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Date: 01/15/2013 03:47 PM
Subject: RE: Niagara Mohawk rate cases post-hearing submissions

Dear Judge Agresta:

This email is UIU's response to your email dated January 9, 2013, which stated in part:

"At yesterday's hearing, in the discussion of the ESCO collaborative, the ALJs identified a need to develop the record further as to whether the bill comparisons should be included in customer bills, and whether the bill comparisons should be automatically provided to payment-troubled customers. The record already contains policy testimony giving arguments in support of those measures. As was discussed, because there does not appear to be anything in the record giving opposing arguments, parties will be given an opportunity to make additional written arguments on these questions to further amplify the record. There is no reason to repeat the arguments in support of those measures, but all parties are invited to address in their arguments any procedural or substantive aspects of these questions they believe need additional attention to complete the record. Any such additional arguments must be submitted by Tuesday, January 15, 2013."

As a signatory of the Joint Proposal, the UIU supports its terms and conditions including the provision regarding the retail access collaborative. Staff and the Company stated in testimony that price comparison information should be delivered in three ways: (1) printed on monthly consolidated bills; (2) through a web-based historical bill calculator; and, (3) printed on termination and deferred payment agreement default notices.

It is the intent of the UIU to discuss in the collaborative various ways to educate consumers taking service from an ESCO about the financial implications of their choice to participate in retail access. The collaborative certainly will address the mechanics involving the historic bill calculator. In addition, the UIU strongly supports the testimonial positions of Staff and the Company (restated at the hearing) that the collaborative should also address the mechanics involved in showing price comparison information on monthly consolidated bills of all customers, not just "payment troubled" customers. In the UIU's view, the PSC has an obligation as a matter of policy to require this information on bills as soon as possible given its long history of promoting retail choice through policy and rate orders and its website. Consumers' bills show information such as their taxes and SBC charges; it is entirely appropriate that they see how much they are saving or not saving by taking service from an ESCO. Price comparison data on the bill serves another useful purpose: Using a bill calculator requires a level of curiosity on the part of the customers that may not be present in the absence of price comparison information appearing on the bills.

The mechanics of implementing these measures (as well as providing bill comparison information on termination and default notices) are topics for the collaborative, not whether or not these measures should be implemented. Accordingly, it is the UIU's position that were the PSC to direct development of implementation of these measures in the order addressing the JP, rather than waiting for the compliance filing coming out of the collaborative, such direction would not constitute a material change to the JP.

The UIU is somewhat ambivalent about (but not opposed to) printing price comparison information on termination and deferred payment agreement default notices, as recommended by Staff and the Company, from the perspective that such approach is akin to "closing the door after the horse has left the barn." This information is far more useful to customers when they have a meaningful opportunity to react to the information. At a minimum, these "payment-troubled" customers should receive telephone calls from the utility's customers service representatives. (As an aside, in the UIU's view, all low-income customers are "payment-troubled," not just those facing imminent termination.) It is good public policy, in our opinion, that all retail access residential and small business customers, and especially low-income customers, should receive bill inserts urging them to look at the price comparison information on their consolidated monthly bills and to the utility's customers service representatives.

Finally, given the data in the record in this case showing historic large negative bill impacts of purchasing supply from ESCOs in National Grid's territory, the UIU believes that the PSC has the responsibility and the authority to direct ESCOs and the utility to cease signing up new low-income customers in retail access programs, or renewing low-income customers whose ESCO contracts are expiring, during the pendency of the generic policy proceeding.

Thank you for this opportunity to comment.

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