

CITIZENS UTILITY BOARD

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March 16, 2010

VIA E-MAIL

Ms. Elizabeth Rolando
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

**Re: Illinois Commerce Commission Docket No. 09-0592
Errata to CUB/AG Verified Initial Comments filed on 3/4/2010**

Dear Ms. Rolando:

On March 4, 2010, the Citizens Utility Board (“CUB”) and the People of the State of Illinois, through the Attorney General Lisa Madigan (“AG”) (collectively “CUB/AG”) filed with the Illinois Commerce Commission (the “Commission”) their Verified Initial Comments. Errors have been identified in these Comments. Therefore, CUB/AG now submits the following errata to their comments:

Verified Initial Comments of CUB/AG

1. On page 1, an “S” was inserted after “COME”.
2. On page 1, a “)” was placed after “(“CUB””.
3. On page 1, the “the” before “AG” has been deleted.
4. On page 1, “the People” has been placed after “AG.”
5. On page 1, the “the” before “AG” has been deleted.
6. On page 1, the comma after “2006” has been removed.
7. On page 1, the abbreviation of the Public Utilities Act has been changed to include “the Act.”
8. On page 1, “which” has been replaced with “and”.

9. On page 2, the cite “220 ILCS 5/16-118” has been inserted after “barriers.”
10. On page 2, “alternatives” has been replaced with “strategies.”
11. On page 2, “to” has been deleted.
12. On page 2, “here” has been changed to “in this docket.”
13. On page 2, a comma has been inserted after “commodities”.
14. On page 2, a comma has been inserted after “years”.
15. On page 3, the sentence “These legislative amendments were crafted in the wake of numerous complaints received by both the Attorney General’s Office and CUB from ARGIS customers.” has been deleted.
16. On page 3, a space has been inserted between “be” and “stranded”.
17. On page 3, “for example” has been deleted.
18. On page 3, “more appropriately addressed in a rulemaking proceeding.” has been added after “be”.
19. On page 3, “refer” has been corrected to “refers”.
20. On page 4, “better suited for a rule” has been deleted.
21. On page 4, “First Notice” has been capitalized.
22. On page 4, “(6)” has been placed before “use of a “do not market” list.”
23. On page 4, “(6)” has been changed to “(7)”.
24. On page 4, kWh was defined.
25. On page 4, “(7)” has been corrected to “(8)”.
26. On page 4, “proposed rule” has been changed to lower case.
27. On page 4, “ICC” has been changed to “Staff (“Proposed Rule”)”.
28. On page 4, a comma has been inserted after “ICC”.
29. On page 5, the comma after “Section” has been changed to a colon.

30. On page 5, the comma after ““Retail customer”” has been changed to a period.
31. On page 5, “both” has been capitalized.
32. On page 5, “which” has been replaced with “these terms”.
33. On page 5, “(Attachment A)” has been added after “Staff’s rule”.
34. On page 5, “for by” has been corrected to “in”.
35. On page 5, “CUB/AG” has been placed before “redlined-version”.
36. On page 5, “Staff’s rule” has been corrected to “Staff’s rule, Attachment A”.
37. On page 6, the cites “412.130(d) and 412.140(d)” were added after “Proposed Rule Section 412.110(o).”
38. On page 6, “CUB” was corrected to “CUB and the People”.
39. On page 6, “(kWh)” was deleted.
40. On page 6, “and also with” was changed to “as well as”.
41. On page 6, a comma was inserted after “efficient”.
42. On page 6, a space was inserted between “.” and “Only.”
43. On page 7, “kWh” was inserted before “price”.
44. On page 7, a comma was placed after “price”.
45. On page 7, a comma was placed after “utility”.
46. On page 7, “CUB/AG” was added before “redlined-version”.
47. On page 7, “staff’s rule” was corrected to “Staff’s rule, Attachment A”.
48. On page 7, “for a limited time” was inserted before “if the failure”.
49. On page 7, “CUB/AG” was added before “redlined-version”.
50. On page 7, “staff’s rule” was corrected to “Staff’s rule, Attachment A”.

51. On page 7, Section D's title was corrected to: **D. (New) Section 412.120, Customer Solicitation: Solicitation practices should, at a minimum, mirror the requirements established under Illinois law for alternative retail gas suppliers.**
52. On page 7, proposed rule was capitalized.
53. On page 8, "CUB/AG" was added before "redlined-version".
54. On page 8, "Staff's rule" was corrected to "Staff's rule, Attachment A".
55. On page 8, Section E's title was corrected to: **E. (New) Section 412.160, Customer Authorization: RES customer enrollment practices should mirror those required for ARGS.**
56. On page 8, "and the People" was inserted after "CUB".
57. On page 8, "believes" was corrected to "believe".
58. On page 8, a space was inserted between "." and "There."
59. On page 8, a comma was inserted after "fact".
60. On page 8, a space was inserted between "." and "As."
61. On page 8, "rule" has been corrected to "Staff's Rule".
62. On page 8, "ARGs" was corrected to "ARGS."
63. On page 9, the spelling of terms was corrected.
64. On page 9, the "-" after "CUB/AG" has been removed.
65. On page 9, "CUB/AG" was added before "redlined-version".
66. On page 9, "Staff's rule" was corrected to "Staff's rule, Attachment A".
67. On page 9, "Use" was inserted after "Logo".
68. On page 9, "un-level" has been changed to "unlevel".
69. On page 9, "CUB/AG" was added before "redlined-version".

70. On page 9, “Staff’s rule” was corrected to “Staff’s rule, Attachment A”.
71. On page 10, “an” was corrected to “and”.
72. On page 10, “CUB/AG” was added before “redlined-version”.
73. On page 10, a comma was inserted after “total”.
74. On page 10, “violations” was changed to “consumer problems”.
75. On page 10, “Often times tied to a customer’s expected usage over the length of the contract,” has been deleted.
76. On page 10, “related to fees that were often tied to a customer’s expected usage over the length of the contract –” was inserted before “fees”.
77. On page 10, the “of” before “fees” was deleted.
78. On page 10, “the passage of” was inserted before “Public Act 95-1051”.
79. On page 11, “RESs” was corrected to “RES”.
80. On page 11, quotations were inserted around “farming”.
81. On page 11, “cancellation fees substitute” was deleted.
82. On page 11, “suppliers can have a business model that focuses on making money from cancellation fees, instead of from” was inserted before “good”.
83. On page 11, “for revenue” was deleted.
84. On page 11, “Proposed” was deleted.
85. On page 11, “Further a” was placed before “RES”.
86. On page 11, “CUB/AG” was added before “redlined-version”.
87. On page 11, “Staff’s rule” was corrected to “Staff’s rule, Attachment A”.
88. On page 12, a comma was inserted after “Public Act 95-1051”.
89. On page 12, “for those ARGS which use call centers,” was deleted.

Attachment A of CUB/AG

90. On page 6, the space between “well” and “as” was deleted.

91. On page 7, “an” was corrected to “a”.

92. On page 8, “(d) - (p)” was corrected to “(d) – (q)”.

93. On page 8, “(d) - (o)” was corrected to “(d) – (q)”.

94. On page 9, “(d) - (p)” was corrected to “(d) – (q)”.

95. On page 9, “(d) - (o)” was corrected to “(d) – (q)”.

96. On page 10, “(d) - (o)” was corrected to “(d) – (q)”.

97. On page 10, the following was inserted:

Section 412.150 Direct Mail

- a) A RES or one of its sales agents contacting customers for enrollment for power and energy service by direct mail or e-mail shall include the items of the Uniform Disclosure Statement (Section 412.110) for the service being solicited.
- b) If a written Letter of Agency is being used to authorize a customer’s enrollment, it shall contain a statement that the customer has read and understood the items contained in the Uniform Disclosure Statement Section 412.110. The document containing the items of the Uniform Disclosure Statement must remain with the customer.

98. On page 11, “a natural gas” was changed to “an electric supply”

99. On page 12, “natural gas” was changed to “electric supply”.

100. On page 15, the space between “an” and “enrollment” was deleted.

101. On page 17, the “:” after Section 412.200 and 412.210 were deleted.

102. On page 17, “its” was deleted.

103. On page 18, “gas” was changed to “electric”.

104. On page 18, the following was inserted: “Any agreement between a RES and a customer that contains an early termination fee shall”.

105. On page 22, “gas” was changed to “electric”.

106. On page 22, the following was inserted under c):

On or before March 1 of every year, each RES shall file a report with the Chief Clerk of the Commission for the preceding calendar year on its answer time and abandon call rate for its call center. A copy of the report shall be sent to the manager of the Consumer Services Division or its successor.

107. On page 24, “gas” was changed to “electric”.

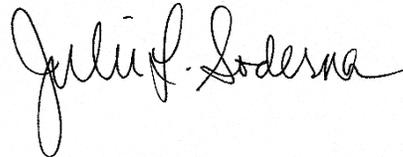
108. On page 25, “alternative gas supplier” was deleted.

109. On page 25, “gas” was changed to “electric”.

The corrected Verified Initial Comments is attached. For your convenience, a redlined version of the Verified Initial Comments is also attached.

Very truly yours,

CITIZENS UTILITY BOARD



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