Energy Spectrum

March 1, 2013

Hon. Jeffrey Cohen
Acting Secretary to the Commission
New York State Public Service Commission
Agency Building 3, Empire State Plaza
Albany, NY 12223-1350

By Electronic Delivery to: secretary@dps.ny.gov

Re: Case 09-E-0115 - Con Edison December 14, 2012 Tariff Filing on DR Issues – Comment of Energy Spectrum, Inc. – Due date March 2, 2013 (SAPA)

Dear Secretary Cohen:

Energy Spectrum, Inc., an aggregator participating in the Company’s Demand Response ("DR") programs, offers these comments on Con Edison’s recent tariff filing on proposed changes to the Company’s DR programs. We commend the Company for working to continually improve the program.

Con Edison proposes several meritorious measures that will simplify the programs. Most noteworthy and we commend the decision to limit the program hours from 24 hours per day to 6:00AM-11:00PM. Energy Spectrum agrees that the program will be more effective during these hours, and that by limiting the program hours as such, participants will be more successful in their participation.

Energy Spectrum’s major concern addresses the ambiguity introduced by the Company’s proposal to transform the CBL formulation from the “NYISO” model to their own as yet unspecified CBL formulation. While we appreciate Con Edison’s desire to move away from dependence on NYISO documents and do not suggest that they should remain with NYISO’s approach, the Company needs to clarify exactly how their CBL formulation will work. The Company should include the CBL formulation along with example for SC11 participation as well as load reduction participation. It is extremely important for Aggregators to fully understand how the baseline is calculated in advance of the 2013 beginning of program so that it can be explained to customers and taken into account when helping customers develop their levels of commitment to the program. Their formulation should be demonstrated with examples before the tariff is approved.

The Commission should direct the Company to confirm that the DR module - particularly the ‘real-time monitoring’ - in Customer Care will be updated with the new baseline methodology prior to the start of the Summer 2013 DR period.

How can we and other aggregators apply something that they clearly state will evolve from where they are today?

Thank you for the opportunity to offer these comments.

Respectfully submitted,

David W. Neiburg

Energy Spectrum, Inc.