

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

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.

NOTICE SEEKING COMMENTS

(Issued February 25, 2014)

At the Commission session held on February 20, 2014, the Commission launched a new phase of its assessment of the retail energy mass markets. In this new phase, the Commission will identify additional actions that could facilitate the development of value-added product and service offerings for mass market energy consumers. The Commission's Order Taking Actions to Improve the Residential and Small Non-Residential Retail Access markets<sup>1</sup> raised additional questions regarding changes to ESCO eligibility and to ensure ESCO compliance with Commission requirements. The Commission directed that the Secretary issue this notice and seek comments on the following questions.

A. Costs of Acquiring New Customers

1. Are there specific actions that the Commission could take to reduce the costs to energy service companies (ESCOs) of acquiring mass market customers who will purchase energy-

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<sup>1</sup> Case 12-M-0476 et al., supra, (issued February 25, 2014)(Order).

related value-added services? What are the costs and benefits of these potential actions?

2. Should a new generation of utility ESCO referral programs be developed to facilitate customer awareness of energy-related value-added services offered by ESCOs? Should customers be referred to specific ESCOs based on their interest in energy-related value-added services? What are the costs and benefits of these potential changes?
3. Should utilities be directed to obtain information from their customers regarding their interest in energy-related value-added services that might facilitate ESCO marketing? What are the costs and benefits of such a requirement?

B. Billing

4. Are changes to Commission policies concerning consolidated ESCO billing (CEB) required to remove unwarranted barrier(s) or impediment(s) to ESCOs seeking to use CEB? What are the costs and benefits of any proposed modifications to the Commission's policies to further facilitate CEB?
5. Under consolidated utility billing (CUB), what are the benefits and costs of requiring utilities to increase the space on bills to be used for ESCOs to provide information regarding energy-related value-added products and services, to approximately 1000 characters?
6. Under CUB, what are the benefits and costs of requiring utilities to modify their billing systems to enable ESCOs to provide tailored customer-specific billing messages regarding energy related value-added services?
7. What specific changes to utility billing systems are required to facilitate the ability of ESCOs to offer time-of-use products for mass market customers? What are the benefits and costs of any proposed changes?
8. What other modifications to CUB should be considered to facilitate development of energy related value-added services, and what are the benefits and costs of such modifications?

C. Processing of Enrollment Requests

9. To what extent do current enrollment requirements limit the ability of ESCOs to offer value-added services?
10. What specific actions could be taken to reduce the period between when a customer enrolls with an ESCO and when service commences? What are the benefits and costs of those actions?

D. Net Metering Refinements

11. Do existing rules governing net metering, particularly concerning billing, allocation of credit and the settlement of outstanding balances, impose undue costs or burdens on ESCOs? If so, explain those concerns and the impact on ESCO operations and the ability of ESCOs to offer value-added services requiring net metering.

E. Data Availability

12. What specific data might be available to assist ESCOs in developing innovative energy-related value added services?
13. Who currently owns or maintains that data, and what are the barriers to making that data available to ESCOs and other parties? What are the costs and benefits of removing or reducing those barriers?
14. How can this data be made generally available? Are there specific standards and protocols that should be adopted to ensure statewide consistency and ensure customer privacy?

F. Other Proposals to Facilitate Energy-Related Value-Added Services

15. What other specific barriers to offering energy-related value-added services do ESCOs face? What action(s) could the Commission take to address those barriers? What are the costs and benefits of those actions?
16. What other specific regulatory changes to enhance the ability of ESCOs to offer energy-related value-added services to mass market customers should be considered by

the Commission? What are the benefits and costs of those proposals?

G. ESCO Eligibility

17. Consistent with the Commission's efforts to encourage energy-related value-added services as well as compliance with the UBP, what changes to ESCO eligibility requirements should the Commission consider?
18. Consistent with efforts to encourage ESCO compliance with the UBP and other Commission rules, what changes to ESCO eligibility requirements should be considered? For example, should the Commission consider requiring ESCOs to pay application or annual fees?

H. ESCO Compliance

19. Should the Commission require that the annual and tri-annual filings required by the UBP be accompanied by a letter from the ESCO's Chief Executive Officer certifying that the filing is in full compliance with the UBP and that the ESCO has the resources and practices in place to ensure compliance with the UBP and other Commission Orders related to retail supply service?

Interested parties may submit initial comments on the above questions no later than April 25, 2014. Reply comments may be submitted no later than May 12, 2014. Comments should be submitted electronically by e-filing through the Department's Document Matter and Management System (DMM)<sup>2</sup> or to the Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). Those unable to submit electronically may mail or deliver them to Hon. Kathleen H. Burgess, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. All comments submitted will be posted to the Commission's website and become part of the

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<sup>2</sup> Why Register with DMM:  
[http://www.dps.ny.gov/DMM\\_Registration.html](http://www.dps.ny.gov/DMM_Registration.html)  
How to Register with DMM: <http://www.dps.ny.gov/e-file/registration.html>

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official case record. Those who would like to subscribe to the Service List or request Party Status for any of the cases referenced above should do so through DMM.

Any questions may be directed to Christine Bosy, Office of Consumer Policy, at (518) 486-2432 and [Christine.Bosy@dps.ny.gov](mailto:Christine.Bosy@dps.ny.gov), or Brandon F. Goodrich, Assistant Counsel, Office of General Counsel, at (518) 486-2652 and [Brandon.Goodrich@dps.ny.gov](mailto:Brandon.Goodrich@dps.ny.gov).

KATHLEEN H. BURGESS  
Secretary