



November 20, 2015

Hon. Kathleen H. Burgess
Secretary
New York State Department of Public Service
3 Empire State Plaza - 19th Floor
Albany, NY 12223

RE: **Case 12-M-0476** – Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-residential Retail Energy Markets in New York State.

Case 98-M-1343 – In the Matter of Retail Access Business Rules.

Case 06-M-0647 – In the Matter of Energy Service Company Price Reporting Requirements.

Case 98-M-0667 – In the Matter of Electronic Data Interchange.

Dear Secretary Burgess:

On behalf of the New York Electronic Data Interchange (“EDI”) Working Group (“EDI Working Group”), an ad hoc working group consisting of personnel from Utilities, Energy Service Companies and EDI Service Providers pursuing development of EDI Standards, National Fuel Gas Distribution Corporation hereby submits a request to extend the deadline for testing and making operational EDI changes necessary to accommodate bill credits to Assistance Program Participant (“APP”) Credit participants. The Commission’s *Order Granting and Denying Petitions for Rehearing in Part*, issued and effective on February 6, 2015 (“Order”) in the above referenced cases directed development of such changes (hereinafter, “APP EDI Changes”) and a compliance filing within 60 days of the Order.¹ The Order further directed that any required testing by utilities and ESCOs must be completed, and the EDI transactions must be operational, within 120 days from the date of the compliance filing.²

The EDI Working Group submitted a compliance filing³ that included initial APP EDI Changes which are now effective. The 120 day deadline specified in the Order resulted in an

¹ “Any EDI changes that may be necessary to accommodate bill credits shall be developed by the EDI Working Group and will be effective upon the filing of a compliance filing that includes the appropriate EDI documentation within 60 days from the date of this Order.”, Order, p. 8.

² Id.

³ Cases 12-M-0476, et al., *April 2015 Report on EDI Standards Development*, filed April 7, 2015 (“April 7 EDI Report”).

August 5, 2015 date by which testing must be completed and the APP EDI Changes become operational.

On July 14, 2015, the EDI Working Group requested an extension of the August 5, 2015 testing deadline ("July 14 Request") and on July 30, 2015, an extension to December 3, 2015 was granted. On July 24, 2015, the EDI Working Group filed a report⁴ that included additional EDI Standards related to APP Credits.

The July 14 Request noted that the Order directed collaborative meetings addressing other factors that impact APP Credit calculations.⁵ The collaborative recently completed its work and filed a report⁶ with the Commission. No regulatory action has taken place upon this report therefore an order requiring that utilities accept and process APP credits from ESCOs before December 3, 2015 appears unlikely.

ESCOs and utilities need the certainty of regulatory action to develop and test software to support the processing of APP Credits. In order to promote the fair, orderly and efficient implementation of APP Credit processing, the EDI Working Group believes the retail market would be best served by a second extension of 120 days for testing and implementation of the APP EDI changes during which the regulatory process could advance to a point where ESCOs and utilities receive the aforementioned certainty.

Please contact the undersigned at (716) 857-7884 if you have any questions regarding this filing.

Respectfully submitted,

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⁴ Cases 12-M-0476, et al., *July 2015 Report on EDI Standards Development*, filed July 24, 2015.

⁵ Order, p. 7. The collaborative investigated issues such as energy-related value-added products and services that if provided to APP customers, could qualify ESCOs for an exemption from the price guarantee.

⁶ Cases 12-M-0476, et al., *Report of the Collaborative Regarding Protections for Low Income Customers Of Energy Services Companies*, filed November 5, 2015.