ORIGINAL

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE COMMISSION

In the Matter of:

THE JOINT APPLICATION OF BIG SANDY	)	
RURAL ELECTRIC, FLEMING-MASON	)	
ENERGY, GRAYSON RURAL ELECTRIC,	)	
AND JACKSON ENERGY FOR AN ORDER	)	CASE 2010-00089
APPROVING AN ON-BILL FINANCING	)	
PILOT PROGRAM TITLED THE "KY ENERGY	)	
RETROFIT RIDER"	)	

Mr. Jeff Derouen, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40601

Mr. Derouen:

Please find attached responses to the Second Data Request in the above referenced case.
If there are any questions, please feel free to inquire at (606) 789-4095.

Sincerely,

David Estepp
Big Sandy Rural Electric

For: Big Sandy Rural Electric
Fleming-Mason Energy
Grayson Rural Electric
Jackson Energy

The undersigned, David Estepp, as Manager of Finance and Administration of Big Sandy Rural Electric, being first duly sworn, states that the responses herein are true to the best of my knowledge and belief formed after reasonable inquiry.

Dated: June 3, 2010

Big Sandy Rural Electric

By: David Estepp

David Estepp

Manager of Finance and Administration

Subscribed, sworn to, and acknowledged before me by David Estepp, as Manager of Finance and Administration for Big Sandy Rural Electric on behalf of said Corporation this 3rd day of June, 2010.

Judy L. McClure

Notary Public State of Kentucky

Notary Expires: 6-19-10

PSC & AG Data Request #2

Attachment List

PSC Questions:

4. (a)

Response: See Attachment Kansas stipulation.pdf

4. (b)

Response: See Attachment EEI_Pays_1st_paper.pdf

4. (g)

Response: See Attachment Hawaii stipulation.pdf

4. (h)

Response: See Attachment 1st DTE report.pdf, 2nd DTE report.pdf and 3rd DTE report.pdf

Witness: COOP Personnel

Joint Application
Case No. 2010-00089
Second Data Request of the Commission Staff

1. Throughout the responses to the initial Data Request of Commission Staff ("Staffs First Request"), Mountain Association for Community Economic Development ("MACED") personnel responded to questions either directed to the Joint Applicants or for which the responses mention the Joint Applicants' responsibilities. Do the Joint Applicants adopt as their own MACED's responses to Staffs First Request, Items 1, 7, *8,* 11, 15, 16, 19, 20, *28,* 29, 30, and 31?

Response: Yes

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2. Refer to the response to Staffs First Request, Item 1.b. Do the Joint Applicants or MACED know if East Kentucky Power Cooperative, Inc. ("EKPC") solicited other potential organizations to implement retrofits in EKPC's service territory? If yes, what other potential organizations were solicited?

Response:
EKPC is working with Frontier Housing concerning a pilot for retrofits of manufactured homes. However, the partnership arose from joint discussions about how to address regional problems and was not a solicitation.

(Note that MACED will not be implementing retrofits during the pilot– and has offered rather to play a role in developing effective retrofit models for Kentucky and financing mechanisms. In this proposed on-bill financing pilot many area contractors and housing groups will be invited to become approved (qualified) contractors under the pilot program and bid on implementing retrofits.)

Witness: MACED Personnel

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3. Refer to the response to Staffs First Request, Item 1.b. Since EKPC recommended MACED as a partner for an energy retrofit program, do the Joint Applicants or MACED know if any EKPC distribution cooperatives, other than the Joint Applicants, are considering similar retrofit programs? If so, please name those EKPC distribution cooperatives.

Response:
MACED and the Joint Applicants have had several communications with other distribution coops about the pilot, but are not aware of any that are actively considering similar programs at this time.

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4. Refer to the response to Staffs First Request, Item 4.
   a. Provide a copy of the Stipulation and Agreement mentioned in paragraph 4, page 2, of the Kansas State Corporation Commission Order dated August 16, 2007 in Docket Nos. 07-MDWG-784-TAR and 07-MDWE-788-TAR.

Response: See attachment Kansas stipulation.pdf

   b. Provide a copy of the 1999 Energy Efficiency Institute ("EEI") paper describing the Pay As You Save ("PAYS") energy efficiency products program mentioned on page 1 of the New Hampshire Public Utilities Commission ("NHPUC") Order dated August 7,2001 in Docket No. DE 01-080.

Response: See attachment EEI_Pays_1st_paper.pdf

   c. Refer to the NHPUC Order mentioned in Item 4.b. On page 5 of that Order, Public Service New Hampshire ("PSNH") mentions it would be possible to operate the PAYS program "without the ability to disconnect for non-payment of PAYS charges." In the footnote on the same page, the EEI states that the PAYS program couldn't work without disconnection for such nonpayment. Do the Joint Applicants agree with PSNH or the EEI? If neither, why not?

Response:
It is not possible to operate a PAYS® program without the ability to disconnect. A program with some similarities, but a higher cost, could be operated as an On-Bill loan program; however the costs to consumers would be much higher because of the loan origination and underwriting costs. Additionally, some participants would be ineligible because of lower incomes or low credit scores. As a result the ability to disconnect is critical to creating a program that can serve the most low income customers at the lowest cost to the consumer.

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d. Refer to page 4 of the NHPUC Order dated December 30, 2004 in Docket No. DE 04-052. The New Hampshire Public Interest Research Group ("NHPIRG") "recommended . . . a system for de-listing vendors with a poor performance record be set up . . . ." Assuming the Commission approves the On-Bill Financing Pilot Program ("the Pilot Program"), would the Joint Applicants and MACED agree to establish such a listing? If not, explain.

Response:
Yes.

e. Refer to page 25 of the NHPUC Order dated December 30, 2004 in Docket No. DE 04-052. The New Hampshire Applicants proposed to implement any energy measure whose cost does not "exceed two thirds of the measure's estimated annual savings over three quarters of its estimated useful life . . . ." The NHPIRG recommended implementing any energy measure whose cost does not "exceed three quarters of the measure's estimated annual savings over three quarters of its estimated useful life . . . ." Would the Joint Applicants and/or MACED agree to any such alterations in the Joint Applicants' Pilot Program? If not, why?

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Response:

The payback is limited to three quarters of the measure's estimated useful life. The Rider proposed to the PSC would allow savings up to 90% to be used for funding the retrofit, but savings of that level would only be used if the software and energy assessments are shown to accurately predict such savings. By allowing more savings to be used, some projects will be able to be funded that would otherwise be prevented from participating.

f. Refer to page 2 of the Hawaii Public Utilities Commission ("HPUC") Order No. 22974, dated October 24, 2006, in Docket No. 2006-0425. That Order states that the HPUC was authorized to implement a PAYS program for solar water heating by an act of the Hawaii State Legislature. Are the Joint Applicants and/or MACED aware of any similar Kentucky General Assembly legislation which would authorize the Pilot Program?

Response:
The participants are not aware of similar legislation mandating the program in Kentucky.

g. Refer to the HPUC Order No. 23531, dated June 29, 2007, in Docket No. 2006-0425.
   1. Provide a copy of the Stipulation mentioned in paragraph 1, page 6, of Section I.E.

Response: see attachment Hawaii stipulation.pdf

   2. Pages 21 and 22 of Section I1.D mention a Hawaii Consumer Advocate recommendation that "utilities keep clear and complete records verifying the calculated life cycle savings for each individual system for at least the duration of the pilot period . . . ." Assuming the Commission approved the Pilot Program, would the Joint Applicants and MACED agree to a similar recordkeeping requirement? If not, why?

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Response: Yes, MACED will be maintaining a database with detailed usage and projected savings information for at least the life of the repayment period.

h. Refer to the Michigan Public Service Commission ("MPSC") Order dated September 26, 2006 in Case No. U-13808. Provide copies of the Detroit Edison reports dated March 15, 2005, May 20, 2005, and December 5, 2005, respectively, mentioned on pages 2, 3, and 4 of that Order.

Response: see attachment 1st DTE report.pdf, 2nd DTE report.pdf and 3rd DTE report.pdf

i. Refer to page 7 of the MPSC Order dated September 26, 2006, in Case No. U-13808. The MPSC mentions that the American Council for Energy Efficiency Economy believes any energy efficiency plan should include "consumer education; outreach and training of contractors, retailers and other 'trade ally' participants; and other customer financial incentives such as rebates." Describe and discuss the extent to which the Joint Applicants' Pilot Program will include any of these attributes.

Response:
The Pilot Program will require and facilitate significant consumer education, outreach and training of contractors and other trade ally participants, and will be partnered with similar programs rebate, education and training efforts. Completing the initial energy assessment with the home occupant is an invaluable hands-on teaching opportunity for the occupant. If a retrofit investment is made, the test-out assessment is a similar opportunity to teach the occupants about the new equipment and best practices for energy savings. Contractor training and building experience with new techniques will likely be required in order to comply with the program. The companion efforts of MACED's Energy Efficient Enterprises, Enterprise Development teams and Kentucky Home Performance will assist in developing a viable base of expert contractors, with the potential for additional and guaranteed work driving the contractor's participation.

Witness: COOP Personnel

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5. Refer to Slides 28 and 29 of Matthew H. Brown's presentation provided in response to Staffs First Request, Item 4.e ("the Brown Presentation"). Discuss the degree to which the Joint Applicants and MACED believe the proposed Pilot Program reflects the Tariff-based System on Slide 28 versus the Loan-based System on Slide 29.

Response:
The program is a tariff based system.

Witness: MACED Personnel

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6. Refer to Slides 30 and 31 of the Brown Presentation. Discuss the degree to which the Joint Applicants and MACED believe the proposed Pilot Program reflects Manitoba Hydro's On-Bill Loan Program.

Response:
The programs are both focused on home retrofits, however the Manitoba program is a loan program, and as a result requires credit scores, income information, and would be unavailable to low income or poor credit customers. Additionally the costs to the customers of the interest and the loan origination and buydown would be higher for the Manitoba program than in the On-Bill tariffed pilot.

Witness: MACED Personnel

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7. Refer to Slides 32 through 34 of the Brown Presentation. Discuss the degree to which the Joint Applicants and MACED believe the proposed Pilot Program reflects MidWest Energy's On-Bill Tariff Program.

Response:
The program is largely similar to the Midwest Energy On-Bill Tariff Program. Differences are discussed in the response to Question 12.

Witness: MACED Personnel

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8. Refer to the Pennyrile Electric Commercial Loan Application provided in the response to Staffs First Request, Item 5.a. Will the Joint Applicants and MACED require a loan application fee similar to that listed in condition 1 on page 2?

Response:
No.

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9. Refer to the response to Staffs First Request, Item 5.b.1. The response states, "TVA staff think that their customers believe they could be disconnected for non-payment." Do the Joint Applicants or MACED know if customers could be disconnected for nonpayment under TVA's secured financing program?

Response:
No, the TVA program is not a tariffed program; it is a secured loan program. Customers must apply for credit through TVA's lending partner, and TVA buys down the rate for participants to 6 percent.

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10. Refer to the response to Staffs First Request, Item 7.c.2.a.
   a. Assuming "the customer is making an investment in . . . electric service, not a loan," would the Joint Applicants and MACED agree that participation in the Pilot Program may create some cash flow concerns with some of the Pilot Program participants?

Response:
No. Customers' electrical bills on average will be reduced, and customers' peak winter bills will be significantly reduced. As a result, cash flow concerns will be mitigated by program participation from what they would otherwise have been.

   b. If yes, would the overall financial capacity, including income level, of any Pilot Program participant be considered by the Joint Applicants and MACED?

Witness: COOP Personnel

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11. Refer to the response to Staffs First Request, Items 13 and 14. Assuming the Commission approves the proposed Pilot Program, would the Joint Applicants and MACED agree to provide a copy of a sample conservation plan no later than the end of the "one-month start up period after Commission approval" mentioned in the response to Item 13?

Response:
Yes.

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12. Refer to the response to Staffs First Request, Item 18. MACED mentions it has visited Midwest Energy to view the implementation of Midwest Energy's on-bill finance program and has learned "adaptations needed for a Kentucky version."

a. Enumerate what the "adaptations . . . for a Kentucky version" are.
b. Document the reason(s) for each adaptation.

Response:
The MW energy program typically requires a buydown from customers before making larger retrofits. We believed that in order to be widely adopted in a Kentucky market, the normal model needed to be that the full price would be paid for on the bill, minus any rebates and incentives. Additionally, we believed that the interest rate needed to be as low as possible to reduce the costs to consumers, which is why we became involved as a non-profit lender to help test the model in its early stages.

Similarly, the contractor and customer base in Eastern Kentucky is probably less familiar with energy efficiency retrofits than that in Kansas, so the utility needs to be more involved in Kentucky to help educate both customers and contractors. In the MW model, customers are responsible for engaging their own contractor from an approved listing. Given the geographic diversity, and the limited number of qualified contractors, allowing the utility to directly manage the contractors in Kentucky will help to prevent the program from faltering while waiting for the customer to find a contractor – although any customer preference among approved contractors will guide the utility in contractor selection.

Finally, a number of simplifying and clarifying changes were made to the agreements between the utility and the contractor, and the utility and customer to clarify the duties of the home occupant and the home owner, which may be separate from each other. Specifically – the Kansas documents blurred distinctions between owner responsibilities and customer responsibilities when those were different parties. The Kentucky draft contracts are more precise about the basis for roles and responsibilities.

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13. Refer to the response to Staffs First Request, Item 20.a.
    a. Provide an update on the status of any funding request and the amount of any such request.

Response:
MACED was requested by the state to compile an application for funding from the U.S. Department of Energy which will include $500,000 in operational funding for On-Bill. Additionally MACED has submitted a pre-proposal for operational funding for $350,000 to the Duke foundation. There are no updates on the other funding applications.

    b. Assuming the Commission approves the Pilot Program, will the Joint Applicants and MACED agree to provide updates on any additional funding requests which the Joint Applicants and/or MACED may request during the Pilot Program?

Response:
MACED and the Joint Applicants will agree to provide updates on any additional funding that is received, or when a new request is filed for the purpose of specifically funding the pilot. MACED applies for multiple general operating grants, and although some of that funding will be used to support On-Bill, MACED does not feel that information will be useful to the commission.

Witness: MACED Personnel

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14. Refer to Staffs First Request, Item 21. Staff understands the general purpose of fixture liens as provided in the response. Typically, a creditor is the entity filing the fixture lien in order to secure its position as a creditor. Under the proposed program, the creditor is MACED. Why, then, would the Joint Applicants be responsible for filing a fixture lien?

Response:
The lien is not being filed for its traditional security purpose, but instead as a consumer protection measure to ensure that any potential buyer is aware of the agreement attached to the meter at the property. As MACED has no relationship with the customer, and will not have the customer's detailed information, the Joint Applicants will need to file the lien.

Witness: MACED Personnel

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15. Refer to the response to Staffs First Request, Item 26.
    a. Provide an update on the status of the "Kentucky Energy Retrofit Collaborative" ("KERC").

Response:
MACED has requested funds for the KERC as part of the grant request mentioned above in Question 12. Initial conversations about the organizational scope and structure with potential partners, including the Public Service Commission, are just beginning.

    b. Assuming the Commission approves the Pilot Program, will the Joint Applicants and MACED agree to provide periodic updates on work of the KERC during the Pilot Program?

Response:
Yes.

Witness: COOP Personnel

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16. Refer to the response to Staffs First Request, Item 28.a. Provide the tariff references for Big Sandy, Fleming-Mason, and Jackson that were not provided in Joint Applicants' initial response to this request.

Also provide a reference to the joint applicant's tariff that sets forth such disconnect policy...

Response:

From Rodney Chrisman, Jackson Energy:

Jackson Energy's rules and regulations filed with the commission Oct.26, 2008, original sheet no. 104 &105 item no. 18 (a) (4).

From Don Combs, Grayson RECC

Response was in the 1st data request, May 6, 2010.

From Mary Beth Nance, Fleming-Mason Energy

Fleming-Mason's rules and regulations, filed August 7, 2002, page 9, No. 9(2).

From David Estepp, Big Sandy RECC

Big Sandy RECC – Page 12, No. 22, 2(d)

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17 Refer to the response to Staffs First Request, Item 28.b.
   a. Joint Applicants failed to answer Item 28.b.I in the response to Staffs First Request. Explain fully how each Joint Applicant would handle the scenario posed in Item 28.b.I.

Response:

From Joint Cooperative Applicants:

Electric Cooperative would apply the $85 to the customer's account in the same manner as any other partial payment. If the $15 balance is not paid before the due date, it would be considered delinquent and the electric cooperative's normal collection process would be followed.

If the account is disconnected for any reason, any amount left owing after the deposit is applied, would be pro-rated between electric and retrofit based on the total amount electric billed versus retrofit billed.

The pro-rated unpaid electric portion will be written off as normal. The retrofit portion will be the responsibility of the next tenant of the property.

Witness: COOP Personnel

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b. Provide the legal basis which would support MACED's and the Joint Applicants' position that the proposed Energy Retrofit Rider is a "utility service at that point of delivery" as defined in 807 KAR 3006, Section 14(l)(f).

Response:

Section 14 of the Kentucky Administrative Regulations allow a utility to terminate service to a customer for reasons that are enumerated within that section. Subsection (1)(f) provides that service may be terminated at the point of delivery for nonpayment of charges incurred for utility service at that point of delivery. While this subsection would seem to hold that an electric utility could only terminate electric service when a customer fails to pay for electric service, other parts of the regulation would seem to be broad enough to allow for termination of service for non-payment of other charges or non-compliance with tariffed rules. Section 14(a) allows a utility to terminate service for a customer's failure to comply with tariffed rules or commission regulations. Section 14(d) states that a utility will not be required to furnish new service to a customer who is indebted to the utility for service furnished or "other tariffed charges" until the customer has paid the indebtedness. Thus, it appears that the regulation allows an electric utility to terminate electric service for nonpayment of charges other than those actually incurred for the use of electric service. Accordingly, service may be terminated at the point of delivery, even if nonpayment was for charges other than service at the point of delivery, so long as the other charges have been approved by the Commission.

Witness: MACED Personnel

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18. Refer to the response to Staffs First Request, Item 31. Explain what MACED means when it states that "the pilot On-Bill model has benificiaries [sic] cover the direct costs of the program."

Response: Although there are many system-wide benefits to reducing demand, one of the objections that has been raised previously to energy efficiency programs is that the rate base is subsidizing improvements that will directly benefit a single customer only. Under the On-Bill program, the customer receiving the direct energy savings benefit pays for the cost of the improvement.

Witness: COOP Personnel

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19. Throughout the responses to the Initial Data Request of the Attorney General ("AG's First Request"), MACED personnel responded to questions either directed to the Joint Applicants or for which the responses mention the Joint Applicants' responsibilities. Do the Joint Applicants adapt as their own MACED's responses to AG's First Request, Items 6, 8, 10, 11, 12, 13, 14, 15, 18, 19, 26, 30, 33, 35, 36, and 38?

Response: Yes.

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20. Refer to the response to the AG's First Request, Item 6. MACED states, "When the Company auditor determined that failure is due to customer or owner damages, (s)he will initiate repairs at the customers [sic] expense."

a. Is the Company auditor a MACED auditor, an auditor of one of the Joint Applicants, or an auditor of a third party? If a third party, who selects the third party - MACED or one of the Joint Applicants?

Response:
In the initial pilot, the auditor will be either an employee of the company, or of a related entity such as EKPC. If it becomes necessary to employ third party auditors, the Joint Applicants will select the auditor. If any auditor has a record of failing to make accurate estimates, then MACED may require that a different auditor be used.

b. Will the customer's responsibility to pay for expenses arising from repairs, due to damages attributed to the customer, be explained to the customer prior to the installation of the energy efficiency measure?

Response:
Yes.

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21. Refer to the response to the AG's First Request, Item 7.a.
    a. Is it the position of the Joint Applicants that the Low Income Home Energy Assistance Program and other "weatherization funding" can be used to pay charges under the Pilot Program?
    b. If so, what is the basis for this claim?

Response:
If approved, the On-Bill charge will be a part of utility service, and as such a portion of the customer's heating and cooling expense. As a result, if the customer is otherwise eligible for LIHEAP funding, then they would be able to apply that funding to their utility service, including the On-Bill charge.

For weatherization funding, the Applicants would not use those funds to pay the On-Bill monthly charge, but would instead supplement the work being done on the home. For example, weatherization funds might pay for air sealing and insulation improvements, while On-Bill could cover the cost of a new heat pump.

Witness: MACED Personnel

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22. Refer to the response to the AG's First Request, Item *7.c.* MACED states, "Uncalibrated software has been shown to be as accurate as 25% error ratio, and by calibrating those for the customer's previous usage, Midwest Energy was able to reduce the error to less than IO%." Do the Joint Applicants and MACED plan to use software which is calibrated "for the customer's previous usage"?

Response:
Yes.

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23. Refer to the response to the AG's First Request, Item 12.
    a. The Joint Applicants are proposing a two-year Pilot Program. The program cost breakdown provided in Item 12 only goes through June 2011. Provide any additional program cost breakdown for the remainder of the two-year time period of the Pilot Program.

Response:

The budget originally included the period of time prior to the PSC's approval of the program. An updated budget for the two-year pilot period after approval is included below.

MACED Program Implementation Budget	Year 1	Year 2	Total
Personnel	175,543	180,808	356,351
Fringe	51,995	53,554	105,549
Travel	11,438	11,512	22,950
Supplies	3,406	3,490	6,896
Contractual	13,583	13,916	27,449
Co-op start-up costs (for five total coops, budget includes ability to add a coop)	65,025	0	65,025
Other	40,374	41,300	81,674
Total expenses	**$361,369**	**$304,580**	**$665,949**
Fund Capitalization	**$850,000**	**$850,000**	**$1,700,000**
Total pilot	**$1,211,369**	**$1,154,580**	**$2,365,949**

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b. Are there additional costs for the Joint Applicants other than the "Co-op start-up costs" listed in the table? If so, provide that detail for the two-year time period of the Pilot Program.

Response:

No

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24. Refer to the responses to the AG's First Request, Item 13, and paragraph 22 of the Application. In paragraph 22 of the Application, the Joint Applicants state *(emphasis added),* "MACED is also seeking specific *on-bill funding* from both state American Recovery and Reinvestment Act funds distributed through the Kentucky Housing Corporation and private foundation funding. *The capital for the investments* will come from an initial $500,000 that MACED has on hand and an additional up to $1,500,000 in proposals pending . . . ."

a. Will this capital, once secured, be managed by, and be the responsibility of, MACED or the Joint Applicants?

Response:
MACED will manage, and be responsible for the capital, up until the point where it is distributed to a particular coop for use at a particular meter. At that point the capital becomes the responsibility of the coop.

b. Refer to MACED's response in the AG's First Request, Item 13, where MACED states, "Retrofits are . . . funded by long-term capital, and repaid through utility rates . . ."

1. Does this mean that the long-term capital at risk is MACED's long-term capital?
2. If yes, what obligation does the Commission have to MACED's financial integrity as represented by this long-term capital?

Response:
Yes, the capital funding the pilot is MACED's capital. The Commission has no responsibility to MACED's financial integrity.

Witness: COOP Personnel

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25. Refer to the response to the AG's First Request, Item 17.
    a. Do the Joint Applicants and MACED agree that there is an inherent conflict of interest when the company performing the audit is the same company recommending retrofit measures?
    b. If yes, explain how this inherent conflict of interest will be addressed in the Pilot Program.
    c. If no, explain why.

Response:
No. There would be a potential conflict if the contractor were performing the audit. Since the Coop is performing the audit, and the contractor is paid for satisfactory completion of the work, there is not a conflict in the design. The coop will be paid for the audit if the customer does not sign up for a retrofit, and will receive administrative costs if the customer does sign up. Under the current design, the program is not a revenue generator for the coops, it merely serves to cover their costs. The real benefits to the coop come from load reduction, which only works if the retrofits actually perform. Thus the customers' interest in saving energy and the coops' in reducing peak load are aligned.

The actual inherent conflict is the basic utility model – that the coop can make the most money by selling its customers more power. Until the coops can earn the same rate of return from providing energy efficiency services as they can from delivering power, the conflict between customer benefits of energy efficiency and the coop's need to maintain revenue will remain.

Witness: COOP Personnel

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26. Refer to the response to the AG's First Request, Item 18. MACED mentions "[the company's relationship with the contractor . . . ." Does "company" refer to either one of the Joint Applicants, MACED, or both?

Response:
One of the Joint Applicants.

Witness: COOP Personnel

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27. Refer to the response to the AG's First Request, Item 27. MACED states, "The agreement creates no obligations under the Kentucky law with regard to mortgage lending or consumer credit." Notwithstanding this statement, if the Commission approves the Pilot Program, would the Joint Applicants and MACED agree to comply with any applicable provisions of, or the spirit of, the relevant laws and regulations?

Response:

The Joint Applicants and MACED will agree to ensuring that customers are fully informed of the total costs, potential risks, and benefits before entering into any agreement as part of the on-bill pilot.