

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. NG-102/PI-225
Commission, on its own motion,)
seeking to review policies and)
practices relating to the) ORDER OPENING DOCKET
administration of customer) REQUESTING WRITTEN COMMENTS
choice programs for natural gas) AND NOTICE OF ASSESSMENT
service offered within the)
State of Nebraska.) Entered: August 6, 2019

BY THE COMMISSION:

The Nebraska Public Service Commission ("Commission"), on its own motion, opens this docket for the purpose of gathering information regarding, and reviewing the administration of, customer choice programs for natural gas service offered within the State of Nebraska ("Choice programs").

The Commission is authorized by Neb. Rev. Stat. § 66-1855 to authorize customer choice programs. The Commission is further authorized by Neb. Rev. Stats. §§ 66-1848 and 66-1849 to certificate competitive natural gas providers ("CNGPs"), to promulgate rules and regulations relating to CNGPs, and to resolve disputes involving the provision of natural gas services by CNGPs. Accordingly, pursuant to the Commission's power, authority, and jurisdiction, and such other authority as may become relevant during the course of this inquiry, the Commission is initiating this investigation for the purpose of gathering information concerning policies and practices relating to the administration of Consumer Choice Programs for natural gas service offered within the State of Nebraska.

In order to facilitate a review of Nebraska's Choice programs, the Commission is hereby scheduling a workshop to be held on **September 25, 2019, from 9:00 a.m. to 4:00 p.m.**, with a one-hour break at approximately 12:00 p.m. If auxiliary aids or reasonable accommodations are needed for attendance at the workshop, or if any party would like to participate telephonically, please notify the Commission **at least one week prior to the workshop**. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

For the purposes of facilitating discussion, the Commission seeks written comments and evidence in advance of this workshop. Specifically, the Commission seeks to review the following issues:

1. **Customer Education.**

- a. How can utilities, CNGPs, and the Commission better educate customers about the Choice program? What should the goal of customer education be?
- b. What should the role of each entity be in administering and setting out information regarding the Choice program?

2. **Code of Conduct.**

- a. Is the current Code of Conduct set forth in the utility's tariff and in the Commission regulations sufficient to provide a fairly administered program that benefits both customers and marketers?
- b. Should any modifications be made to the tariff and/or regulations? If so, please provide proposed language.

3. **Annual Reports.** Current Commission regulations require both participating suppliers and the jurisdictional utility offering a choice program to file annual reports with the Commission following the close of the annual selection period.

- a. Is the information currently provided in annual reports sufficient to provide a fairly administered program that benefits both customers and marketers?
- b. Should the reports include more information, less information, or more specific information, details, and specifics? Please provide specific suggestions and sample language or edits.

4. **Marketing Period.**

- a. Is the current length and timing of the residential marketing period appropriate?
- b. Would customers benefit from having a longer or shorter marketing period? If so, when should the marketing period begin and end?

5. **Delegation Agreements.**

- a. How do Delegation Agreements benefit customers?
- b. Are Delegation Agreements appropriate to be used for each class of customer: residential, commercial, and agricultural? If not, why not?
- c. Should suppliers be required to send confirmation letters to any customer that signs a Delegation Agreement? If so, when should that confirmation letter be sent, and what information should it include?

6. **Customer Selection.**

- a. Once a customer makes a selection or signs a Delegation Agreement, are suppliers notified to remove that customer from further marketing? If so, how, and how quickly does this occur? If not, why not?
- b. Do customers have an expectation that once they make a selection or sign a Delegation Agreement, they will no longer be solicited? Is this currently occurring, and if not, how can it be accomplished?

7. **Other Information.** Is there any other information the Commission and other interested parties should consider in their review of the Choice program? If so, please provide an explanation and supporting documentation.

Written comments and supporting documentation regarding the above topics will be due to the Commission on or before **September 13, 2019, at 5:00 p.m. CDT** in order to be considered as part of the September 25th workshop. These items, as well as any other filings in this docket, should be submitted electronically to deena.ackerman@nebraska.gov and sallie.dietrich@nebraska.gov.

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The Commission further finds that it may be necessary to assess certain expenses associated with this docket to Black Hills, pursuant to Neb. Rev. Stat. § 66-1840. The Commission hereby provides notice to the utility that expenses related to this docket may be assessed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a docket shall be opened as Application No. NG-102/PI-225 for the purpose of gathering information regarding, and reviewing the administration of, customer choice programs for natural gas service offered within the State of Nebraska.

IT IS FURTHER ORDERED that a workshop shall be scheduled on **September 25, 2019, from 9:00 a.m. to 4:00 p.m.** in the Commission Hearing Room, Lincoln, Nebraska.

IT IS FURTHER ORDERED that written comments and supporting documentation will be accepted from all interested parties, and must be submitted on or before **September 13, 2019, at 5:00 p.m. CDT** in order to be considered in the course of the September 25th workshop.

IT IS FINALLY ORDERED that Black Hills/Nebraska Gas Utility Company LLC, d/b/a Black Hills Energy is hereby given notice of assessment as required by Neb. Rev. Stat. § 66-1840.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 6th day of August, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Knodes
Don Weisman
Tim Schwan

Mary Ridd

Chair

ATTEST:

Mick S. H. D.

Executive Director