

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission)	
On Its Own Motion)	
)	11-NOI-01
Notice of Inquiry into the Implementation)	
of Public Act 97-0222)	

INITIAL COMMENTS OF DOMINION RETAIL, INC.

Dominion Retail, Inc., (“Dominion”) is an Alternative Retail Electric Supplier, licensed by the Illinois Commerce Commission (“ICC” or “Commission”) to provide electric service to all customers in the State of Illinois. Dominion expects to provide electric service to a significant number of residential and small commercial customers, so it has an interest in the manner in which the Commission implements the requirement in Public Act 97-0222 that the Commission review its existing consumer education materials for residential and small commercial customers and determine whether updates are necessary. Thus, Dominion appreciates the opportunity to provide its input into this Notice of Inquiry.

The order initiating this Notice of Inquiry requested that parties address two issues:

1. Is there a need for the Commission to update existing consumer education information for residential and small commercial customers? Please provide specific examples of information that is no longer accurate or that is not complete in its explanation of a particular issue.
2. If a commenting party is of the opinion that certain information requires updating, provide proposed language to remedy the perceived shortcoming of the current language.

The Commission's Office of Retail Market Development ("ORMD") has prepared a series of alternative methods of informing customers about the contacts and inquiries the Commission receives about Retail Energy Suppliers ("RESs"). Dominion's comments will address the issues raised in the Commission's order initiating the Notice of Inquiry and the proposals of ORMD.

Regarding the first issue raised by the Commission, Dominion sees no need to revise the information provided to consumers in the Commission's PlugInIllinois website. That website is comprehensive and provides a good source of objective and current information for consumers considering alternatives for their electric supply. We believe the ICC has done a commendable job thus far in educating consumers about customer choice and hope that it will continue its efforts.

Regarding the second issues raised by the Commission, Dominion has no suggestions for new or updated information that the Commission could provide to consumers. The Commission has regularly updated PlugInIllinois with current information, so additional steps are not required at this time.

Dominion recognizes, however, that one of the issues that has been addressed in Docket 09-0592, the rulemaking to establish customer service rules for RESs, Part 412 Obligations of Retail Electric Suppliers, is the publication of RES complaint data. The current version of that rule, which is in the Second Notice stage of rulemaking, is as follows:

Section 412.320(c)(3) Dispute Resolution:

- 3) Disclosure of RESs' level of customer complaints. The Commission shall, on at least a quarterly basis, prepare summaries of all formal and informal complaints received by it and publish such summaries on its web site. The summaries shall be in an easy-to-read and user friendly format.

The three options offered by ORMD for providing customers with the Commission's experience with contact and complaint data appears to be designed to implement this rule. Dominion believes that any of these options would be consistent with the proposed rule. Nevertheless, Dominion has several comments on the ORMD options that, if implemented, would maintain consistency with the rule and provide usable, fair information for customers to use when evaluating their choices for electric provider:

1. It should be pointed out that all three options contain a major flaw—they include customer “inquiries” under informal complaints. Inquiries should either be omitted or put into a separately-created category. It is clearly unfair, illogical, and misleading to consumers to include customer “questions” as “complaints.” We see no reason to confuse consumers about complaint issues by adding “inquiries.” “Complaints,” as most consumers understand the word, clearly carries a distinct negative meaning that should not be confused with simple “inquiries.”
2. Another flaw is that no consideration is given to the resolution of complaints, whether they are categorized as informal (including “inquiries”) or formal. Clearly, if a RES has a history of complaints not resolved in its favor, it should be judged quite differently from a RES with a high percentage of dismissed or

resolved complaints. The failure to recognize this distinction would be a major error and would mislead consumers.

3. The use of a six-month rolling average (with monthly updates) of the residential complaint rates provides a better overall perspective of complaint rates than monthly rates, which could be volatile and thus obscure overall trends.
4. Dominion supports the fact that none of the options report the specific numbers of contacts with each RES and instead report contacts as a percentage of customers. Total numbers of contacts would be meaningless because it is expected that RES with large numbers of customers would have a larger number of complaints, in absolute terms. Furthermore, the specific number of customers that a RES is serving is generally considered to be proprietary information. That proprietary information could easily be calculated if the Commission reports both the number of contacts and a figure showing those contacts as a percentage of total customers.
5. Dominion also supports the paragraph proposed by ORMD providing a description of the methodology and limitations of the chart of carrier contacts. Such information puts the data in perspective and allows customers to give it appropriate weight. This description will become particularly important if the Commission accepts Dominion's recommendation that the data either eliminates inquiries that do not rise to the level of complaints, or separates inquiries from complaints.

6. Dominion supports the proposed breakdown of complaints into “Sales and Marketing” and “Contracts and Billing” and also agrees that because “Customer Service” has had no entries on the gas side, it need not be included on the electric side. Caution should be given, however, to potential billing complaints that could mistakenly be attributed to RES’ actions. Unlike Texas or Georgia, for example, many retail electric suppliers in Illinois utilize utility consolidated billing (UCB) and may not be responsible for billing errors experienced by their customers.
7. Of the three options offered by ORMD, Dominion believes that option 3 best performs the function of providing useful information in an understandable fashion. This option is easy to understand and the star symbols are familiar to most consumers: whether it is for hotels, restaurants, or movie ratings, for example. At the same time, the scorecard provides meaningful information without being unduly complicated or statistical.

CONCLUSION

In summary, the Commission has already done an admirable job of providing customers with information about their energy supply options by creating a useful web site that is regularly updated with current and accurate information. The ORMD has proposals for addressing the requirement in proposed rule 412.320(c)(3) are generally good, although the Commission should be careful to only report “complaint” information as truly reflecting complaints rather than simply inquiries.

Dated: December 1, 2011

Respectfully submitted,
Dominion Retail, Inc.

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