

In the Matter of the Commission's)
Investigation of Ohio's Retail Electric) Case No. 12-3151-EL-COI
Service Market.)

Pursuant to Section 4903.10, Revised Code, and Rule 4901:1-35, Ohio Administrative Code, Direct Energy Services, LLC and Direct Energy Business, LLC (collectively, “Direct Energy”) respectfully file a Memorandum Contra in this matter. Direct Energy submits this memorandum contra in response to the Applications for Rehearing filed by the Ohio Consumers’ Counsel (“OCC”), Ohio Partners for Affordable Energy (OPAE),¹ Duke Energy Ohio Inc. (“Duke”), The Dayton Power and Light Company (“DP&L”), and the FirstEnergy electric distribution companies (collectively “FirstEnergy”).² Specifically, Direct Energy requests that the Commission dismiss the OCC, OPAE, Duke and FirstEnergy’s argument that electric distribution utilities (“EDUs”) should not be required to display on its bill the logo of the competitive retail electric service (“CRES”) providers. Moreover, Direct Energy respectfully encourages the Commission to deny OPAE’s request that any further development of time-differentiated rates must occur in future rate cases and any data made available to CRES providers should be paid for by CRES providers. Direct Energy’s decision not to address any

² The FirstEnergy electric distribution companies are The Cleveland Electric Illuminating Company, Ohio Edison Company, and The Toledo Edison Company.

other argument in any other Application for Rehearing should not be construed as agreement with positions taken in those Applications for Rehearing.

I. CRES provider logos should be included in EDU-consolidated bills as the increased visibility and transparency on a bill will aid with both customer notification and customer education.

The Commission properly concluded that CRES provider logos should be included in EDU-consolidated bills. Direct Energy has found, through its experience in Columbia Gas of Ohio where supplier logos were placed on the consolidated bills, that it has led to increased customer awareness of who their supplier is and what services the supplier is able to provide. Additionally, it is another layer of security for customers to be sure they are currently signed with a CRES provider of their choosing at a rate that they are comfortable with. Although, arguments were made that this is unnecessary since the bill already lists the CRES provider, Direct Energy has real world experience that the addition of the logo led to greater customer engagement. Therefore, Direct Energy respectfully requests that Commission continue to require the addition of CRES provider logos on EDU-consolidated bills.

II. Shopping customers should not have to pay for smart meter data as they have already paid for the availability of this data through non-bypassable retail riders. As such, requiring CRES providers to pay to receive this data would result in shopping customers paying twice for the same data.

CRES providers should not be charged to access bill quality interval customer energy usage data (“CEUD”). Instead, as the Commission recommended, the EDU’s should continue to recover these costs through their AMI/Smartgrid riders. Finding and Order at 38. As OPAE correctly stated, “customers are already paying the costs of smart meters and systems through smart grid meters.” OPAE at page 16. What the OPAE did not recognize is that ALL customers, including shopping customers, are already paying for the AMI/Smartgrid technology through these non-bypassable riders. As such, if CRES providers are required to pay to receive this data,

then the shopping customers would in essence be charged two times to use the same technology. Customers who switch to a CRES provider should not be punished for switching. They have already paid for this technology and therefore should be allowed access to the information without additional cost.

CONCLUSION

For the reasons contained within, Direct Energy respectfully requests the Commission deny the Applications for Rehearing as suggested by Direct Energy.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Memorandum Contra was served this 5th day of May 2014 by electronic mail, upon the persons listed below.

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Summary: Memorandum Direct Energy's Memorandum Contra electronically filed by Ms. Marissa J. Bach on behalf of Clark, Joseph Mr.