

F. Adjustments to Rate of Return

ComEd witness Tierney proposes a 40 basis-point adder to ComEd's return on equity ("ROE") to compensate the utility for the financial risk and revenue impacts ComEd faces from energy efficiency programs. *See* ComEd Ex. 13.0, 25. As correctly noted by Illinois Industrial Energy Consumers ("IIEC") witness Michael P. Gorman, *see* IIEC Ex. 1.0, and others, this adder erodes the efficiency of the rate-setting process. *Id.* at 53-54. The utility should not be provided an adder to ROE that offsets the energy efficiency gains and economic benefits created by customers' energy efficiency investment. Accordingly, Dr. Tierney's proposed adder to ComEd's ROE should be rejected.

X. OTHER

D. Meters and Meter Reading

Interval Data Access and Charges. Reliable, easily available energy use data promotes economic efficiency for customers, the wholesale energy market, and energy suppliers. Additionally, increased availability will be beneficial to ComEd as well. For example, such data enables customer participation in PJM demand response programs, to the benefit of all consumers. Moreover, removing hurdles to the broad dissemination of such data fosters a new level of efficiency analyses and energy technologies provided by a much larger industry of energy service providers. Such data will be beneficial to all customers in procuring supply, participating in demand response, analyzing capital improvements, and implementing efficiency and conservation programs.

Conversely, ComEd owns, controls and operates the electric distribution system—including the metering infrastructure—combining in some cases hundreds of meters for a single medium to large downtown commercial office building. In many instances, meters are disparately located throughout a building. This further complicates matters. The cost to customers for their own usage data—on an interval basis—can be prohibitive, particularly when each request results in additional charges. The ability to price electric supply in buildings would become compromised because the amount of time to acquire usage data and the costs associated in acquiring the data results in an inefficient competitive environment for those customers seeking to reduce their energy expenses by procuring competitive supply.

Only recently have market participants in Illinois started to understand the necessity of the proliferation of information. For example, during the initial ComEd Energy Efficiency Program proceeding, *see* Commission Docket No. 07-0540, ComEd agreed to provide whole building data from the U.S. Environmental Protection Agency's ENERGY STAR® program for use in the ENERGY STAR® Portfolio Manager at no cost. ComEd is currently working on automating this data for ease and broader use. As a result, a significant amount of buildings are now ENERGY STAR® rated.

By eliminating the costs and barriers of acquiring customer usage data, all ComEd customers could focus on utilizing the data for real and significant value

propositions. This would allow them to work to achieve a truly smarter electric grid infrastructure.

E. Competitive Retail Market Development Issues

BOMA/Chicago generally supports the recommendations of the Illinois Competitive Energy Association (“ICEA”) to continue to promote the development of competition for residential and non-residential customers in available markets. *See* ICEA Ex. 1.0. In particular, the time lag is increasing for customers to obtain historical interval data from ComEd, as well as the cost of obtaining such data. As a result, customers (and their competitive service providers) do not have simple access to customers’ own usage data. Inefficient barriers to entry into markets are unnecessarily enacted as customers’ are unable to adequately obtain their own usage data in a cost-effective and timely manner. Accordingly, BOMA/Chicago supports many of the recommendations of the competitive suppliers to minimize confusion, errors and unnecessary administrative burdens.

G. Other

BOMA/Chicago advocates that the Commission recognize the effectiveness of marginal cost principles, at least in setting tariff elements, such as ComEd’s energy efficiency or smart grid surcharges. The current practice of establishing tariffs based only upon average costs distorts price signals and results in system inefficiencies.

Respectfully submitted,

THE BUILDING OWNERS AND MANAGERS
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By:  _____

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