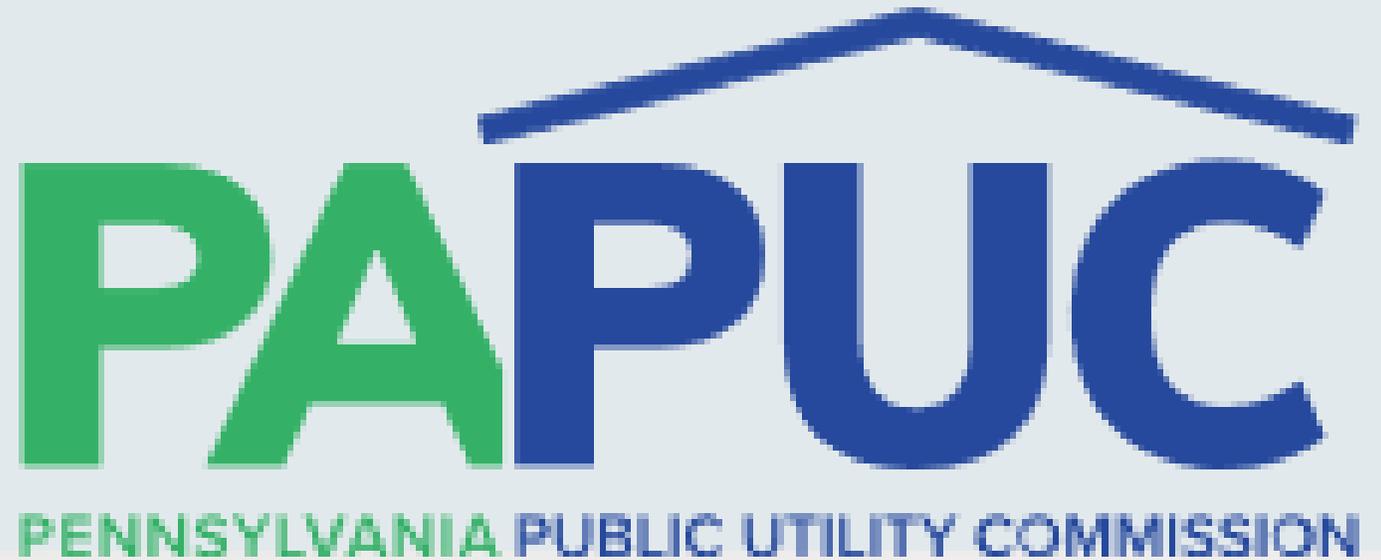


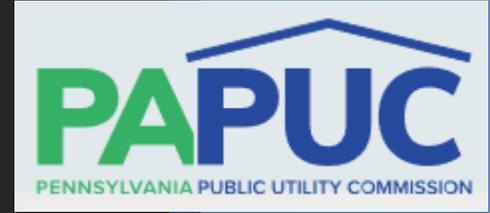
25<sup>th</sup> Anniversary of Retail  
Electric Choice Webinar  
March 9, 2021

Public  
Utility  
Commission  
Office of Competitive  
Market Oversight

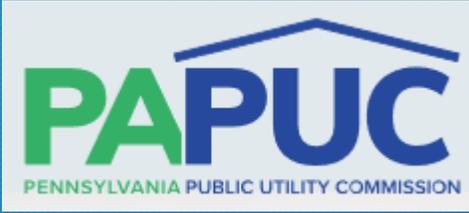
Dan Mumford  
Director



# 25 Years of Electric Competition in PA



Over these 25 years, the Commission has strived to create a vibrant competitive market while putting robust consumer protections in place – making Pennsylvania a leader in competitive energy markets.



# 25 Years of Electric Competition in PA

Percent of electric load shopping:

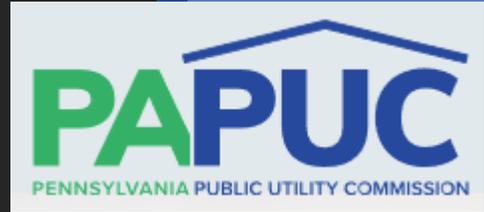
Residential: 29%

Commercial: 58%

Industrial: 93%

Total: 59%

# Shopping - What Residential Customers Buy:



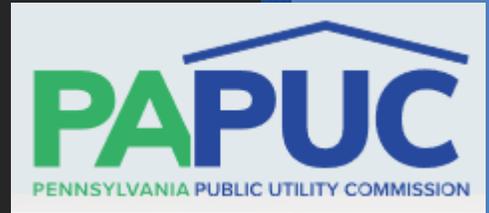
Fixed Prices: 828,769

Time-of-Use / Variable Prices: 388,247

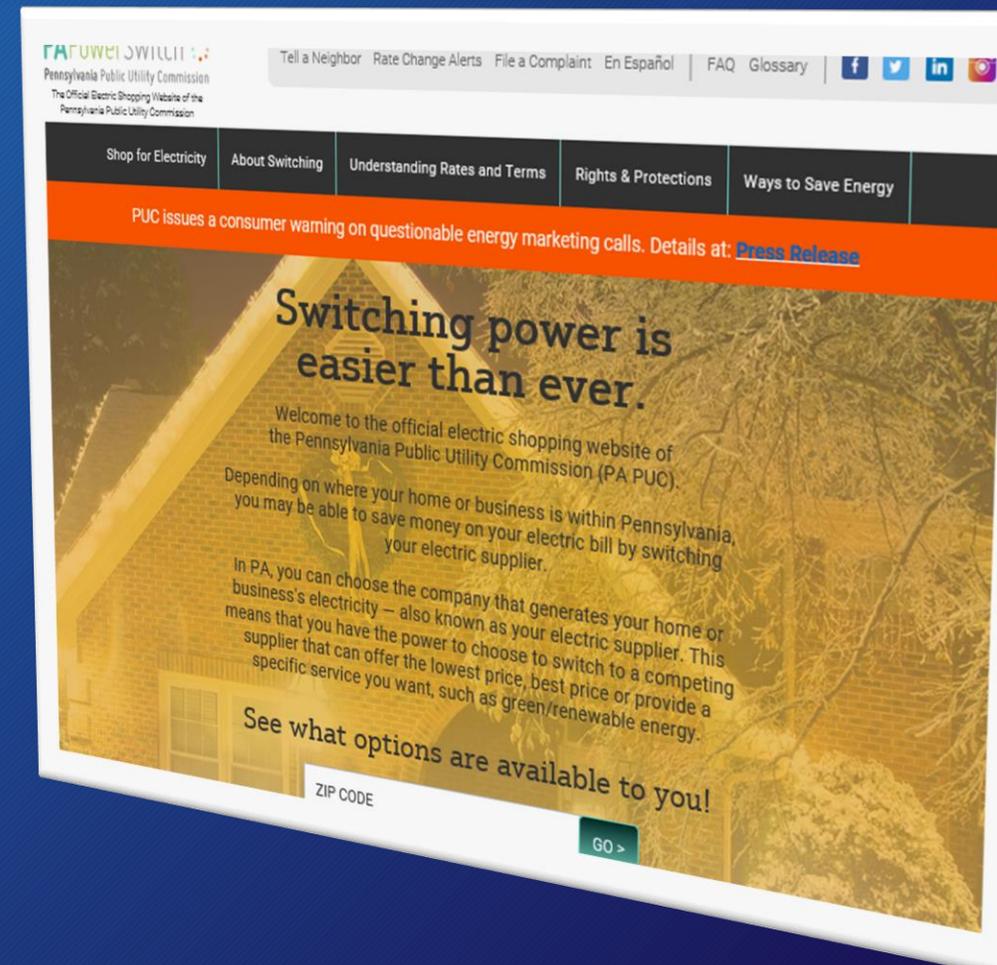
Renewables: 413,526 (25% of shopping)

Source: 2019 Retail Electricity Choice Activity Report <https://www.puc.pa.gov/filing-resources/reports/retail-choice-activity-reports/>

# www.PAPowerswitch.com



- Since 2010, the Commission has maintained PAPowerSwitch.com – a consumer education and electric shopping website.
- A neutral source of information for consumers to educate themselves: how to shop, consumer protections, explaining fixed and variable prices, disclosure statements, etc.



# www.PAPowerswitch.com

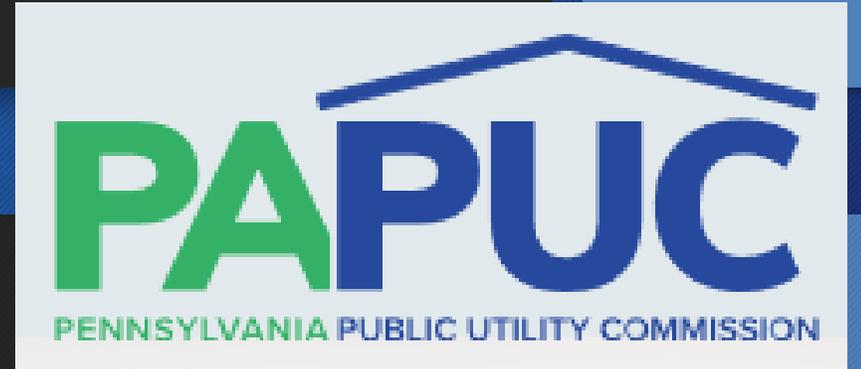
- Can shop and and compare offers from competitive suppliers.
- By entering their home zip code, a consumer can obtain a list of offers and a variety of products.
- Fixed, variable, renewable, etc.

The screenshot displays a utility comparison interface. On the left, there are filter sections for 'Price' (with options for Variable, Fixed, and Unlimited price), 'Term Length' (set to '- Any -'), and 'Special Programs' (including Net Metering, Renewable Energy, PA Wind, Renewable PA, and Solar). Below these is a 'Unit Price' slider ranging from \$0 to \$2. At the bottom left, there are links for 'Print Results' and 'Export Offer to CSV (Excel)'. The main content area shows three offers:

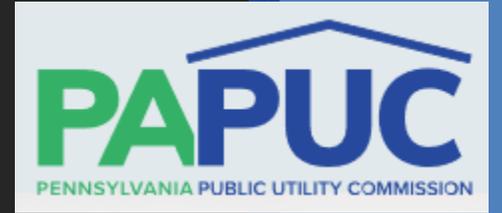
- PPL Electric Utilities**: \$0.073170 per kWh, **\$51.22** Estimated per Month. Contact: 1-800-DIALPPL. Includes a link to 'Click here to better understand what your filtering results mean.' and a 'Rate Schedule: RS - Regular Residential Service'.
- Achieve Energy Solutions LLC DBA EnergyPricing.com**: \$0.071000 per kWh, **\$49.70** Estimated per Month. Contact: 717-790-9005. Details include: Price Structure: Fixed; Discount Available: No; Introductory Price: No; Renewable Energy: No; Cancellation Fee: \$0; Term Length: 12 months; Monthly Fee: No; Term End Date: No; Enrollment Fee: No. Includes a 'Sign up for this Offer' button and a 'View All Offers' link.
- AEP Energy**: \$0.066000 per kWh, **\$46.20** Estimated per Month. Contact: 1-877-648-1923. Details include: Price Structure: Fixed; Discount Available: Yes; Introductory Price: No; Renewable Energy: No; Cancellation Fee: No; Term Length: 6 months; Monthly Fee: No; Term End Date: No; Enrollment Fee: No. Includes a 'Sign up for this Offer' button and a 'View All Offers' link.

# CONSUMER PROTECTIONS:

- Door-to-Door Marketing Ban
- Marketing Rules
- Disclosure Rules
- Oversight and Enforcement



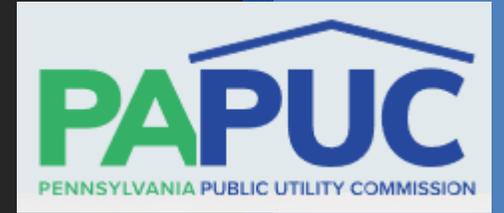
# Door-to-Door Marketing Ban:



## March 2020 Pandemic:

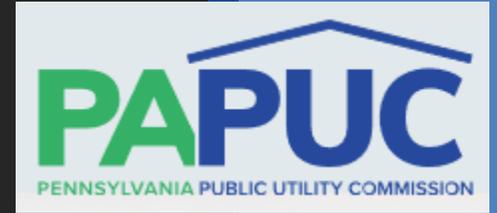
- Emergency order prohibiting the door-to-door marketing of energy services.
- The ban remains in place during the pendency of the Governor's Proclamation of Disaster Emergency, or unless otherwise directed by the Commission.
- Applies to ALL customer classes.

# Chapter 111 Residential Supplier Marketing Rules:



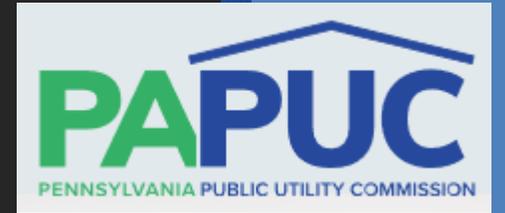
- Supplier is responsible for fraudulent, deceptive or other unlawful marketing acts performed by its agent.
- Door-to-door agents must have criminal background checks, including a Megan's Law check, prior to conducting marketing.
- Any sales involving an agent must be verified by the supplier outside the presence of the agent.

# Marketing Rules - Door-to-Door:



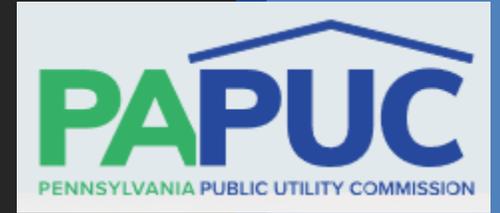
- Agents must be clearly identified, display I.D., state who they work for - and that they do not work for the local utility or the PUC.
- Cannot suggest “you have to choose.”
- Agents must comply with local ordinances.
- Hours: Oct. 1 - March 31: 9 a.m. and 7 p.m.  
April 1 - September 30: 9 a.m. and 8 p.m.
- Must report to PUC when/where they do door-to-door.

# Marketing Rules - Door-to-Door:



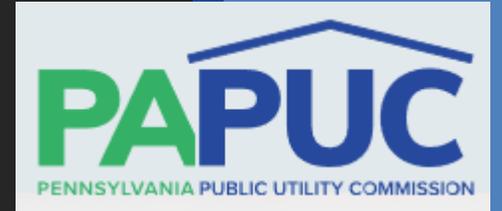
- Agent must leave if asked to do so.
- Shall respect requests not to be visited again.
- Must speak the potential customer's language.
- Shall provide accurate information in writing.

# Residential Marketing Rules - Telemarketing :



- Comply with the Telemarketing and Consumer Fraud and Abuse Prevention Acts.
- Must comply with federal and state “Do Not Call” lists.
- Agents must identify by name, identify the supplier, and the reason for the telephone call.
- The agent shall state that he/she is not working for the local utility.
- May not suggest that customer must choose a supplier.

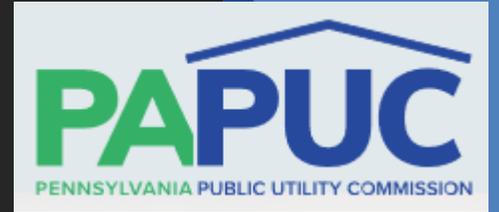
# Updating Supplier Marketing Rules:



## Possible Areas To Update?

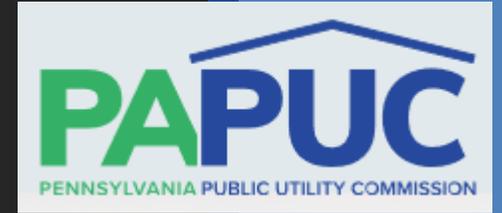
- Telemarketing: robocalls, spoofing, reporting requirements, use of vendors, etc.
- Direct mail.
- Electronic mail.
- Sales verification procedures.

# Residential Disclosure Rules:



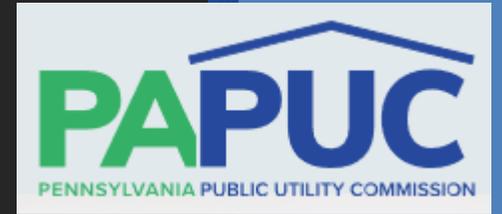
- To encourage residential customer shopping, we need to maintain strong consumer protection rules.
- Greater price transparency.
- In 2020 the Commission adopted more robust Chapter 54 disclosure rules - the regulations that govern what a supplier must disclose in writing to the customer when a customer enrolls with a supplier.

# Residential Disclosure Rules:



- The new rules require that *introductory* pricing must be clearly identified - with both the introductory price and the price after the introductory period expires.
- With *variable* priced products, the supplier must provide the factors that the supplier will use to establish the price and must put in writing, in a larger font, that the price can change - and provide a 24-month price history.

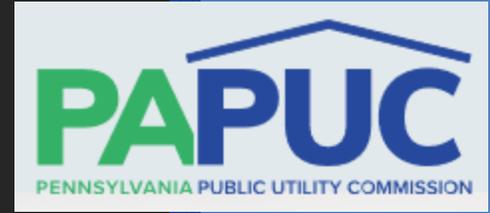
# Residential Disclosure Rules:



Early termination fees are now prohibited in the final 30 days of a customer's service contract - freeing the customer to shop and switch without fear of getting charged with such a fee.

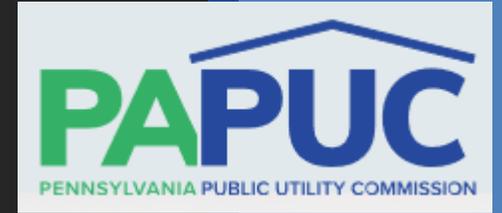
<b>Electric Generation Supplier Information</b>	Name, telephone number, website, etc. Plain language statement that EGS is responsible for generation charges.			
<b>Price Structure</b>	Fixed or variable. If variable, based on what? If variable, how often is the rate expected to vary? If variable, give any applicable ranges/ceilings. If no ranges/ceilings, a plain language statement indicating this fact. If variable, describe when the customer will receive notification of price changes.			
<b>Generation/Supply Price</b>	\$/kWh or ¢/kWh. If variable rate, the first billing cycle's rate. Full disclosure of any introductory price, including the introductory price and the price after the introductory period expires. Full disclosure of any fees in addition to the per kWh price.			
<b>Generation Price at Various Usage Levels</b> <small>(This row is required only if the price varies by usage and/or there are fees in addition to the per kWh price.)</small>	<b>Usage:</b>	<b>500 kWh</b>	<b>1,000 kWh</b>	<b>2,000 kWh</b>
	<b>Price per kWh:</b>	X.XX cents	X.XX cents	X.XX cents
<b>Statement Regarding Savings</b>	Plain language that the supply price may not always provide savings to the customer			
<b>Deposit Requirements</b>	Any deposit requirements necessary for a customer and any terms associated with that deposit, in plain language.			
<b>Incentives</b> <small>(This row is required only if the supplier is offering any special incentives.)</small>	Any bonuses, discounts, cashback, etc. offers and any associated terms, in plain language.			
<b>Contract Start Date</b>	Plain language regarding start of EGS service (meter reads/billing cycles/etc.)			
<b>Contract Duration/Length</b>	In months, billing cycles, etc.			
<b>Cancellation/Early Termination Fees</b>	Yes or no. If yes, describe the amount of the fee and how to avoid that fee, if possible.			
<b>End of Contract</b>	Treatment of customer at end of contract. Timing of notices.			
<b>Right of Rescission:</b>	An explanation of the customer's 3-day right of rescission per 52 Pa. Code § 54.5(d) and how to exercise this right.			

# Low-Income Customer Protections:



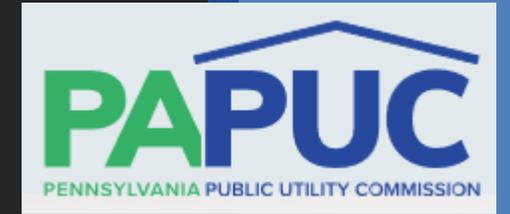
In recognizing that low-income customers need additional protections, the Commission has put in place special rules and restrictions that prohibit customers participating in utility low-income Customer Assistance Programs from paying more than their utility's default service.

# Oversight and Enforcement:



- We actively monitor the competitive market through the informal and formal complaints filed with the Commission.
- Staff routinely engages suppliers informally on regulatory compliance concerns.

# Oversight and Enforcement:



- If informal methods are not effective, more formal enforcement mechanisms are available - including referring matters to the Commission's Bureau of Investigation and Enforcement.
- We encourage any consumer with questions or problems to contact our Bureau of Consumer Services through our hotline at 1-800-692-7380 or online via our website.

Thank you  
for your  
attention.

Dan Mumford, Director  
Office of Competitive Market Oversight  
[dmumford@pa.gov](mailto:dmumford@pa.gov)

