

In the Matter of the Commission’s)	
Investigation of Ohio’s Retail Electric)	Case No. 12-3151-EL-COI
Service Market.)	
In the Matter of the Market Development)	
Working Group.)	Case No. 14-2074-EL-EDI

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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**REPLY COMMENTS OF DIRECT ENERGY SERVICES, LLC
AND DIRECT ENERGY BUSINESS, LLC**

I. INTRODUCTION

On December 12, 2012 the Commission opened an investigation into the competitive retail electricity service (CRES) market in Ohio. Since that time several issues have been discussed in this docket. As a result the Commission ordered a working group now referred to as the Market Development Working Group (MDWG). The MDWG has held conference calls and in person meetings to discuss issues impacting the CRES market. The meetings in 2014 through 2015 focused on ways customers could retain their CRES provider contracts when they moved within a service territory, instant connect to allow customers to start service without first taking utility supply for 1-2 months and ways to inform customers of their CRES and Standard Service Offer (SSO) options when they contact the utility.

On July 16, 2015 Staff filed a report on the discussions surrounding seamless move, instant connect and contract portability. Interested parties filed comments on the report on January 6, 2016. Direct Energy has attended and participated in every meeting and discussion regarding

these issues. As a CRES provider in Ohio we have serious concerns that a partial to no solution as presented by parties would not create a real solution to problems the MDWG was to address by looking at seamless move, instant connect and contract portability. Direct Energy submits these reply comments in response to the Ohio Consumers Counsel, the Dayton Power & Light Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, Ohio Power Company (AEP) and Duke Energy Ohio.

II. REPLY COMMENTS

A. Ohio Consumers Counsel position that standard service offer customers should have easier access than customers of a CRES provider should be denied.

OCC's comments should be rejected. The purpose of the MDWG discussions were to allow customers the same access to CRES provider offers as they have to the standard service offer (SSO). SSO customers can already start service immediately, enroll without using account numbers and things not readily known to the customer and take the service with them when they move within a service territory. This is the exact opposite of customers who would choose CRES. Those customers cannot start service immediately, cannot take those offers with them without interruption when they move and cannot enroll without a specific account number from the utility (something customers do not readily know). OCC's entire position seems to be to ensure that SSO customers have priority over customers who choose a CRES rather than that all customers have equal access to ALL offers regardless of supplier.

B. AEP's proposal for a warm transfer will provide access and education for customers creating a solution for customer access to all options.

AEP's proposal for a warm transfer process is a step in the right direction to create enhanced customer access to CRES options. Contrary to OCC's position that customers be given access to

only the SSO at the start of service, AEP's warm transfer program would allow new and moving customers the opportunity to enroll with a CRES product at the time they are seeking electricity service. This provides customers access to all of their options for electricity service at the point when they are thinking about electricity. In addition, it would provide the customer education on all offers available and institute an easy option to switch. The customer would not need to obtain information they don't readily know such as a long utility account number and would not have to wait months to receive a CRES product. In other words customers will know they have a choice rather than be automatically placed on SSO with no other option available. The program does not eliminate SSO as an option but rather eliminates it as the only option. In addition, the AEP process provides an outline of a program rather than a specific process. This aligns with the positions of the other utilities by providing a framework to follow without a one size fits all process that may not align with their systems.

C. Seamless move should not be ignored.

Direct Energy supports the AEP process as a workable solution. We respect that each utility has unique needs and support that each will need to create a system process that works for them. However, in all of the comments presented there was a lack of focus on a solution for customers to stay with their existing CRES provider when they move. Direct Energy continues to believe customers should not have their CRES provider contracts disrupted when they move within a service territory. Customers who have exercised their right to choose should not be punished for moving. Under the current process even if a customer contacts their CRES provider the customer must first receive an account number with the utility and then wait 1-2 months before new service can begin. This gap of months – not days - typically means a customer is dropped by their provider and may not be able to receive the same contract terms and pricing they previously received. In addition, it creates a back and forth process for the customer between the

utility and their CRES provider. Customers should have an easy process when they move to not only turn on service but maintain their CRES contract.

D. Instant Connect or a form of resettlement is needed for commercial and industrial customers.

Direct Energy continues to be concerned that instant connect for commercial and industrial customers has been ignored in this process. There are many instances where a commercial or industrial customer's business remains at the same premise but due to various reasons may be provided a new account number. The new account number or new account process results in these customers losing their CRES service for one month or longer. The most common reason for this is change of name or change of ownership. Instant connect allows commercial and industrial customers to keep their CRES service by allowing them to begin service with their CRES provide the first day of the new account being set up.

The Commission should order the MDWG and utilities to find a way to resolve this issue for commercial customers through either instant connect or a resettlement process that makes the customer and CRES provider whole for any contract disruption.

III. CONCLUSION

The original order opening the 12-3151-EL-COI started these conversations with the following:

It is the Commission's responsibility to encourage market access for retail electric service, including both supply- and demand-side products, and to protect consumers against market deficiencies and market power. As such, the Commission is seeking comments regarding the extent to which barriers may exist to a consumer's means to choose a retail electric service that meets their needs.

A process to allow customers to change suppliers right at the start of service ensures there is no bias for SSO over any other service. Direct Energy encourages the PUCO to adopt AEP's proposal. In addition, the PUCO should encourage utilities to look at an instant connect or other

process to eliminate loss of service when a commercial customer has a change of name or ownership that requires a new account number.

Much time and effort has been put into this process to find workable solutions and we encourage the Commission to not reject those efforts but rather to accept the solution put forward by AEP along with the utilities finding similar solutions that work with their systems. Finally, the Commission should order all utilities implement a process for customers to continue their current CRES provider contracts when they move within a service territory and not lose that service.

Respectfully submitted,

/s/ Jennifer L. Spinosi

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CERTIFICATE OF SERVICE

I certify that an accurate copy of the forgoing Initial Comments has been filed with the Public Utilities Commission of Ohio on January 20, 2016, and electronically served upon all parties of record via the PUCO's electronic filing system.

/s/ Jennifer L. Spinosi
Jennifer L. Spinosi

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Summary: Reply Comments electronically filed by Mrs. Gretchen L. Petrucci on behalf of Direct Energy Services LLC and Direct Energy Business LLC