



May 24, 2021

Mark D. Marini, Secretary
Department of Public Utilities
One South Station, 5th Floor
Boston, MA 02110

Re: Tier Two Initiatives: Tier Two Staff Straw Proposals and CSG Tier Two Proposals (Docket No. 19-07)

Dear Secretary Marini,

Eligo Energy MA, LLC is writing in response to Staff's Tier Two Staff Straw Proposals and Competitive Supplier Group ("CSG") Tier Two Proposals filed on May 18, 2021 (Docket No. 19-07).

Contract Summary

We support Staff's proposed language or language that is not materially different to be included in contract summary forms.

Notification of Price Increases

We support the proposal made by the CSG. We agree that "[l]onger lead times for variable price setting increase uncertainty over market conditions and require larger risk premiums that will result in higher consumer prices especially in more volatile months."¹ We further support sending notices for 30% or greater price change in lieu of sending notice each month the price changes. This model has been adopted by states such as Maryland (30%) and, more recently, Illinois (20%), and allows customers to stay informed of consequential price changes without acquiring notice fatigue. If too many notices are sent to customers, the notices will have the opposite intended effect: customers will ignore them and miss important messages that are communicated via notices. We further support the adoption of accelerated switching in Massachusetts, as this will help customers to save by not waiting "weeks or even a month-plus for the next utility billing cycle in order to change service providers and benefit from more attractive prices and terms."²

Wholesale Market Price Index

We support the proposal made by CSG.

New Reporting

¹ CSG Tier Two Proposals (*May 18, 2021*) ("Proposal")

² *Id.*



We support combining the existing Automatic Renewal and Enrollment Reports and the new RPS report into one confidential semiannual report.

Automatic Renewal

We support the Proposal made by CSG. It is important when establishing protections for customers that the Department does not also take away customers' right to contract freely.³ Finding that balance is a difficult task, but one the Department thus far has maintained.

Low Income Customers

Low-income status should be determined by a process that is not based on load profile. Presently, Suppliers use rate class to determine customers' low-income status, which requires historical usage. This introduces up to a three-day delay before a customer could be priced, potentially causing inaccuracies on rate boards, and resulting customer confusion. While we support the addition of protections for low-income customers, a process for determining low-income customer status without the use of load profile should be developed first. Therefore, the Department should defer considerations until such time that a process that does not rely on load profile has been researched and developed.

Complaint Scorecard

We support the proposal, which should provide residential customers with information transparency and enable them to make informed choices regarding their energy Suppliers.

Third-Party Verification

We support the Proposal made by CSG.

Access to Recordings & Vendor Reporting

The Department should consider requiring Suppliers to provide sales recordings within five (5) business days as opposed to the proposed three (3) business days for an interim period, during which Suppliers and Department collaborate on a process to access calls closer to real time. Suppliers often work with outside vendors (e.g., cloud-hosting) and may require time to locate sales recordings, especially because it is sometimes necessary to obtain additional information from customers (e.g., telephone number) to locate the sales call(s).

The marketing channel/vendor reporting should be submitted quarterly instead of monthly, in conjunction with the customer complaint scorecard update and with Suppliers providing notice of new marketing channels / vendors. Quarterly reporting would balance the Department needs for recent information, while not imposing undue reporting burdens on Suppliers.

³ CSG Tier Two Proposals (*May 18, 2021*) ("Proposal")



“Enroll With your Wallet”

We support the proposal made by CSG.

Thank you for your consideration of these comments. We look forward to the Departments feedback regarding the Tier Two initiatives.

Sincerely,

/s/Alexander Rozenblat

Alexander Rozenblat
Chief Legal Officer
Eligo Energy MA, LLC