

May 25, 2017

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 (“ESCOs”) 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 implementing EDI changes necessary to accommodate bill credits to Assistance Program Participants (“APP”). 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.<sup>1</sup> 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.<sup>2</sup>

The EDI Working Group submitted seven requests to extend the date by which testing must be completed and the APP EDI Changes become operational first, from August 5, 2015 to December 3, 2015, second from December 3, 2015 to April 1, 2016, third from April 1, 2016 to May 16, 2016, fourth from May 16, 2016 to August 1, 2016, fifth from August 1, 2016 to December 1, 2016, sixth from December 1, 2016 to March 1, 2017 and seventh from March 1, 2017 to June 1, 2017. In all cases, you granted the request for extensions, most recently on February 22, 2017.

It does not appear as if an Order authorizing provision of APP Credits will be in effect as of the June 1, 2017 date. Further, on May 23, 2017 the Commission issued *Notice Further*

---

<sup>1</sup> “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.

<sup>2</sup> Id.

*Extending Deadlines* which extended the implementation date for the Prohibition Order<sup>3</sup> to at least June 26, 2017. The Prohibition Order provides for the possibility of waivers to ESCOs to serve low-income customers under conditions specified therein. That prospect creates the potential for APP Credits at a date at least one month following the eventual Prohibition Order implementation date.

Department of Public Service Staff has participated in EDI Working Group meetings where the necessity and timing of the instant filing has been discussed. Based upon previous extension requests, an additional extension of approximately 30 days reasonably balances the potential regulatory timeline with the current circumstances.

In order to promote the fair, orderly and efficient implementation of the requirements of the Moratorium Order, the EDI Working Group believes the retail market would be best served by a sixth extension to July 1, 2017 for testing and implementation of the APP EDI changes.

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

Respectfully submitted,



Michael E. Novak  
Assistant General Manager  
National Fuel Gas Distribution Corporation  
6363 Main St.  
Williamsville, NY 14221-5887  
[NovakM@natfuel.com](mailto:NovakM@natfuel.com)

---

<sup>3</sup> Case 12-M-0476 et al., Retail Access, *Order Adopting a Prohibition on Service to Low-Income Customers by Energy Service Companies* (issued December 16, 2016) (“Prohibition Order”).