been served in accordance with the attached Certificate of Service.

Sincerely,



Deanne M. O'Dell
DMO/

cc: Cert. of Service w/enc.
Office of Competitive Market Oversight (via email to ra-OCMO@pa.gov)

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of Petition for Clarification and/or Reconsideration upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

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Deanne M. O'Dell, Esq.

Dated: September 28, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Submission of the Electronic Data :
Exchange Working Group's Web Portal : Docket No. M-2009-2092655
Working Group's Solution Framework for :
Historical Interval Usage and Billing :
Quality Interval Use :

**ANSWER OF THE RETAIL ENERGY SUPPLY ASSOCIATION
IN SUPPORT OF NRG RETAIL AFFILIATES' PETITION FOR CLARIFICATION
AND/OR RECONSIDERATION OF
THE COMMISSION'S SEPTEMBER 3, 2015 FINAL ORDER**

The Retail Energy Supply Association ("RESA")¹ supports the Petition of the NRG Retail Affiliates for Clarification and/or Reconsideration ("Petition for Reconsideration") of the Commission's September 3, 2015 Final Order ("*Final Web Portal Order*") in this proceeding. Granting the Petition for Reconsideration is a reasonable way to provide competitive suppliers timely access to the 48-hour old (or less) billing quality interval usage ("BQIU") data² of their customers. With this access, competitive suppliers will be empowered to develop and offer retail products leveraging this data just as the electric distribution companies ("EDCs") do today through their Energy Efficiency and Conservation ("EE&C") plans.

¹ The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

² While BQIU data can also include historical interval usage ("HIU") data, the Petition for Reconsideration is focused on implementing a process to enable suppliers to have access to the 48-hour old (or less) data.

RESA is a diverse organization of competitive energy suppliers which includes suppliers of varying sizes and business plans serving all types of consumers in Pennsylvania and elsewhere. The ability of competitive suppliers to access 48-hour old (or less) data for their customers is critical regardless of the supplier's size or business model. Access to this data is the only way competitive suppliers can: (1) develop and offer retail products that are individually tailored based on a customer's specific usage; and, (2) be responsive to their customer's real-time needs and requests. As stated previously by RESA in this proceeding:

[W]e live in a marketplace of instant gratification. In every other industry, service providers are geared around providing very quick customer service turnaround. The inability of suppliers to have timely and reliable access to their customer's usage data is a barrier on the ability of suppliers' to satisfy the demands of customers.³

Because competitive suppliers in Pennsylvania do not have efficient or scalable access to the 48-hour old (or less) data for their customers, all Pennsylvania consumers are being denied the opportunity to select these products from the competitive market. These products simply do not exist in Pennsylvania's competitive retail market. Although the availability of this data is dependent on the deployment of smart meters that can record the information and smart meters are not fully deployed in Pennsylvania, RESA supports: (1) requiring EDCs that have smart meters deployed to comply with the directives of this proceeding; and, (2) requiring EDCs to comply with the directives here as they continue to deploy their smart meters.⁴

In contrast to the inability of EGSs to offer these retail products and services, as the Petition for Reconsideration details, EDCs can and do provide retail products and services that

³ See RESA Letter dated March 20, 2015 at this docket.

⁴ Petition for Reconsideration at 2, fnote. 4.

leverage this data through their EE&C plans.⁵ While customers do benefit from access to these products and services, they are only available from the EDCs. This situation is not consistent with developing a fair and equal competitive marketplace. Instead, it provides EDCs an unfair competitive advantage.

The Commission has an opportunity here to address this inequity by directing implementation of the “Active EGS” Rolling 10-Day proposal by December 31, 2015. This is a reasonable and narrowly tailored solution that is consistent with all of the work already done by the Web Portal Working Group (“WPWG”) of the Electronic Data Exchange Working Group (“EDEWG”). As noted in the Petition for Reconsideration, the EDEWG February 17, 2015 report states that “[t]he WPWG recommends that EDC pursue [the “Active EGS” Rolling 10-Day] proposal either before or during implementation of Proposal 2 that follows.”⁶ The EDEWG Report provides three pages of details about how the “Active EGS” Rolling 10-Day solution could work. As explained in the EDEWG Report, the process would involve the EDCs making available a data file on their existing supplier website that would contain the information for each of the EGS’s customers. The data would be published daily and include a rolling 10-day period worth of data that EGSs could access at any time through their already existing access to the supplier website of the EDC.⁷ All EGSs, regardless of their size or business model, already have access the EDC’s supplier website and they would be able to access the 48-hour old (or less) billing quality interval usage data of their customers through this solution. Although conservation service providers (“CSPs”) do not have access to the EDC’s supplier website and

⁵ Petition for Reconsideration at 10-12.

⁶ Petition for Reconsideration at 16, referencing EDEWG Report at 25.

⁷ EDEWG Report at 24-25. This is in contrast to the other processes discussed in the report that would be separate from the existing supplier websites.

would not be able obtain this information through the “Active EGS” Rolling 10-Day solution, the conservation service providers (“CSPs”) already have access to the information through their contractual relationships with the EDCs.⁸ Thus, there is no reason to delay implementation of an approach today that would merely give EGSs access to what CSPs can already access.

None of the EDCs that filed comments to the Commission’s Tentative Order expressed opposition to the implementation of the “Active EGS” Rolling 10-Day solution and FirstEnergy noted that the “Active EGS” Rolling 10-Day solution “will fill the gap that EDI does not currently support.”⁹ Instead, the EDCs discussed the time and cost that would be involved in implementing a system-to-system (“StS”) approach.¹⁰ Although RESA’s prior comments referred to the “Active EGS” Rolling 10-Day solution as an StS solution, the EDEWG Report is clear that it is not an StS solution because it utilizes an EDC’s existing supplier website.¹¹ Thus, directing the implementation of the “Active EGS” Rolling 10-Day solution to require EDCs to provide EGSs access to the 48-hour old (or less) billing quality interval usage data of their customers as requested by the Petition for Reconsideration is consistent with the EDEWG Report.

For all these reasons, RESA supports the Petition for Reconsideration and urges the Commission to grant the relief requested therein. Doing so will enable EGSs to develop and

⁸ Petition for Reconsideration at 11-12.

⁹ FirstEnergy Comments dated May 26, 2015 at 7. FirstEnergy also erroneously refers to the “Active EGS” 10-Day Rolling solution as an StS solution.

¹⁰ PPL Comments dated May 26, 2015 at 6 (“PPL Electric’s existing Supplier Portal does not offer StS functionality. Modifications. . . are required. . . PPL Electric believes that additional time is needed to fully implement the StS functionality.”) Neither Duquesne nor PECO reference the “Active EGS” 10-Day Rolling solution in their comments.

¹¹ PPL Comments dated May 26, 2015 at 6 (“PPL Electric’s existing Supplier Portal does not offer StS functionality. Modifications. . . are required. . . PPL Electric believes that additional time is needed to fully implement the StS functionality.”) Neither Duquesne nor PECO reference the “Active EGS” 10-Day Rolling solution in their comments.

offer retail products using the 48-hour old (or less) billing quality interval usage data of their customers, just as the EDCS do today through their EE&C Plans. The end result for consumers will be a healthy competitive retail marketplace whereby a variety of competitive offers are available from an array of competitive suppliers.

Respectfully submitted,



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Date: September 28, 2015

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