Dear Secretary Brilling,

Please accept these Letter Comments of EnerNOC, Inc in response to Consolidated Edison’s (the Company’s) proposed demand response program changes submitted November 17, 2012 in Docket 09-E-0115 - Proceeding on Motion of the Commission to Consider Demand Response Initiatives.

EnerNOC supports all of the proposed changes submitted by the Company as good-sense, incremental improvements to increase the cost-effectiveness and customer appeal of what, in the case of DLRP, is already a highly-effective program, and to increase participation in the CSRP and NRP opportunities.

It is particularly important for both planning purposes and customer and aggregator commitment purposes, that the Network Relief Program be modified so as to provide both a multi-year solution to the Company’s distribution planning efforts and a multi-year opportunity justifying aggregators’ targeted marketing and equipment investments. Both will improve the cost effectiveness and attractiveness of the program.

EnerNOC has also reviewed the additional suggestions proposed by ECS in its February 6, 2012 comments. We support the modifications suggested regarding exclusion dates used for the CBL baseline (because they will significantly improve both the accuracy and fairness of the baseline,) but we cannot support the proposal to fine the Company for its failure to provide near-real time access to customer data.
We have no objection, and in fact support, the Company providing all customers with comparable and comparably timely meter data access. However, we do not support penalizing the Company for failing to provide meter data access to the subset of customers that participate in DR that is superior to that it provides non-DR customers.

EnerNOC has invested tens of millions of dollars of its own capital installing metering and communication infrastructure to provide it and its providers with near-real time access to their load data. We did this because there is substantial value associated with having such access. If ECS or other aggregators believe that more rapid or dependable access to data from their DR providers (beyond or sooner than that provided to other similarly-situated customers) then they should make the same sorts of investments EnerNOC has, not receive preferential treatment relative to the Company’s non-participating customers.

Further, it is not, and probably should not be, the automatic obligation of the state’s utilities to provide meter data in a manner dictated by the NYISO. Suggestions that the Company (and presumably all utilities) should have to substantially revise their metering policies and infrastructure because NYISO may (or may not) require hourly data for 8760 hours per year are outside the scope of this proceeding.

The Commission should adopt the program revisions proposed by the Company, as well as the baseline modifications suggested by ECS.

Best Regards,

Aaron Breidenbaugh
Director Regulatory Affairs
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cc: Active Parties