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December 11, 2012

Hon. Jaclyn A. Brillig  
Secretary to the Commission  
New York State Public Service Commission  
Agency Building 3  
Albany, NY 12223-1350

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.

Dear Secretary Brillig:

IDT Energy, Inc. (“IDT Energy”), its affiliates and personnel, have been participants in the New York retail energy market since 1997. IDT Energy’s customer base spans all major Utility service areas in New York, with the exception of LIPA, supplying both natural gas and electricity to Residential and Small Commercial customers. In the past, IDT Energy has eagerly assisted in shaping important policies and procedures and we are pleased to provide comments and feedback on these important topics that affect our core constituency.

The energy markets are dynamic, as is each individual customer’s reason for choosing and remaining with an alternative supplier. The cornerstone of the IDT Energy proposition is rooted firmly in affording customers the greatest flexibility and choice. With ever changing market conditions we believe a customer should have the right to choose the supplier and/or program of his/her liking. To facilitate this choice, IDT Energy does not require long term commitments, nor do we ask for sign-up or cancelation fees. The onus falls upon us to continue to earn the customer’s business through a value proposition that the customer can understand and appreciate.

The retail energy business is not a one-size-fits all proposition. Customers choose alternative suppliers for various reasons. Many customers switch for savings, some switch for price

certainty, while others switch for alternative forms of value or renewable energy options. The key is to create a robust environment where customers have the opportunity and ability to choose the energy related products and services they desire. Historically, the New York market, under the leadership of the PSC, has done an exceptional job at promoting such an environment and has long been a model for other States to follow. The evolution of deregulating markets involves the challenge of striking the right balance between the customer and the provider. With continued oversight by the Commission and the pursuit of consumer choice as the primary goal, a robust, competitive marketplace will benefit consumers. In fact, consumers have already benefited from deregulation, whether they have chosen an alternative supplier or not, because deregulation has streamlined utilities, promoted transparency and created efficiencies, all acts previously thought impossible.

With these thoughts in mind, IDT Energy respectfully submits the following in response to the Commission's Notice Seeking Comments in the above-referenced Proceeding:

1. What are the benefits and costs of requiring that utilities develop and make available historic bill calculators through Utility websites and/or smart phones to enable ESCO customers to compare their actual charges to what they would have paid if they were a full-service Utility customer? How should such tools be designed so that they are easy to use, factually oriented, and produce accurate and useful information for ESCO customers?

**IDT Energy Response:**

While on the surface it might appear that a bill calculator would be an effective tool to help educate consumers, we have grave concerns as to the practical ability of the Utility to provide such information in a complete, accurate and relevant manner.

Historically, bill calculators have only calculated basic rate x volume as a snapshot of a certain point in time. Energy prices, however, are fluid with the market and tend to change continuously. In order for a calculator to serve as anything but illustrative, it must consider these fluctuations, with rates available in a real-time environment.

In addition, many ESCOs, including IDT Energy, offer forms of additional value to their customers. Any such value-added items provided to the consumer by the ESCO would

not be included as part of a basic calculator. In order to provide an accurate comparison, billing calculators would need to become significantly more interactive with options to factor in the free months of service, discounted rate periods, introductory offers, tenure rebates and the value of other money-saving programs and incentives that put real cash value back in the hands of the consumer.

Furthermore, for a bill calculator to be completely relevant and accurate, all charges, taxes, fees, prorates and true-ups billed by the Utility as the supplier would need to be made available so that an apples-to-apples comparison could be made. It is only when a calculator is able to capture all charges and fees by the Utility and ESCO side-by-side, that a calculator can become a tool that is more than just a reference.

To facilitate a true representation of the Utility/ESCO value comparison, without adding confusion, would require that all charges, rebates and added-value services be reflected on the customer's Utility bill for service. Until the Utility bill format is able to aggregate these program details from the ESCO, any bill calculator is an inadequate tool to accurately compare the Utility versus ESCO proposition.

Many ESCOs use the term "Value Added" as an umbrella for initiatives that do not necessarily translate into energy bill reductions during the course of a year, but nevertheless do provide consumers with real, tangible value. To illustrate, the following programs offered by IDT Energy over the 12-months prior to 9/30/2012, put millions of dollars back into the hands of our customers.

**1) Percentage Off, Free Months of Service and Cash Rebates-** IDT Energy makes a host of enrollment incentive programs available with more than 90% of all new customers today qualifying for free months of service, special percentage-off incentives or other rebates. These incentives are paid back to the customer in the form of a cash incentive tied to the customer's actual usage during the customer's tenure with IDT Energy. These come in the form of checks mailed directly to the customer.

**2) Longevity and Tenure Rebates** - A customer that remains with IDT Energy for 12 months is immediately eligible for longevity rebates. These are simply, annual cash rewards for remaining a loyal customer. Incentives are tied to actual consumption.

**3) Green Energy** - "Green Energy" is a choice of added-value that comes in the form of positive environmental impact at a trade-off against savings. IDT Energy offers a 100% renewable energy product. More and more customers are choosing our Green Energy product over the lower cost, more traditional form of electricity. Our State and Federal governments have placed a great deal of emphasis on energy conservation and the utilization of renewable energy sources. By choosing the green/renewable energy option, every one of these customers, regardless of income level, has chosen to support the renewable initiative. With our Green initiative, come other give-backs in the form of incentives and rewards of Green products and services to loyal customers. Free gifts, such as CFL light bulbs, which are distributed by IDT Energy to portions of its customer base, put real products in the hands of customers in an effort to help them realize further tangible savings.

**4) Other Forms of Added-Value – IDT Energy Discount Dining Dollars** - On a per customer basis this program puts hundreds of dollars, in the form of cost-saving coupons, directly in the hands of customers. These coupons may be redeemed at stores, restaurants and other retail establishments in their local area.

These are just some examples of the innovations fostered by deregulation. Quantifying even one of these programs for all ESCOs would not be possible if the utilities are required to present consumers with only a basic rate calculator.

**2. What are the benefits and costs of requiring that utilities include a line item on ESCO customer bills that identifies what the customer would have paid had supply been purchased from the Utility? Precisely what information should be published on the bill so that it is most useful to customers?**

**IDT Energy Response:**

This question again implies a basic rate-versus-rate comparison. As outlined above in our response to Question 1, in order to remain true to the full value offered by ESCOs, a mechanism would be required to reflect on the Utility bill the value-added items offered and a

means for consumers to view or understand such information. Again, in most, if not all cases, the Utility does not allow the ESCO to present value-added information.

3. What are the benefits and costs of requiring that utilities explain to payment-troubled ESCO customers contacting the Utility, or provide to such customers in a subsequent mailing, what the customer would have paid had the energy supply been purchased from the Utility, and the difference between that amount and what they were actually billed for energy supplied by the ESCO?

**IDT Energy Response:**

Communication of comparative information is crucial, not just for payment-troubled customers, but for all customers seeking a comparison or to evaluate the ESCO proposition. However, in order for the comparison to be factual, it must take into account the ESCO's complete value added proposition.

Until the Utility has systems and processes in place to accurately represent this proposition, the Utility should remain neutral.

What information should utilities provide to existing low-income and payment-troubled ESCO customers to assist them in making informed decisions and how should utilities provide that information?

**IDT Energy Response:**

All customers, including low-income and payment-troubled ESCO customers should maintain the freedom to research and choose from a variety of offerings and programs that best suit their individual needs. Regardless of customer income-level or payment status, any comparison as provided by the Utility must simply be factual and complete. If the Utility is to provide information relative to an ESCO's value proposition, the Utility would require training on ESCO prices, promotions, and value-added items in order to formulate an accurate and unbiased response.

Consumers should maintain the flexibility to choose offers and programs that make sense to them with the Utility remaining neutral. Instead of the Utility attempting to advise the customer, if an ESCO customer calls the Utility, the Utility should simply advise the customer of his/her

current rate, and then transfer the telephone call to the ESCO so the ESCO's trained customer service representatives can explain their value proposition relative to the Utility.

### **Data for Potential Customers**

4. What are the reasons why the Commission should, or should not, collect monthly data on prices charged by ESCOs to residential and small non-residential customers for all or some of their products?

### **IDT Energy Response:**

IDT Energy staff, among many others, participated in discussions pertaining to CASE 06-M-06474, In the Matter of Price Reporting Requirements, leading to the development and launch of the "Power to Choose" website in its current form. At that time there was a lengthy discussion between Commission staff and participating ESCOs regarding the usefulness and accuracy of posting base rates, and whether to include historical financials or only the current month's information. For a variety of logistical and cost-related reasons it was decided at the time that only current rates would be posted. Since the prices are posted on a single day at the beginning of each month, they generally do not match with what a customer will see on his/her bill. That is not to say the prices are incorrect when posted, but rather, that prices fluctuate greatly during any particular month as a result of the market's rate volatility.

To complicate matters, base rates alone offer an incomplete story since they do not include all facets of an ESCO's offer proposition. This includes, as stated above, all the value-added items, promotions and rebates and their respective value. In order for collected data to be relevant and accurate, the Commission would need to capture all facets of the ESCO's offer and not just the base rates. In addition, the Commission would need to capture and communicate the added-advantages of choosing an ESCO above and beyond the value offered by the ESCO directly. These come in the form of reduced-taxes, back-out credits, reduced billing fees and government fees (with some of these fees eliminated altogether). These too should be factored in when comparing the ESCO supply rate versus the Utility's.

Additionally, it seems that the deregulated retail energy industry is being held to a materially different standard from other deregulated retail industries, even though those other industries suffered from similar challenges during their initial stages of deregulation. Participants of other industries are not required to post their prices or pricing rationale for all to see in a single

location in order to facilitate comparison. This is the proprietary nature of any business. Furthermore, we think it is impractical for the Commission to publish all or part of this data in a manner that would actually assist customers and/or further retail competition. For these reasons we do not believe the Commission should be responsible for collection and publication of such data – as this would become an onerous obligation.

**5. What are the advantages and disadvantages of requiring ESCOs to honor rates and terms posted on the Commission's "Power to Choose" website?**

**IDT Energy Response:**

IDT Energy does not believe that there is an inherent problem with ESCOs honoring their posted rates. The problem lies within the mechanism in place to disclose the rates for the public to see. As the website exists today, the critical issue is that the posted rates, both the Utility's and the ESCO's, are reflective of only a snapshot in time. Rates tend to change more than once throughout the course of the month, but the website only updates those rates once per month.

Several Utilities change their rates daily, as do some ESCOs. The posted prices are intended to be "representative" of the rates that ESCOs and Utilities charge, which is already made clear by the disclosures on the website.

Even if a mechanism on the site were to capture all Utility and ESCO core supply rates and programs in real-time, the current structure of the "Power to Choose" site cannot support a true real-time comparison, especially considering the different value propositions many ESCOs bring to the table. The purpose of the website is to provide a "representative" tool. Thus, it should not be said that ESCOs are not "honoring the rates" that are posted. The website may actually perform a disservice to consumers as it may not be reflective of the rate they actually see on their bill and since it does not accurately communicate the full value proposition as offered by the ESCO.

**What are the benefits and costs of requiring that ESCOs post all of their offerings on that website?**

**IDT Energy Response:**

IDT Energy believes that posting detailed information about all of its offerings on a public website will only contribute to additional confusion. We suspect that requiring all offers to be promoted will result in fewer consumers making choices because of the complexity of weighing all offers and all options from all ESCOs. Making such detailed information available about the different programs that a particular ESCO provides should remain the responsibility of the ESCO, in whichever format they deem necessary. Certainly, the Commission should require that each ESCO comply with and fulfill its promises to the customers and the Commission should have the ability to review and/or scrutinize programs that it feels unfairly take advantage of any particular customer class.

What other enhancements to the site should be considered to increase its usefulness to consumers?

**IDT Energy Response:**

The Power to Choose website should focus more on educational aspects so consumers can use those guidelines to determine what offers mean and what offers are best for them.

**ESCO Referral Programs**

6. What is the basis for continuing the existing ESCO Referral Programs in the service territories of Con Edison, Orange & Rockland, Central Hudson, and National Grid (upstate)? If these programs should continue, should they be modified and how long should they be maintained?

**IDT Energy Response:**

The costs to setup and operate ESCO referral programs are borne by the participating ESCOs, with no cost burden to the utilities or the consumers. Referral programs, while not perfect, lend credibility to Deregulation and to those ESCOs approved and licensed by the Commission. They also provide consumers with an opportunity to try ESCO service and, if they wish, return to Utility service at any point without penalty.

Utilities should remain neutral and provide unbiased info to the consumer when it is requested, so the consumer can choose to participate or not. This is the fundamental key to retail markets- the right to choose a supplier. ESCO referral programs, at no cost to the consumer or the Utility, support that premise. This may be perhaps one of the best programs available today that



directly allows consumers to exercise their power of choice, without being penalized if they decide migration to an alternate provider doesn't make sense for them.

### **Low Income Customers**

7. What are the advantages and disadvantages of allowing customers participating in any state or federal energy assistance program, such as the Home Energy Assistance Program, or in any Utility-sponsored affordability program, to obtain commodity service from an ESCO?

#### **IDT Energy Response:**

Choice should be made available to all consumers rather than discriminating based upon income level. Everyone should have the ability to select his/her supplier and the corresponding incentives, rebates or longevity rewards. Such choices should not only be available to higher-income households. All consumers should have a choice for the market to remain open and competitive.

How does the analysis change if the ESCO guarantees a price no higher than that charged by the Utility?

#### **IDT Energy Response:**

In our opinion, this does not change the analysis – it is always about affording customer choice. If an ESCO guarantees a rate that never floats above the Utility, it only bolsters our position that anyone, regardless of economic "status", should be able to take advantage of a rate that will never exceed the Utility's. However, even in a case where the ESCO does not guarantee a rate below the Utility, a choice to take advantage of savings in other ways, via rebates, promotions and added-value in any form should not be restricted. Consumer should be able to weigh their options and select a program that is appropriate to their needs.

In order to specifically address these customer classes, the Commission may consider a renewed investment in consumer outreach and education. These programs should focus specifically on how to evaluate ESCO versus Utility propositions and how to better interpret the various offers and programs available to them.

## **Door-to-Door Marketing**

8. What are the legal and policy reasons for permitting or prohibiting door-to-door marketing of electricity and/or natural gas to residential and/or small non-residential customers?

### **IDT Energy Response:**

Door-to-Door marketing is a legal and codified sales activity which is governed by its own set of rules, regulations and in some cases, registration requirements, as defined by many local municipalities. The Uniform Business Practices ("UBP") details three forms of acceptable authorizations to switch to an ESCO. Door-to-Door marketing is an example of a channel to reach the consumer. The switch authorization must still meet the strict requirements of the UBP, regardless of form. Door-to-Door marketing itself is also addressed in the Marketing Standards section of the UBP which detail how a Door-to-Door representative must be vetted, trained and dressed and how the representative must identify himself/herself and how he/she presents information to the consumer, including the presentation of a consumer disclosure statement prior to any discussions taking place.

The real issue is the chain of responsibility for the agent that represents the ESCO. As a prominent ESCO in NY, we at IDT Energy have strict policies in place to enforce the UBP requirements. We have follow-up and quality control staff that spend collectively over 300 man-hours each week monitoring marketing activities to ensure compliance and that our policies are followed by our channel partners. From these partners we have verbal and written commitments that they will always comply with and enforce our strict zero-tolerance policies even above and beyond the requirements of the UBP.

We believe that the Commission has the ability to eliminate many of the problems associated with this sales channel. Today, it is easy for Agents to move from one sales contractor to another. Some Agents solicit the same consumers over and over, switching them from ESCO to ESCO, breeding confusion and creating undue churn in the marketplace. Some Agents may work for multiple ESCOs simultaneously, in effect controlling much of the marketing equation. Once they gather names and account numbers, the switch to another ESCO is made easy and they may be paid before the process catches up to the fraud.

Commission oversight on this specific issue may go a long way in creating a more stable market. One suggestion we would like to propose is the creation of a Direct Agent Registry

where past work history would be disclosed prior to allowing an agent to be hired by, or contracted with, another ESCO. This may ensure the agent isn't breeding confusion and/or "double or triple dipping" customers. Perhaps there should also be a licensing or qualifying process for Door-to-Door companies to undergo prior to offering marketing services on behalf of the Energy industry.

Prominent, responsible ESCOs, like IDT Energy, maintain strict zero-tolerance policies with contracted resources and hold them accountable for their actions. However it is difficult to directly enforce in-field Agent behavior due to the nature of the contractual relationship with the channel partners. Commission review or oversight into this issue may be warranted.

9. What are the reasons why the Commission should continue to permit termination fees in sales contracts made between ESCOs and residential and small non-residential customers through the door-to-door marketing channel? Are there circumstances under which termination fees for such contracts would be appropriate (e.g., fixed-rate contracts), and what should an ESCO be required to demonstrate to be able to include termination fees for door-to-door marketing in its sales contract?

**IDT Energy Response:**

While IDT Energy does not charge Early Termination Fees (ETFs) as a component of its offerings, we still believe that ETFs do serve a legitimate purpose for both the ESCO and the customer. Where a contract is entered into between an ESCO and a customer, the ESCO is obligated to serve that customer's load for the contract term at the rate agreed upon. In most cases the ESCO purchases all of or a significant portion of that load in advance for the entire agreement term. If the customer leaves a program prior to the full term, the ESCO is still obligated to "take" that energy and pay for it. The ETF protects the ESCO where the customer wants to terminate the contract prematurely. It also protects the customer by making sure the contract term is always clearly defined, as well as the contractual obligations of both parties. We believe that ETFs should be monitored so ESCOs don't use them as a means to take advantage of customers.

Consumers should be able to continue to choose between short term pricing plans that mimic the real-time energy market, and would not require an ETF, or longer term deals that have some conditions, such as ETFs, but also likely a fixed price component. In each case, the customer's

right to choose a product that meets his/her specific needs and wants is honored and the ESCO has some protection while offering the consumer some flexibility.

10. Are there other conditions or requirements that should be imposed on door-to-door marketing by ESCOs, such as a requirement that such marketers begin an interaction with a potential customer with a disclosure statement?

**IDT Energy Response:**

This is already a requirement. The Marketing Standards section of the UBP (Section 10.C.1.b) requires that a disclosure statement be made at the door prior to any offering. IDT Energy supports this requirement and includes a statement within its third party verification (TPV) script asking whether the agent presented a disclosure statement prior to making the offer. If the agent did not, the switch authorization is voided and not allowed to continue.

IDT Energy maintains a strict, zero-tolerance policy for misrepresentation by any of its vendors or their agents and we require specific training to reinforce our Statement of Principles (a policy document that details the proper conduct of any vendor's agent or representative that interacts with any consumer) on behalf of IDT Energy.

An example of a possible disclosure statement is: "My name is \_\_\_\_\_. I represent \_\_\_\_\_. \_\_\_ can provide you with your electricity and/or natural gas. I do not work for or represent your Utility." How should such a requirement be enforced?

**IDT Energy Response:**

The language of the disclosure statement used by IDT Energy is based on the UBP's Marketing Standards and provides as follows:

*I understand the following:*

- That I am accepting IDT Energy, Inc. as my supplier of energy and that IDT Energy, Inc. will provide me with natural gas and/or electric supply.
- That the switch will take place on the next available meter read date.
- That I will continue to receive my bill from my local utility and will continue to make payment to my local utility for all supply and delivery charges.
- That this offer is a projection based upon historic usage and current energy rates, that the price may change monthly and that this offer is not a guarantee of specific savings.
- That it is not mandatory to switch to an alternative supplier.
- That I may cancel this agreement at any time upon written or verbal notification with no penalty.

11. Should the Commission have the authority to preclude or limit an ESCO's door-to-door marketing in the future in specific circumstances?

**IDT Energy Response:**

We do not believe that the Commission should have the authority to preclude or limit an ESCO's door-to-door marketing in any circumstance. It is the responsibility of the ESCO that employs or contracts with the Door-to-Door company/contractor to make sure that they comply with all rules and guidelines. That being said, enforcement of these policies and practices is difficult when there are players within the market that continuously attempt to circumvent the rules. Although there are direct marketing rules in place at the Federal level, enforcement of those rules is the problem. Currently, the only way issues are brought to the forefront is when customers file complaints. Only then do most ESCOs put pressure on their agents to comply. The end result is that the agent may be dismissed, only to show up a week later, selling on behalf of another ESCO through another direct marketing contractor. And the cycle continues.

IDT Energy enforces strict policies regarding Door-to-Door contractors, their policies and the agents they employ and/or contract with. IDT Energy monitors the activities and deals with violations swiftly and severely and has terminated relationships in their entirety for such violations. The companies we contract with are equally responsible. They have systems in place to monitor, evaluate and address issues when they arise. But they themselves still have difficulty when independent agents abuse the system and move from company to company or sometimes conspire with other agents.

We at IDT Energy believe there needs to be oversight by the Commission to directly deal with the companies that provide the direct marketing services. We suggest that a database or registry be created wherein the direct marketing companies and their agents would be registered so that those who have been reprimanded or fired do not get recycled back into the system.

### **ESCO Contracts**

12. What are the advantages and disadvantages of modifying the Uniform Business Practices to require ESCOs to obtain affirmative consent from customers for contract renewals involving a change in price?

#### **IDT Energy Response:**

At the current time, IDT Energy's core offering is a market-based variable rate program with a specific set of terms and conditions designed to provide the customer the greatest flexibility. It is a month-to-month relationship without the requirement of a formal contract, it does not require any up-front fees, nor does it require termination fees of any kind. IDT Energy customers may cancel their service at any time over the course of a given month without penalty.

As such, the issue of contract renewals, which typically pertains to the context of a long-term fixed-rate product, is not one that is relevant to IDT Energy's current business model. For this reason, IDT Energy elects to abstain from providing an opinion on this matter at this time.

13. What are the advantages and disadvantages of requiring ESCOs to provide their rate methodology and related billing calculations to customers with variable rate contracts?

#### **IDT Energy Response:**

Disclosure of the specific rate methodology, beyond providing basic rates per unit, rebates and added-value calculation, will not drive the decision making process for the average consumer. Further, disclosure of proprietary rate methodologies will compromise the integrity of each ESCO's business model. For the average consumer, a complex and ever-changing procurement environment will be even more confusing. As we pointed out earlier, the primary focus should be on expanding customer education and dissemination of the complete added-

value proposition, thereby simplifying the benefits of deregulation and the criteria by which to choose a supplier.

What are the advantages and disadvantages of requiring all variable rate methodologies to be based on specified formulas tied to publicly available information, with the formulas varying by ESCO? If this is to be required, when and how should ESCOs provide this information?

**IDT Energy Response:**

Pricing methodology is proprietary and should remain so. In any market and for any product there are issues other than price alone that drive customers to choose a particular product from a specific vendor. Whether laundry soap, cars, or clothing, companies will create innovative products and propositions that meet the needs of consumers, based upon how they perceive to best satisfy the particular customer needs. This is what a competitive market is all about. The market will dictate what is effective and what is not.

Energy is a commodity with costs and rates that change hourly at times. Some ESCOs offer price certainty for the future, some focus on savings, some focus on valued-added items. Our markets cannot be categorized as one-size-fits-all. In the end, the focus should be on fostering choice. Consumers will filter out the good and bad products over time and the market and/or provider will survive or fail on its own.

**Purchase of Receivables**

14. What would be the impact of requiring utilities to purchase receivables with recourse and thereby have ESCOs assume whole or partial responsibility for the uncollectibles of their customers?

**IDT Energy Response:**

The Commission should not mandate that purchase of receivables (“POR”) by the utilities be “with recourse.” ESCOs pay a fee to the utilities in the form of a discount rate which is indexed to the actual collection rates of the Utility. Under the existing arrangement, ESCOs already assume responsibility for the uncollectible portion for their customer base via this discount rate fee.

Prior to the implementation of POR without recourse, Utilities worked with a pay-as-you-get-paid system. ESCOs would perform credit checks and then selectively choose the better paying customers. This would leave the poorer paying customers with the Utility, thereby driving up the uncollectible rates for those remaining with the Utility. Non-recourse POR changed that environment completely, as all customers, regardless of payment history, became eligible to choose a supplier. The collection rates to the Utility returned to “normal” levels as ESCOs solicited for all customer types and classes and paid a realistic, indexed fee for that service provided by the Utility.

Mandating that POR be with recourse will eliminate the ability for many low income consumers to have choice in their energy needs, including the value-added products and services offered by ESCOs like IDT Energy. POR with recourse will require ESCOs to credit check customers in order to make prudent business decisions regarding credit risk. We will return to a system where ESCOs “cherry pick” only the credit worthy customers, leaving the poorer-paying ones with the Utility. This will only succeed in driving up their uncollectable rates rather than stabilizing them.

### **Other Proposals**

15. What other modifications to existing retail market programs or practices, including modifications to the UBPs, should be considered, and why?

#### **IDT Energy Response:**

The UBPs have served the market well to date and have been modified numerous times over the past 10 years. They have evolved and remain a living document that fairly governs the activities within the New York deregulated market. The Commission’s guidance in developing and maintaining these guidelines has been instrumental in fostering the development of one of the most robust and competitive energy markets in the country. Additional modifications to the UBPs need to be carefully evaluated prior to execution.

It is imperative to maintain an environment that remains focused on providing flexibility for consumers and the power to choose their energy supplier, while maintaining a level of consumer protection that is both relevant and fair.



Further, while we do not claim to have a comprehensive plan, we do believe the Commission should give strong consideration to oversight of the Door-to-Door channel at the Agent level, as a means to limit potential customer confusion while protecting the furtherance of deregulation and the interests of those participants upholding the highest standards of the industry at large.

Thank you for the opportunity to provide comments on these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Stoughton', with a large, stylized flourish extending to the right.

Wayne Stoughton, VP Customer Service & Regulatory  
IDT Energy, Inc.