

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Commonwealth Edison Company,)
) Docket No. 10-0138
Proposal to establish Rider PORCB)
(Purchase of Receivables with Consolidated)
Billing) and to other related tariffs.)
(Tariffs filed January 20, 2010))

REBUTTAL TESTIMONY OF BRYAN MCDANIEL
ON BEHALF OF
THE CITIZENS UTILITY BOARD

CUB EXHIBIT 2.0

August 4, 2010

OFFICIAL FILE

I.C.C. DOCKET NO. 10-0138

CUB Exhibit No. 2.0

Witness _____

Date 8/19/10 Reporter RS

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2
3 A. My name is Bryan McDaniel. My business address is 309 W. Washington, Suite 800, Chicago,
4 Illinois, 60606.

5
6 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

7 A. I am employed by the Citizens Utility Board (“CUB”), where I work as a Senior Policy
8 Analyst/Government Liaison.

9
10 **Q. WHAT IS YOUR EDUCATION AND WORK BACKGROUND?**

11 A. I have a Bachelor’s degree in Business Administration in Economics from the University of Iowa
12 and a Master of Arts in International Studies from DePaul University in Chicago, Illinois. I have
13 worked for the Citizens Utility Board for about 6 years. I started as a bilingual Consumer Rights
14 Counselor. I am currently responsible for assisting in the development of CUB’s policy positions
15 and communicating those positions to those involved in the legislative process.

16
17 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

18 A. The purpose of my testimony is to support the rescission process outlined by Commonwealth
19 Edison Company (“ComEd”) witness Robert Garcia, which allows for a 10-day initial rescission
20 period.

21
22 **Q. IS MR. GARCIA’S DESCRIPTION OF THE UTILITY CONSOLIDATED BILLING
23 AND PURCHASE OF RECEIVABLES (“UCB/POR”) WORKSHOP PROCESS
24 REGARDING RESCISSION PERIODS CONSISTENT WITH WHAT YOU
25 REMEMBER?**

26
27 A. Yes.

28

29

30 **Q. WHY IS AN INITIAL RESCISSION PERIOD IMPORTANT?**

31 A. The initial rescission period gives customers the opportunity to review and reconsider the contract
32 they signed with a Retail Electric Suppliers (“RESs”). It is also important that ComEd agrees to
33 field customer calls and process rescissions during this 10-day post-contract period because this
34 will shield customers from potential high pressure retention efforts on the part of the contracting
35 RESs.

36

37 **Q. STAFF OF THE ILLINOIS COMMERCE COMMISSION (“STAFF”) RECOMMENDS**
38 **THAT THE ILLINOIS COMMERCE COMMISSION (“COMMISSION”) REJECT**
39 **COMED’S PROPOSED TARIFF REVISIONS REGARDING THE INITIAL**
40 **RESCISSION PROCESS. (ICC STAFF EX. 1.0 at 26, LL. 564-565). DO YOU AGREE**
41 **WITH STAFF’S POSITION?**
42

43 A. No. ComEd’s proposal regarding the initial rescission period should be in place and functional
44 contemporaneous with the approval of its Purchase of Receivables with Consolidated Billing
45 (“PORCB”) program. As ComEd witness Garcia notes, the utility made certain assumptions in
46 order to build the infrastructure to support UCB/POR. (ComEd Ex. 3.0 at 26-27, LL. 637-650).
47 In the Ameren UCB/POR docket, I submitted testimony asking the Commission not to approve
48 Ameren’s tariffs until there were more robust rules protecting consumers. (ICC Doc. Nos. 08-
49 0619 (cons.) CUB Ex. 1.0 and 3.0). The Commission responded by directing a rulemaking
50 proceeding to address consumer protections rules. That rulemaking is currently underway in ICC
51 Docket No. 09-0592. While these rules are not yet in place, ComEd’s proposal alleviates CUB’s
52 concerns regarding the initial 10-day rescission period and therefore CUB supports ComEd’s
53 approach pending approval of the final rule. I do not believe ComEd’s PORCB program should
54 be approved without the inclusion of its proposed initial 10-day rescission period process.

55

56 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

57 A. Yes.