

Rhodes Consulting, James G. Rhodes Esq.
205 Governor Street
Providence, RI 02906

Good Energy, LLP
232 Madison Avenue
Third Floor
New York, NY 10016

September 29, 2020

Luly Massaro, Clerk
Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: Docket 5058 – Good Energy Position on Terms and Conditions for Municipal Aggregators

Good Energy, L.P. is a national company that develops and implements innovative programs to help its clients save money on their electricity supply costs while making measurable progress towards environmental and climate goals. In Rhode Island, Good Energy's business is to provide consulting services to municipal governments that have opted to serve as municipal aggregators.¹ In that role, Good Energy is obligated to advocate for the policies and procedures necessary to develop locally tailored aggregation plans, electricity supply bid documents, electricity supply agreements, and facilitate the transition of consumers into or out of an aggregation program.

In furtherance of these goals, Good Energy has prepared this position statement in an effort to ensure that the data provided by National Grid as part of these Terms and Conditions is both sufficient to prepare these documents on behalf of its clients as well as to result in the possibility of the most favorable pricing terms from suppliers that bid on the aggregation program's supply needs.

¹ "Municipal aggregator" is referred to as a "governmental aggregator" in RIGL §39-3-1.2 and describes a municipality that, consistent with the law, chooses to create a new default electricity supply product and other optional supply products for consumers located within a given municipality.

I. Proposed Amendments to Terms and Conditions

Prior to intervening in this docket, Good Energy engaged in direct discussion with National Grid regarding their proposed Terms and Conditions for municipal aggregators. Following discussion of how National Grid's data system works and the purposes for which municipal aggregators require certain National Grid data, Good Energy proposed the following specific amendments to the National Grid's filings.

(a) Section 3B. Obligation of Distribution Company

(13) Provide the following information to Municipal Aggregators before aggregation plan begins: primary customer name, first four characters of last name (required for EDI enrollment purposes), account number (required for EDI enrollment purposes), service address, mailing address for solicitation purposes, distribution rate, ~~and~~ generation indicator (Last Resort Service or Supplier), ~~service class, tariff service description, ICAP, meter read cycle, tax exemption status, four digit location code and twelve individual month's usage;~~

(b) Section 4. Pre-Enrollment Information

4A. Upon authorization by a duly designated officer of a municipality, the Company shall provide ~~the following customer data for all accounts in Municipality regardless of status as an Eligible Customer:~~ twelve ~~individual~~ month's aggregate consumption usage information ~~and customer counts by service class and by status as Eligible Customer~~ to the city/town's Municipal Aggregator to facilitate the formation of a Municipal Aggregation program.

4B. Upon the RIPUC's approval of the ~~a~~ Municipal Aggregator and its retail load aggregation plan pursuant to R.I. Gen. Laws § 39-3-1.2, the Company shall provide ~~the following customer data for all accounts in Municipality regardless of status as an Eligible Customer~~ ~~the customer enrollment information~~ to the Municipal Aggregator in an electronic format (to be determined by Company) ~~in order to conduct a competitive bid and enroll customers with a Supplier: that will include the~~ primary customer name, first four characters of last name (required for EDI enrollment purposes), account number (required purposes), service address, mailing address for ~~outreach solicitation~~ purposes, distribution rate, ~~and~~ generation indicator (Last Resort Service or

Rhodes Consulting, James G. Rhodes Esq.
205 Governor Street
Providence, RI 02906

competitive supply), ~~service class, tariff service description, ICAP, meter read cycle, tax exemption status, four digit location code and twelve individual month's usage.~~

4C. ~~In the event that the Municipal Aggregator decides to evaluate a change of Supplier, upon authorization by a duly designated officer of a municipality, Company shall supply such information described in 4B, consistent with the RIPUC's initial order, so that Municipal Aggregator is able to effectively conduct a competitive bid and enroll customers with a new Supplier.~~

(c) Section 8B. Standard Complete Billing Service.

(1) The Company shall issue a single bill for electric service to each Customer. The Municipal Aggregator shall provide to the Company its designated Supplier's legal name, the rate, the price structure, and customer service telephone number. The Company shall use the rates supplied by the Municipal Aggregator to calculate the Municipal Aggregator's portion of Customer bills and integrate this billing with its own billing in a single mailing to the Customer. The Company shall send a "customer usage and billing information" transaction to the Municipal Aggregator or its designated Supplier, in accordance with EDI.

The Municipal Aggregator must notify the Company of any changes to the Municipal Aggregator's rates at least five (5) days before such rates are to be effective, and the Municipal Aggregator must notify the Company of any new rates and charges to that the Municipal Aggregator seeks to impose at least ten (10) days before such rates or charges are to be effective.

The Company shall send a "payment/adjustment" transaction to the Municipal Aggregator or its designated Supplier, in accordance with EDI. Customer revenue due to the Municipal Aggregator or its designated Supplier shall be transferred to the Municipal Aggregator or its designated Supplier in accordance with the ~~Service Agreement service contract~~ entered into by ~~the Municipal Aggregator its designated Supplier~~ and the Company.

The Municipal Aggregator shall promptly notify the Distribution Company of any billing errors or miscalculations it believes it has occurred.

II. Purpose of Proposed Amendments

(a) Section 3B(13).

This section of the proposed Terms and Conditions provide general obligations of National Grid with respect to the operation of aggregation programs. It is the position of Good Energy that their obligation should extend to the provision of data not currently listed. This includes the following items:

- Customer services class
- Tariff service description
- ICAP
- Meter read cycle
- Customer tax exemption status
- Four-digit location code
- Twelve-month of customer usage data

Much of this is repetitive of the request in Section 4B, and will be discussed in more detail in that section, as when the data would be provided to the municipal aggregator is an important consideration in connection to the aggregator's purpose.

Generally, including these items in this section make it clear that National Grid would be obligated to provide this data to an aggregator upon a timely request.

(b) Section 4A.

All of Section 4 addresses customer data that would be provided to a municipal aggregator before customers are enrolled in the program. This information is necessary to either (i) develop the scope and operations of the program to be described in the plan prior to Commission review, or (ii) develop the bid documents necessary to conduct a competitive bidding process that will result in the lowest possible market rates for electricity supply services.

Good Energy's proposal in this section is to include customer data for accounts that are eligible to be enrolled in the aggregation program in addition to customer data for accounts that

Rhodes Consulting, James G. Rhodes Esq.
205 Governor Street
Providence, RI 02906

are not currently eligible for enrollment. By including the non-eligible account data, the aggregation plan can take into account potential program growth and an education and outreach program that goes beyond the opt-out process. This data will also inform the aggregator as to the potential impact of renewable energy procurement on the local level. In development of the aggregation program, the aggregator will benefit from an understanding of its likely baseline load upon program launch in addition to overall potential program size over time.

Good Energy is also requesting that twelve-month usage data be provided not just in aggregate but also by individual months. This provides a better understanding of the load profile so that the eventual plan can take into account how future opt-ins from currently non-eligible accounts could impact that load profile. Having this data broken down by service classes informs the program as to the populations that will be served by the program.

(c) Section 4B.

This section further identifies the types of data that would be provided to the municipal aggregator following approval by the Commission. Rather than informing the development of a program, this data would be utilized to prepared the bid documents for potential suppliers for the aggregation program. The list of data is repetitive of those items in section 3B(13).

The goal for this data is to provide suppliers with the fullest picture of the opportunity on which they are bidding. Including usage data - e.g. twelve-month usage, ICAP, meter read cycle, service class, location code, and tax-exempt status – at the individual account level provides suppliers with a more detailed picture as to the load the they would be serving. The inclusion of currently non-eligible accounts allows suppliers to assess the potential for opt-ins and opt-outs over the duration of the contract. Including this usage data for non-eligible accounts allows for analysis of how usage is distributed, i.e. whether a handful of accounts in any particular rate class account for a majority of the usage.

(d) Section 4C.

The originally proposed Terms and Conditions did not include some necessary provisions to account for the potential transition to a new supplier, such as may occur upon the expiration of a supply contract and selection of a new supplier. The aggregation program could be

Rhodes Consulting, James G. Rhodes Esq.
205 Governor Street
Providence, RI 02906

disadvantaged by relying on a supplier who does not have an incentive to provide data to their successor, a likely market competitor. Having this data provided from the utility allows for customer data to come from a neutral third-party who already provides regulated distribution service to all customers. This would minimize the potential for any conflict of interest.

(e) Section 8B(1).

Good Energy is proposing that the language be changed from “service contract” to “service agreement” to be consistent with Section 3C(5).

Good Energy also proposes deleting “Municipal Aggregator” and inserting “designated Supplier” as Section 3C(5) describes the Service Agreement as being between the Supplier and the utility.

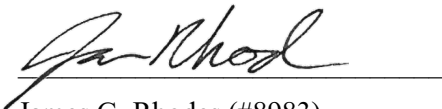
III. Request of the Commission

In furtherance of the policy goals set by the General Assembly in authorizing the establishment of aggregation programs, Good Energy respectfully requests that the Commission amend the proposed the Terms and Conditions for Municipal Aggregators consistent with this position. Such amendments will create market conditions, via the sharing of vital information, that will position aggregation programs to provide electricity supply services to Rhode Island consumers at lower and more stable rates than are currently available.

Respectfully submitted,

GOOD ENERGY, LLP

By its attorney,



James G. Rhodes (#8983)
Rhodes Consulting
205 Governor St.
Providence, RI 02905
401-225-3441
james@jrhodeslegal.com

cc: Service List