

**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**

**Reply Comments of the Illinois Competitive Energy Association**

Introduction

The Illinois Competitive Energy Association (“ICEA”) appreciates the opportunity to reply to the comments provided by interested parties in the Illinois Commerce Commission (“Commission”) Notice of Inquiry pursuant to Public Act 97-0222. Specifically, ICEA will respond here to the comments of the Citizens Utility Board (“CUB”) and the Office of the Attorney General (“OAG”), and Champion Energy.

ICEA Reply to CUB-OAG Comments

In their comments, CUB and the OAG support a visual representation of supplier standing similar to that set out in option #3 but with certain modifications tending to make the chart similar to what is used in Texas. No other entity provided this suggestion, however, not even the suppliers who currently participate in the Texas market. While Texas, in many respects, has led the way in consumer protections and information regarding retail electricity, it has been the experience of suppliers that its circle method that it employs can be confusing to customers. The ranking of the circles from high to low intuitively reads in such a way that better performing suppliers appear to be poor performing suppliers unless and until a customer actually and carefully reads the instructions. Therefore, ICEA’s initial comments supported and, in considering the comments of other interested parties, agrees that the star method of option #3 should be adopted because it is a very common form of ranking used in many industries and, thus, is familiar to customers.

The CUB-OAG comments also recommended that raw data on a monthly basis be provided in addition to a six month average. Both ICEA’s comments and those of other interested suppliers point out that their preference for the average was to allow for disclosure without: a) unduly discriminating suppliers based on number of customers served; and b) to prevent the ability of competitors to back into competitively sensitive data such as the number of customers served or

complaints during a particular campaign. It is for these reasons that ICEA still opposes the disclosure of raw data.

#### ICEA Reply to Champion Energy Comments

In its comments, Champion Energy recommends that the Commission consider dividing price comparisons on the Plug-In website into specific product categories. Since the website was originally developed, the retail market has continued to evolve to include pricing categories beyond the basic fixed and variable price offerings, including "custom" fixed pricing for individual customers. Champion Energy has raised a concern that all price comparison offers be on an "apples to apples" basis. ICEA would point out that the market for new product offerings will continue to evolve, including new products to address the enabling technology that will result from smart grid legislation. ICEA suggests that the optimal goal is to insure that the modified website reflects all product categories to be available for consumer review, rather than disallowing innovative new product postings on the website. The reality is that the market will continue to change and the Plug-In website will need to change as the market evolves. Therefore, ICEA members, including Champion Energy, suggest that the Office of Retail Market Development ("ORMD") facilitate discussions with the ARES community and concerned stakeholders to discuss development of a process for how the website will be modified when new products are introduced that do not clearly fit in an existing product price comparison category.

#### Conclusion

ICEA is grateful to the Commission and to the ORMD for this opportunity to provide comments. ICEA was encouraged to see that the majority of parties agreed, in concept, on the addition of municipal aggregation information on the pluginillinois.org website, pictorial descriptions of complaints, and a rolling average for complaint rates. We look forward to continuing to build consensus among interested parties on the best ways to educate customers.

Respectfully submitted,

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