

BEFORE THE
ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON COMPANY)

)

)

Proposal to establish Rider PORCB,)

Purchase of Receivables with)

Consolidated Billing,)

And to revise other related tariffs)

Docket No. 10-0138

Rehearing

**REBUTTAL TESTIMONY OF
JAMES L. CRIST**

President, Lumen Group

ON BEHALF OF

DOMINION RETAIL, INC.

Exhibit JC-2.0 R
June 10, 2011

1 **Q. Please state your name and identify on whose behalf you are testifying?**

2 A. I am James L. Crist, President of Lumen Group, Inc. I am presenting testimony
3 on behalf of Dominion Retail, Inc. (“Dominion”), an alternative electric supplier.

4 **Q. Are you the same James L Crist who provided direct and rebuttal testimony**
5 **in docket 10-0138 (the “PORCB case”), docket 10-0467 (the “base case”), and**
6 **direct testimony in this rehearing case, all on PORCB issues?**

7 A. Yes.

8 **Q. What documents have you reviewed since you filed your direct testimony?**

9 A. I reviewed the direct testimony of the four other parties in this case, Mr. Boston of
10 RESA, Mr. Wright of ICEA, Mr. Claussen of the Staff, and Mr. Garcia of the
11 Company. I also reviewed the recently received data request responses to
12 Dominion, RESA and ICEA.

13 **Q. What is the purpose of your rebuttal testimony?**

14 A. I am going to address the opinion expressed by Mr. Garcia, Mr. Boston and Mr.
15 Wright that blending the PORCB rate will result in lower participation by the non
16 residential customers and violates cost of service principles. I will also provide
17 data from the data requests that prove this is not the case.

18 **Q. What are the discount rates that are in dispute in this proceeding?**

19 A. Since this rehearing proceeding has started, ComEd has revised its discount rates.
20 According to ComEd’s response to Dominion Data Request 2.08, which is
21 attached as Schedule JLC 2.1R, starting in the June 2011 billing period, the
22 blended discount rate will be 1.84%. If ComEd is directed to instead charge

23 separate residential and nonresidential discount rates, then those rates would be
24 2.23% and 1.19% respectively.

25 **Q. Mr. Boston of RESA stated five reasons that separate uncollectible rates are**
26 **appropriate for residential (“res”) and non-residential (“non-res”)**
27 **customers. (RESA Ex. 1.0 on Rehearing, p. 5-6) What are non-residential**
28 **customers?**

29 A. Those are customers whose maximum demand is less than 400kW, therefore that
30 group can contain commercial businesses that are quite large, like a fast food
31 restaurant.

32 **Q. What is the first reason provided by Mr. Boston?**

33 A. He explains why he thinks it is appropriate to be separate uncollectible rates for
34 res and non-res customers. He says that ComEd has calculated separate
35 uncollectible rates for residential and non-residential customers and they are
36 substantially different, so that is his reason.

37 **Q. Is having different uncollectible rates for res and non-res customers**
38 **surprising?**

39 A. No not at all and it is certainly not a reason that would justify having separate
40 rates for PORCB. Generally speaking res collection rates are inferior to non-res
41 rates. That is not the issue here. The direction given by the Illinois General
42 Assembly in requiring utilities to offer residential customers and nonresidential
43 customers with demand below 400kW a purchase of receivables program and
44 consolidated billing is to enable Choice suppliers to develop and grow the
45 competitive market for among those customers. More specifically, the

46 introduction to the section of the Public Utilities Act that creates the PORCB
47 requirement states as follows:

48 It is in the best interest of Illinois energy consumers to promote fair
49 and open competition in the provision of electric power and energy
50 and to prevent anticompetitive practices in the provision of electric
51 power and energy.

52 220 ILCS 5/118(a)

53 As will be shown below, the competitive market is already vibrant for small
54 commercial customers, so a discount rate that encourages residential customers to
55 take advantage of competitive offerings is consistent with the Act.

56 **Q. Mr. Boston then complains that failure to use separate uncollectible rates**
57 **would violate cost causation principles and result in a subsidy. Mr. Garcia**
58 **raises a similar concern (ComEd Ex. 12.0, p. 6). Is this justification to order**
59 **separate rates?**

60 A. No. It is quite common for ComEd to blend uncollectible rates of its rate classes.
61 In fact, as can be seen from ComEd's response to Dominion Data Request 2.09
62 [Schedule JLC 2.2R], the three rate classes that comprise the group of
63 nonresidential customers that can take part in PORCB have very different
64 uncollectible rates. Their base uncollectible factors are: Watt Hour = 1.0160;
65 Small Load Delivery = 1.0082; Medium Load Delivery = 1.0029. Yet Mr. Boston
66 and the other proponents of separate residential and nonresidential discount rates
67 are proposing that there be a single discount rate for these three rate classes.
68 Thus, one should not be fooled into believing that requiring ComEd to charge

69 separate residential and nonresidential discount rates will perfectly reflect cost
70 causation principles and eliminate all cross subsidies.

71 **Q. Is it clear that there will be a cross subsidy of residential customers if ComEd**
72 **uses a blended discount rate?**

73 A. No, this is not a cost causation issue, but even if it were there is no evidence that
74 the actual res customers that sign up and take service using PORCB have a higher
75 uncollectibles percentage than the non-res. In fact, as shown below, ComEd has
76 structured its PORCB program in such a way that it is likely that nonresidential
77 customers using that program will have higher than average uncollectible rates
78 than non-res customers in general. Thus, a blended rate is more likely to be
79 reflective of their costs than the separate rate used by ComEd for nonresidential
80 customers. On the other side of the equation, Dominion's experience with
81 residential customers in the natural gas market shows that the group of customers
82 it will be initially targeting for electric service have lower uncollectible costs than
83 the average ComEd residential customer. Thus, a blended rate is more likely to
84 be reflective of their costs than the separate rate used by ComEd for residential
85 customers.

86 **Q. Why do you expect that nonresidential customers being placed on PORCB**
87 **will have a higher uncollectible rate than ComEd's nonresidential**
88 **customers?**

89 A. Their rate should be higher than the average ComEd nonresidential customer due
90 to the fact that ComEd does not have an "all-in-all-out" requirement for non-
91 residential customers, RESs can choose which nonresidential customers to place

92 on POR. While there are certainly good business reasons to place or not place a
93 nonresidential customer on POR, there will always be an incentive to place
94 customers that are perceived as bad credit risks on POR and to not do so for
95 customers that are good credit risks. Thus, it is likely that nonresidential
96 customers on POR will have uncollectible rates that exceed those of ComEd's
97 nonresidential customers.

98 **Q. Do you expect that residential customers placed on PORCB will have the**
99 **same uncollectible rate as ComEd's residential customers?**

100 A. No. Their rate should be lower than the typical ComEd customer. The existing
101 Dominion residential customer base in Illinois consists of mostly natural gas
102 customers on the Nicor Gas system. Nicor Gas does not yet have a POR program,
103 although it does provide combined billing and has for several years. Due to the
104 lack of a POR program at Nicor Gas, Dominion developed a credit screen process
105 for its Choice customers, so the near 40,000 natural gas customers exhibit better
106 payment behavior than the average utility residential customer. This is the
107 customer group that Dominion would initially target in its role as an RES. The
108 bad debt rate for the Dominion gas customers in Illinois in Nicor Gas's service
109 territory is 0.69% cumulative based on the period Jan 2009-April 2011. The data
110 includes both Residential (more than 90% of the total) as well as small
111 Commercial customers. I would expect similar data for the customers that
112 Dominion serves in ComEd's territory. The comparable ComEd figures would be
113 the current Base Uncollectible Factor (minus 1) shown in its response to
114 Dominion Data Request 2.08 [Schedule JLC 2.1R] Dominion's uncollectible rate

115 of 0.69% is not only lower than the uncollectible rate of ComEd’s residential
116 customers of 2.44%, but it is slightly lower than the uncollectible rate of ComEd’s
117 nonresidential customers of 0.72%.

118 While Dominion does not have access to the uncollectible history of other
119 alternative gas suppliers in Illinois, it is not unreasonable to assume that, like
120 Dominion, they credit screen their customers and like Dominion, those companies
121 entering the electric market will first target their own customers. Thus, the
122 residential customers on PORCB should have lower uncollectible rates than
123 ComEd’s average residential customer.

124 **Q. Mr. Boston claims (RESA Ex. 1.0 on Rehearing, P. 8) that if only residential**
125 **customers are enrolled in Rider PORCB ComEd will not recover its**
126 **uncollectible costs associated with Rider PORCB. Is this true?**

127 A. No. First, the assumption is demonstrably false because nonresidential customers
128 *are* enrolling in PORCB. In fact, as I show below, they are doing so at a higher
129 rate than residential customers. Second, the response to Rehearing RESA
130 Revised 1.04, attached to this testimony as JLC 2.3R, states otherwise. ComEd
131 says, “Yes, ComEd would recover its residential class related uncollectible costs
132 under the Rider PORCB and the Rider RCA recovery mechanism, albeit with
133 some delay.”

134 **Q. Did the Illinois General Assembly intend the purchase of receivables/utility**
135 **consolidated billing programs to be available to RES’ providing service to**
136 **non-residential customers?**

137 A. Yes, it did, and ComEd's tariff does allow RESs providing service to non-res
138 customers to participate. It is not a requirement that they participate and already
139 that market has developed in advance and without PORCB. The train has left the
140 station and there is no rationale to calling it back and forcing it to fit into what
141 was at one point in the past thought to be a needed feature for market
142 development. Clearly it is not.

143 **Q. Mr. Boston repeats some history about the cost recovery mechanism that was**
144 **proposed by ComEd being the subject of a collaborative effort. Should that**
145 **collaborative effort be given any weight?**

146 A. No. The RESs that participated in that process are generally interested in
147 providing service to nonresidential customers. While some of their members may
148 also market to residential customers, the fact remains that virtually every item that
149 they "negotiated" with ComEd favored nonresidential customers over residential
150 customers. These include the \$0.50 per month charge to recover IT costs and
151 imposing an "all-in-all-out" requirement on residential customers but not
152 nonresidential customers. Pursuing separate discount rates for residential and
153 nonresidential customers is a continuation of that pattern.

154 **Q. Do RESA and ICEA represent uniquely different energy marketing**
155 **companies?**

156 A. No. Based on the May 20 filings of the ICEA and RESA it is interesting to note
157 that of the ICEA's nine members, six of them also belong to RESA, leaving only
158 Ameren Energy Marketing, First Energy Solutions and Nordic Energy as ICEA-
159 only members. There is a great deal of "double counting" here in terms of

160 marketer support and the number of customers these organizations represent.
161 They are hardly separate organizations from a membership standpoint.

162 **Q. Mr. Boston says that the Ameren program, which uses a blended rate, has a**
163 **lack of participation. Is the blended rate to blame for the failure of RESs to**
164 **market their services to residential customers?**

165 A. No it is not, as can be seen in a report issued by Mr. Torsten Clausen, Director of
166 the Commission's Office of Retail Market Development. During the
167 Commission's December 21, 2010 Bench Session, Commissioner Elliot requested
168 that ORMD determine why there was little competition for residential customers
169 in the Ameren territory. In a February 1, 2011 email sent to suppliers, Mr.
170 Clausen stated that ORMD had been directed "to provide the Commissioners with
171 an informal report as to the reasons for the apparent lack of supplier activity with
172 respect to residential service in the Ameren IL territory. As a result of that
173 directive, we are sending out this request for written comments." In a report
174 issued March 2011, ORMD summarized the comments it had received.
175 ("Compiled Comments regarding residential service in the Ameren areas -- March
176 2011") I have reviewed the ORMD's summary of those comments and there are
177 several reasons cited for the lack of participation in Ameren's program, the key
178 ones being that it is difficult for ARESs to offer electric prices that are
179 significantly lower than Ameren's price and Ameren's membership in the
180 Midwest ISO. Only one of the eight suppliers providing comments thought that
181 the blended rate was even worth mentioning. The following is ORMD's

182 summary of the comments on the reasons for lack of competition for residential
183 customers in the Ameren territory:

- 184 1. Ameren's retail supply rates do not allow suppliers to
185 compete on price (mentioned 4 times)
 - 186 2. Ameren's membership in the Midwest ISO (mentioned 4
187 times)
 - 188 3. Low customer density in the Ameren territories (mentioned
189 2 times)
 - 190 4. No percent-off UCB/POR billing (mentioned once)
 - 191 5. Combined UCB/POR discount rate (mentioned once)
- 192 Compiled Comment, p. 2.

193 **Q. Mr. Wright of ICEA claims that several of the ICEA members “serve over**
194 **three million gas and/or electric customers in North America”. (ICEA Ex.**
195 **3.0, p. 2). Does that mean that ICEA is promoting the development of the res**
196 **market in ComEd territory?**

197 A. No it does not. Of course I do not have access to the proprietary sales data of his
198 ICEA members that show the numbers of residential customers served in various
199 states so I cannot agree or disagree with his claim, but what I find unsettling is
200 that since he does have such data and did make a claim regarding North America
201 as a whole, then why did he not provide some specific evidence that would show
202 the ICEA members actually are promoting the res market in Illinois and in
203 ComEd territory? My logical conclusion is that he cannot make such a claim.
204 ICEA members must be focusing on the non-res market in ComEd territory.

205 **Q. Mr. Wright refers to a DASR report that shows the amounts of non-res**
206 **customers that are taking service from a retail supplier (ICEA Ex. 3.0, p. 6).**
207 **What does that data show?**

208 A. He cites data that shows a participation rate of 14.1% for non-residential 0-100
209 kW customers and 60.2% for non-residential 100-400 kW customers.

210 **Q. Is there more recent data available?**

211 A. Yes. ComEd's responses to Dominion DRs 2.02 and 2.03, which are attached to
212 this testimony as JLC 2.4R and JLC 2.5R, provide data as of April 30, 2011. On
213 JLC 2.6R I calculate that those responses show participation rates of 18.8% for
214 non-residential 0-100 kW customers and 65.7% for non-residential 100-400 kW
215 customers. In comparison, there is only a participation rate of 0.18% for
216 residential customers. These two data requests show that (1) nonresidential
217 customer participation is growing (2) residential customers are being provided
218 service by RESs at a rate that is significantly below the participation rate of the
219 non-residential customers.

220 **Q. Mr. Wright testifies that "inflating the uncollectible risk associated with a small
221 commercial customer discourages the use of PORCB for that class of customers."
222 (ICEA Ex. 3.0, p. 7). Mr. Garcia raises a similar issue (ComEd. Ex. 12.0, p. 7).
223 Has ComEd's experience shown that nonresidential customers are discouraged
224 from using PORCB relative to residential customers?**

225 A. No. On the contrary, as shown in JLC 2.6R, 0.2117% of the total ComEd and
226 RES nonresidential customers in the under 100kW class are taking service under
227 PORCB compared to only 0.1315% of residential customers. Thus, under 100kW
228 nonresidential customers are far more likely to take service under PORCB than
229 residential customers. The 100kW to 400kW class of customers are taking
230 service using PORCB at almost the same rate as residential customers, with
231 0.1195% of these customers taking RES service with PORCB compared to the

232 residential rate of 0.1315%. In summary, this data shows that nonresidential
233 customers are not discouraged by the blended discount rate from using PORCB
234 relative to residential customers.

235 **Q. Are there other ComEd data responses that show that changing from**
236 **separate discount rates to a blended discount rate did not discourage**
237 **nonresidential customers from using PORCB?**

238 A. Yes. The data in ComEd data responses to RESA 1.02 and 1.03 (attached as JLC
239 2.7R and JLC 2.8R show that the non-res market is active and growing. These
240 responses indicate that the number of nonresidential customers being enrolled in
241 PORCB *increased* after ComEd changed the discount rate from the separate res
242 and non-res rates to a blended discount rate. Thus, the increase did not act as a
243 deterrent. More specifically, DR Response 1.02(b) is as follows:

244 “(b) During the First Compliance Filing period, RESs submitted
245 enrollments for 2,395 residential customers, and 365 non-residential
246 customers under Rider PORCB.”

247
248 DR Response 1.03(b) is as follows:

249 “(b) During the Second Compliance Filing period, RESs submitted
250 enrollments for 26,517 residential customers, and 2,058 non-residential
251 customers were submitted under Rider PORCB, which is not inclusive of
252 data provided in subpart (b) of ComEd’s Data Request Response to
253 REHEARING RESA REVISED 1.02.”
254

255 It is clear that the blended discount rate does not act as a deterrent to the non-res
256 customers’ participation in the market using PORCB.

257 **Q. Mr. Wright states that the Public Utilities Act does not provide “any**
258 **discretion or direction given to the Commission to favor residential customers over**
259 **commercial customers when it comes to defining the availability of POR and UCB.”**

260 **(ICEA Ex. 3.0, p. 7). Does the Public Utilities Act provide it discretion to establish**
261 **separate discount rates for residential and nonresidential customers?**

262 A. For all of the reasons stated above, using a blended rate does not favor residential
263 customers over commercial customers or improperly define the availability of
264 POR and UCB. On the contrary, Section 16-118(c), which establishes the POR
265 requirement, repeatedly refers to a “discount rate” in the singular rather than
266 plural. I am familiar with common English grammar and the difference between
267 singular and plural. The Public Utilities Act does not provide the Commission
268 with direction or discretion to establish anything but a single blended discount
269 rate.

270 **Q. Please summarize what you have proven in your rebuttal testimony?**

271 A. Maintaining the blended discount rate is consistent with cost of service principles
272 due to the nature of residential and nonresidential customers that will be taking
273 service under PORCB. The data available through the data requests that both
274 RESA and Dominion issued to ComEd show that in comparison the residential
275 Choice market is nascent while the non-residential market is robust. In order to
276 encourage and grow the residential market the blended rate, which will provide a
277 lower uncollectible factor than the separate rates, will reduce the cost that a
278 residential customer must bear. This is particularly important given the disparity
279 in the recovery of startup costs between residential and nonresidential customers
280 that I discussed in my Direct Testimony. Using a blended rate thus fulfills the
281 objective of the General Assembly to encourage the development of the Choice
282 market without acting as an impediment to the non-residential customers. The

283 blended rate which is in effect now should therefore be retained as the POR
284 discount mechanism.

285 **Q. Does this conclude your rebuttal testimony?**

286 A. Yes.

ICC DOCKET NO. 10-0138 REHEARING

**Commonwealth Edison Company’s Response to
Dominion Retail, Inc. (“DOMINION”) Data Requests**

DOMINION 2.01 – 2.10

Date Received: May 25, 2011

Date Served: June 9, 2011

REQUEST NO. REHEARING DOMINION 2.08:

Please provide the BUF and resulting discount rates (and all supporting calculations) for the one year period beginning with June 2011 billing, for each of the following:

- a. blended residential and nonresidential customers with demand below 400kW
- b. residential customers
- c. nonresidential customers with demand below 400 kW
- d. all nonresidential customers (including the Large Load Delivery Class)

RESPONSE:

As an initial matter, ComEd notes that the formula for the UF (*i.e.*, bad debt rate) portion of the Rider PORCB discount rate formula utilizes both a base uncollectible cost factor (BUF) and the incremental supply uncollectible cost factor (ISUF), as described on ILL C.C. No. 10, 2nd Revised Sheet No. 398.

With this clarification, ComEd responds that the UF portion of the Rider PORCB discounted receivables formula are or would be as follows:

| | BUF | ISUF | UF= BUF*ISUF | UF per Rider PORCB = 1-1/UF | UF per Rider PORCB in percentage (%) |
|---|---------------------|---------------------|-----------------|--------------------------------|--|
| a. Blended residential & non-residential customers with demands below 400kW | 1.0188 ¹ | 0.9999 ¹ | 1.0187 | 0.0184 | 1.84% |
| b. Residential customers | 1.0244 ² | 0.9984 ³ | 1.0228 | 0.0223 | 2.23% |
| c. Non-residential customers with demand below 400kw | 1.0070 ¹ | 1.0050 ¹ | 1.0120 | 0.0119 | 1.19% |
| d. All non-residential customers | 1.0072 ² | 1.0046 ³ | 1.0118 | 0.0117 | 1.17% |

¹ REHEARING DOMINION 2.08_Attach 1 (ICC Docket No. 10-0138).

² Rider UF – Uncollectible Factors, ILL. C.C. No. 10, 4th Revised Sheet No. 267

³ Incremental Uncollectible Cost Factors, ILL. C.C. No. 10, 3rd Revised Sheet No. 20.

Commonwealth Edison Company
 Determination of Base Uncollectible Factors

2009 FERC Form 1 Account No. 904

\$84,531,413
 (BD)

| Retail Customer Designation | 2009 Gross Charge-Offs (1) a | Allocation b =a/CO | 2009 Bad Debt Allocation c =bxBD | 2009 Base Supply Revenue (2) d | BUF e =1+c/d |
|-------------------------------------|---------------------------------------|--------------------------|--|---|--------------------|
| Supply | | | | | |
| R: Residential | \$57,012,259 | 55.6% | \$47,032,775 | \$1,924,118,165 | 1.0244 |
| N: Non Residential < 400kW (3) | \$7,867,764 | 7.7% | \$6,490,582 | \$921,922,961 | 1.0070 |
| Company Total | \$102,467,414 (CO) | | \$84,531,412 | \$4,850,548,721 | |
| Residential + Nonresidential <400kW | | | 53,523,357 | 2,846,041,126 | 1.0188 |

NOTES:

- (1) 2009 gross charge-offs amounts reported from Customer Information and Management System (CIMS).
- (2) Supply amounts reported from CIMS.
- (3) Nonresidential retail customers to which the Watt-Hour, Small Load, Medium Load, or Large Load Delivery Class is applicable and does not include Lighting Delivery Class

Commonwealth Edison Company
 Determination of Incremental Uncollectible Factors

| a | b | c | d = b - c | e | f = 1 + d / e |
|-------------------------------------|----------------------------|-------------------------------|--------------------------|--------------------------|---|
| Retail Customer Designation | Uncollectible Costs (1) | Uncollectible Revenues (1) | Under (Over) Recovery | Expected Revenues (2) | Incremental Uncollectible Cost Factor |
| <u>Supply</u> | | | | | |
| Residential | \$23,561,738 | 26,741,591 | (3,179,853) | 1,975,506,789 | 0.9984 |
| N: Non Residential < 400kW (3) | 5,581,661 | 2,645,028 | 2,936,633 | 592,220,620 | 1.0050 |
| Residential + Nonresidential <400kW | 29,143,399 | 29,386,619 | (243,220) | 2,567,727,409 | 0.9999 |

(1) Consistent with the number used for Rider UF filing, May 2011.

(2) June 2011 through May 2012 billing periods for segments identified in column (A)

(3) Nonresidential retail customers to which the Watt-Hour, Small Load, Medium Load, or Large Load Delivery Class is applicable and does not include Lighting Delivery Class

ICC DOCKET NO. 10-0138 REHEARING

**Commonwealth Edison Company's Response to
Dominion Retail, Inc. ("DOMINION") Data Requests**

DOMINION 2.01 – 2.10

Date Received: May 25, 2011

Date Served: June 9, 2011

REQUEST NO. REHEARING DOMINION 2.09:

Does ComEd believe that the uncollectible rate of its Watt Hour Delivery Class, Small Load Delivery Class and Medium Load Delivery Class are identical? Please provide any data or explanation supporting this response.

RESPONSE:

No. Generally speaking, none of the class-based bad debt rates are "identical," whether for non-residential or residential customer classes.

For example, the base uncollectible factors (BUF) for the Watt Hour Delivery Class, Small Load Delivery Class and Medium Load Delivery Classes are not identical. The BUFs calculated are as follows:

| | |
|----------------------------|---------------------|
| Watt Hour Delivery Class | 1.0160 ¹ |
| Small Load Delivery Class | 1.0082 ¹ |
| Medium Load Delivery Class | 1.0029 ¹ |

Similarly, the uncollectible factors for the four residential classes are not "identical" either. Nevertheless, a single uncollectible factor for the residential class was adopted in *Commonwealth Edison Company*, ICC Docket No. 07-0566 (Final Order, Sept. 10, 2008), at 193-94 (agreeing with the City of Chicago's position that "[a] much more fair method is that residential class uncollectibles should be recovered evenly across all residential classes").

¹ The work paper to support the BUF calculation provided in this request is included in the attached work paper Rehearing Dominion 2.09_Attach 1.

Commonwealth Edison Company
 Determination of Base Uncollectible Factors

2009 FERC Form 1 Account No. 904

\$84,531,413
 (BD)

| | 2009 Gross Charge-Offs (1) a | Allocation b =a/CO | 2009 Bad Debt Allocation c =bxBD | 2009 Base Rate Revenue Less Bad Debt (3) d | BUF e =1+c/d |
|--|---------------------------------------|--------------------------|--|--|--------------------|
| Supply | | | | | |
| N: Non Residential - Watt Hour | \$714,155 | 0.7% | \$589,148 | \$36,876,919 | 1.0160 |
| N: Non Residential - Small Load Classes | \$6,238,714 | 6.1% | \$5,146,683 | \$626,907,613 | 1.0082 |
| N: Non Residential - Medium Load Classes | \$914,895 | 0.9% | \$754,751 | \$258,138,429 | 1.0029 |

ICC Docket No. 10-0138 REHEARING

**Commonwealth Edison Company's Response to
Retail Energy Supply Association ("RESA") Data Requests
REHEARING RESA REVISED 1.01 – 1.04**

Date Received: April 29, 2011

Date Served: May 9, 2011

REQUEST NO. REHEARING RESA REVISED 1.04:

If only residential customers are enrolled in Rider PORCB by RESs pursuant to the terms of the Second Compliance Filing, would ComEd recover its residential class related uncollectible costs under Rider PORCB? If not, how would ComEd recover the difference between such uncollectible costs experienced under Rider PORCB and such uncollectible costs recovered through Rider PORCB?

RESPONSE:

ComEd objects to the question because it is overly broad, vague and ambiguous. Without waiving these objections or any of its General Objections, ComEd states as follows.

Yes, ComEd would recover its residential class related uncollectible costs under the Rider PORCB and the Rider RCA recovery mechanism, albeit with some delay.

Generally speaking, if any bad debt portion of the collection experience with customers taking service under Rider PORCB is different than the uncollectible discount rate, the result would be an under or over recovery. With respect to the hypothetical question posed, if only residential customers are enrolled in PORCB, and assuming the collection experience for these customers is the same as ComEd's collection experience with all residential customers, there will be an under recovery under the rates filed under the Second Compliance Filing that would be reflected in the post-POR Application Period reconciliation.

Rider RCA's POR Adjustment recovers, among other costs, Administrative and Operational Costs ("AOCs"), which includes net actual uncollectible costs, defined in Rider PORCB, associated with the purchase of receivables (*i.e.*, a true up of the amounts charged to RESs for bad debt through the discount rate and the actual bad debt incurred by ComEd). This is reflected in the POR Balance portion of the formula prescribed in Rider RCA. After each POR Application Period, an audit will be performed of the costs incurred and recovered through Rider PORCB, including AOCs, and a report will be filed with the Illinois Commerce Commission ("ICC"). The ICC may initiate a reconciliation proceeding, and at the conclusion of that proceeding, determine if any adjustments should be included in an ordered reconciliation adjustment to Rider PORCB. The first two reconciliation periods are three (3) years each.

ICC DOCKET NO. 10-0138 REHEARING

**Commonwealth Edison Company's Response to
Dominion Retail, Inc. ("DOMINION") Data Requests
DOMINION 2.01 – 2.10
Date Received: May 25, 2011
Date Served: June 8, 2011**

REQUEST NO. REHEARING DOMINION 2.02:

Please provide the most recent number of residential customers for which ComEd is purchasing receivables (along with the date of that measurement) that were:

- a. Already receiving service from a Retail Energy Supplier when ComEd began purchasing their receivables.
- b. Were ComEd customers immediately prior to switching to RES service and ComEd began purchasing their receivables.

RESPONSE:

ComEd objects to this request because it is overly broad, vague and ambiguous. Without waiving these objections or any of its General Objections, ComEd states as follows. As an initial matter, ComEd notes that it only purchases receivables from Retail Electric Supplier (RES) customers under the provisions of Rider PORCB – Purchase of Receivables with Consolidated Billing (Rider PORCB).

- a. As of May 19, 2011, the number of RES supplied residential customers that were RES customers prior to taking service from a RES under Rider PORCB is 0.
- b. As of May 19, 2011, the number of ComEd supplied residential customers that switched to RES supply service prior to taking service from a RES under Rider PORCB is 28,321.

ICC DOCKET NO. 10-0138 REHEARING

**Commonwealth Edison Company's Response to
Dominion Retail, Inc. ("DOMINION") Data Requests
DOMINION 2.01 – 2.10
Date Received: May 25, 2011
Date Served: June 2, 2011**

REQUEST NO. REHEARING DOMINION 2.03:

For each of the delivery service classes of Watt Hour, Small Load Delivery and Medium Load Delivery, please provide the most recent figure (along with the date of that measurement) that are:

- a. ComEd customers
- b. Customers of a RES using PORCB
- c. Customers of a RES not using PORCB

If such data is not available by delivery class, please provide the requested data for all nonresidential customers with demand below 400kW.

CORRECTED RESPONSE:

ComEd objects to the question because it is overly broad, vague and ambiguous. Without waiving these objections or any of its General Objections, ComEd states as follows.

- a) As of April 30, 2011, the number of ComEd supply customers, inclusive of the fixed and hourly priced supply customers, are shown in the table below by the listed delivery class:

| | |
|----------------------|---------|
| Watt Hour Delivery | 90,742 |
| Small Load Delivery | 197,623 |
| Medium Load Delivery | 6,012 |

- b) As of April 30, 2011, the number of customers of a RES and the RES is taking service under Rider PORCB, are shown in the table below by the listed delivery class:

| | |
|----------------------|-----|
| Watt Hour Delivery | 117 |
| Small Load Delivery | 515 |
| Medium Load Delivery | 21 |

- c) As of April 30, 2011, the number of customers of a RES and the RES is not taking service under Rider PORCB, are shown in the table below by the listed delivery class:

| | |
|----------------------|--------|
| Watt Hour Delivery | 4,639 |
| Small Load Delivery | 45,138 |
| Medium Load Delivery | 11,543 |

Dominion Ex. 2.6

ComEd and ARES customer data through April 30, 2011

| A | B | C | D | E | F | G | |
|--------------|-----------------|---------------------------|------------------------------|----------------------------|--------------|-------------------|------------------|
| | ComEd customers | ARES customers with PORCB | ARES customers without PORCB | Total customers (B+C+D) | POR % C/E | ARES % (C+D)/E | Source |
| Watt Hour | 90742 | 117 | 4639 | 95498 | 0.12% | 4.98% | Dominion DR 2.03 |
| Small Load | 197623 | 515 | 45138 | 243276 | 0.21% | 18.77% | Dominion DR 2.03 |
| Medium Load | 6012 | 21 | 11543 | 17576 | 0.12% | 65.79% | Dominion DR 2.03 |
| TOTAL NONRES | 294377 | 653 | 61320 | 356350 | 0.18% | 17.39% | |
| RESIDENTIAL | 3425606 | 4511 | 1514 | 3431631 | 0.13% | 0.18% | Dominion DR 2.04 |

ICC Docket No. 10-0138 REHEARING

**Commonwealth Edison Company's Response to
Retail Energy Supply Association ("RESA") Data Requests
REHEARING RESA REVISED 1.01 – 1.04**

Date Received: April 29, 2011

Date Served: May 9, 2011

REQUEST NO. REHEARING RESA REVISED 1.02:

On December 20, ComEd made a rate filing with the Commission pursuant to its December 15, 2010 Order in Docket 10-0138, which filing included Rider PORCB (the "First Compliance Filing"). With respect to the First Compliance Filing:

- (a) How many Retail Electric Suppliers ("RES") enrolled customers on Rider PORCB under the terms of the First Compliance Filing?
- (b) Please provide the total number of customers enrolled pursuant to the First Compliance Filing, broken down between residential and non-residential customers.
- (c) With respect to RESs enrolling non-residential customers, how many enrolled all of their non-residential customers.

RESPONSE:

ComEd objects to the term "enrolled" because it is overly broad, vague and ambiguous. Without waiving these objections, or any of its General Objections, ComEd states as follows. For purposes of this response, ComEd interprets the term "enrolled" to include both active and pending active switches, the latter of which may still be within the rescind period as defined in Rate RDS.

- (a) Two (2) Retail Electric Suppliers ("RESs") submitted enrollments for customers under Rider PORCB under the terms of the First Compliance Filing.
- (b) During the First Compliance Filing period, RESs submitted enrollments for 2,395 residential customers, and 365 non-residential customers under Rider PORCB.
- (c) One (1) RES submitted enrollment for all of their non-residential customers under Rider PORCB under the terms of the First Compliance Filing.

ICC Docket No. 10-0138 REHEARING

**Commonwealth Edison Company’s Response to
 Dominion Retail, Inc. (“DOMINION”) Data Requests
 REHEARING DOMINION 1.01 – 1.04
 Date Received: April 25, 2011
 Date Served: May 11, 2011**

REQUEST NO. REHEARING DOMINION 1.03:

Please provide the same information requested in 1.02(REH) for nonresidential customers with demand less than 400 kW that have been taking service from a retail energy supplier. Please consider this to be a continuing data request and that ComEd should provide monthly updated information during the pendency of this proceeding.

RESPONSE:

As an initial matter, ComEd notes that only RESs, not RES customers, take service under Rider PORCB, and ComEd therefore interprets this request as seeking information about those nonresidential customers with demands less than 400 kW of RESs for whom ComEd is purchasing receivables pursuant to the terms of Rider PORCB. ComEd objects to this request as overbroad and unduly burdensome to the extent it requires ComEd to provide information that is not tracked in the normal course of business for subparts (e), (f) & (h). ComEd further objects to this request to the extent that it seeks individual RES data. Consistent with ComEd’s General Objections, ComEd will provide an update to this response prior to hearing, and ComEd objects to this request to the extent it seeks additional updates. Without waiving these objections, or any of its General Objections, ComEd responds as follows.

- a. As of the end of March 2011 the number of RES non-residential customers with demand less than 400kW taking service under Rider PORCB on a monthly basis since December 2010 is as follows:

| | Dec-10 | Jan-11 | Feb-11 | Mar-11 |
|-------|--------|--------|--------|--------|
| PORCB | 1 | 16 | 140 | 781 |

- b. As of the end of March 2011 the total kWhs delivered of RES non-residential customers with demand less than 400kW not taking service under Rider PORCB on a monthly basis since December 2010 is as follows:

| | Dec-10 | Jan-11 | Feb-11 | Mar-11 |
|-----------|--------|--------|--------|--------|
| Non-PORCB | 57,985 | 59,418 | 60,337 | 60,832 |

- c. As of the end of March 2011 the total kWhs delivered of RES non-residential customers with demand less than 400kW taking service under Rider PORCB on a monthly basis since December 2010 is as follows:

| | Dec-10 | Jan-11 | Feb-11 | Mar-11 |
|-------|--------|--------|--------|---------|
| PORCB | 0 | 9,680 | 36,328 | 789,794 |

- d. As of the end of March 2011 the number of RES non-residential customers with demand less than 400kW not taking service under Rider PORCB on a monthly basis since December 2010 is as follows:

| | Dec-10 | Jan-11 | Feb-11 | Mar-11 |
|-----------|-------------|---------------|---------------|-------------|
| Non-PORCB | 988,158,912 | 1,093,931,559 | 1,030,198,902 | 948,932,854 |

- e. The data by month is not available. The total amount billed to RES nonresidential customers with demands less than 400 kW for whom ComEd has purchased receives under Rider PORCB through March 31, 2011 is \$37,888.98
- f. ComEd cannot provide this data because it does not have the RES supply charges..
- h. The data by month is not available. The nonresidential information under Rider PORCB through March 31, 2011 is as follows:
- a. Receivable purchased \$37,888.98
 - b. Receivable discounted by \$883.53 ($\$862.53 + (42 * \$0.50)$)
 - c. Payments made to the RESs \$37,005.45 (a-b)