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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

In the Matter of:

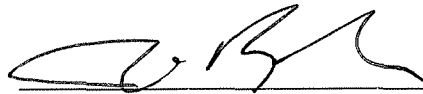
An Investigation of Natural Gas Retail  
Competition Programs

Case No. 2010-00146

**Responses of  
Retail Energy Supply Association  
to the Commission Staff's 7/15/10 Data Requests**

Retail Energy Supply Association ("RESA") hereby responds to the data requests propounded by the Commission Staff on July 15, 2010. RESA's response consists of one bound volume of text responses.

Respectfully submitted,

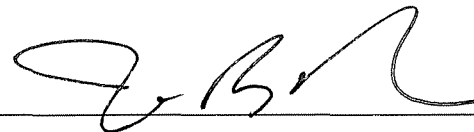


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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this the 29th day of July, 2010, the original and ten (10) copies of the foregoing were hand delivered to the Commission for filing, and a copy was served, via U.S. Mail, first-class, postage prepaid, on each person at the address shown on the attached Service List.



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**Request:**

1. Refer to the Direct Testimony of Teresa L. Ringenbach (“Ringenbach Testimony”) at page 5, lines 18-21. Eight states and the District of Columbia are identified as having fully open small-volume choice programs. Given the benefits of such programs discussed elsewhere in her testimony, what, in Ms. Ringenbach’s opinion, accounts for only nine jurisdictions nationwide having such programs?

**Response:**

There are additional states with open residential choice programs, as are shown at the Energy Information Administration website:

[http://www.eia.gov/oil\\_gas/natural\\_gas/restructure/restructure.html](http://www.eia.gov/oil_gas/natural_gas/restructure/restructure.html).

Ms. Ringenbach’s testimony focused on states where the largest switching has occurred and/or where she has direct experience in the markets. Moreover, in Ms. Ringenbach’s opinion based not on studies but long-term personal experience, successful programs commonly have strong support by the implementing state’s regulatory body and its staff. The best programs are where the regulatory body’s staff actively works with suppliers to open the market even where substantial resistance and opposition from traditional utilities exist. Staff needs to support a level playing field while still ensuring residential consumer protection and fair play.



**Request:**

2. Refer to page 17 of the Ringenbach Testimony at lines 15-17 and footnote 7.

Provide the definition of small customers used by Illinois.

**Response:**

From ILCS 220.5/ Public Utilities Act:

“Small commercial customer” means a nonresidential retail customer of a natural gas utility who consumed 5,000 or fewer therms of natural gas during the previous year; provided that any alternative gas supplier may remove the customer from designation as a “small commercial customer” if the customer consumes more than 5,000 therms of natural gas in any calendar year after becoming a customer of the alternative gas supplier. In determining whether a customer has consumed 5,000 or fewer therms of natural gas during the previous year, usage by the same commercial customer shall be aggregated to include usage at the same premises even if measured by more than one meter, and to include usage at multiple premises. Nothing in this Section creates an affirmative obligation on a gas utility to monitor or inform customers or alternative gas suppliers as to a customer’s status as a small commercial customer as that term is defined herein. Nothing in this Section relieves a gas utility from any obligation to provide information upon request to a customer, alternative gas supplier, the Commission, or others necessary to determine whether a customer meets the classification of small commercial customers as that term is defined herein.