

December 19, 2018

Ms. Stefanie A. Brand, Esq.  
Director  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
PO Box 003  
Trenton, NJ 08625-0003

**Subject: I/M/O Sussex-Warren Area Energy Cooperative Government Aggregation Program  
BPU Docket No. Pending – Energy Agent’s Response to Comment Letter  
from the Division of Rate Counsel dated November 9, 2018; Final Version of Notice to  
Residential Customers Pursuant to N.J.A.C. 14:4-6.6(s)**

Dear Director Brand:

As you know, Concord Energy Services and our partners at Commercial Utility Consultants, Inc., are the energy agents for the Sussex-Warren Area Energy Cooperative (“SWAEC”). As such, we recently reviewed the Division of Rate Counsel’s comments and suggestions related to the draft notice to residential customers for the SWAEC program. Below are our responses to Rate Counsel’s comments and suggestions on pages 1, 2 and 3 of your letter dated November 9, 2018.

*Page 1 of Rate Counsel’s Letter*

**RC:** “There is no guarantee of savings” as compared to “anticipated energy savings”

**EA:** The sentence on the cover letter has been updated to read “We are pleased to continue to offer this program for your electric supply.”

*Page 2 of Rate Counsel’s Letter*

**RC:** “Fixed” vs. “Variable” vs. “Non-variable”

**EA:** We revised the statement “a non-variable rate” to read, “The rate is a flat rate that will be the same from month-to-month” both in the undated cover letter (first page of the information kit) as well as on the “Nothing Changes” page.

**RC:** Contract Summary missing certain information...

**EA:** The Contract Summary includes the price, the length and final month of the SWAEC Program, the complete [www.njaggregation.us/SWAEC](http://www.njaggregation.us/SWAEC) website address, and opt-out postcard.

We modified the “Right to Cancel/Rescind” field of the contract summary to include the statement, “You may cancel this agreement at any time without penalty.”

With regard to your suggestions for additional language in the “Renewal Terms” field about residents automatically being returned to the Basic Generation Service, we are hesitant to do so

as we don't know that this will actually be the case at the end of this contract term: the program may be extended with the current supplier, we may go out to auction and secure savings through a different supplier with the start of the new program for SWAEC which may coincide with the end of this current program, etc. In any event, we will notice residents active in the SWAEC program at least 30-days prior to the end of this initial contract period regarding the next steps for program participants.

In addition, we also added footnote 1 to the "Price Structure" section of the Contract Summary, which reads -

<sup>1.</sup> "Supplier cannot adjust prices monthly for changed market conditions. Prices can only be adjusted to reflect a Change in Law affecting power prices that will also impact the JCP&L power supply tariff. You will be notified in advance of any such change, and will maintain your ability to opt out."

We have asked IDT Energy to address your concerns about their web page and posting information related to the SWAEC program.

**RC:** Discrepancy in the approximate time it takes to process an enrollment change request from a resident.

**EA:** We changed the language in footnote #3 on the dated cover letter to read, "Leaving the program is subject to the timing of meter readings and typically takes 1-2 billing cycles.", which now matches the information provided in the Contract Summary.

*Page 3 of Rate Counsel's Letter*

**RC:** Neither the Rate Counsel or BPU "oversees" energy aggregation programs.

**EA:** We revised the Frequently Asked Questions to read -

**Who supervises the Government Energy Aggregation process?**

The NJ Board of Public Utilities has enforcement authority over Aggregation programs in NJ. CUC/CES both must follow strict statutory guidelines implemented by the state agency. Key Documents are provided to Board of Public Utilities and Division of Rate Counsel staff for review and comment during the process.

**RC:** Contact Name, phone number and email for customer inquiries

**EA:** We discussed this requirement with the Board of Public Utilities previously, and they agreed that considering the number of residents – which is in the thousands in the case of the SWAEC program, and reaches tens of thousands in other GEA programs – it is impractical to list one individual's name and their telephone number and email address as the sole responsible party for all inquiries about the program. Therefore, we will continue to follow the recommendation of the BPU which is to list the name of the Energy Agent (in this case Concord Energy Services) responsible for the GEA program, our toll-free telephone number (which is answered by a pool of informed team members rather than just one individual thus eliminating long hold times and a potentially full voicemail box).

**RC:** Posting all public documents related to the SWAEC program.

**EA:** The final versions of the notice to residential customers, the outreach presentation video, and other program information will be available at [www.njaggregation.us/SWAEC](http://www.njaggregation.us/SWAEC).

The individual responsible for the submission of this document is:

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Manager, Government Programs  
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Voorhees, NJ 08043  
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The following individuals from each municipality have been designated by the municipality's governing body with respect to matters related to the government energy aggregation program:

Debra Prommel  
Township of Fredon (Lead Agency)  
Municipal Clerk  
(973) 383-7025 x21  
443 Route 94  
Newton, NJ 07860  
[fredonclerk@embarqmail.com](mailto:fredonclerk@embarqmail.com)

Mark Zschack, RMC  
Township of Green  
Township Clerk  
(908) 852-9333  
150 Kennedy Road  
Tranquility, NJ 07879  
[clerk\\_admin@greentwp.com](mailto:clerk_admin@greentwp.com)

Beth Brothman  
Andover Borough  
Municipal Clerk  
(973) 786-6688  
137 Main Street  
Andover, NJ 07821  
[clerk@andoverboroughnj.org](mailto:clerk@andoverboroughnj.org)

Judith Fisher  
Township of Hardwick  
Township Clerk  
(908) 362-6528  
40 Spring Valley Road  
Hardwick, NJ 07825  
[hardwicktwpclerk@yahoo.com](mailto:hardwicktwpclerk@yahoo.com)

Linda Leidner  
Blairstown Township  
Municipal Clerk/Registrar  
(908) 362-6663 x230  
106 Route 94  
Blairstown, NJ 07825  
[clerk@blairstowntwp-nj.com](mailto:clerk@blairstowntwp-nj.com)

Courtney Morrow  
Township of Harmony  
Township Clerk  
(908) 213-1600  
3003 Belvidere Road  
Phillipsburg, NJ 08865  
[harmonyclerk@ptd.net](mailto:harmonyclerk@ptd.net)

Donna Zilberfarb  
Township of Frelinghuysen Clerk  
(908) 852-4121  
210 Main Street  
Johnsonburg, NJ 07825  
[clerk@frelinghuysen-nj.us](mailto:clerk@frelinghuysen-nj.us)

Judith Fisher  
Hope Township  
Municipal Clerk  
(908) 459-5011 x1  
407 County Route 611  
PO Box 284  
Hope, NJ 07844  
[townclerk@hopetwp-nj.us](mailto:townclerk@hopetwp-nj.us)

Kristin Kolb Shipps  
Township of Knowlton  
Acting Municipal Clerk  
(908) 496-4816 x6  
628 Route 94  
Columbia, NJ 07832  
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Sheila L. Oberly, RMC, CMR  
Oxford Township  
Municipal Clerk  
(908) 453-3098 x201  
11 Green Street  
Oxford, NJ 07863  
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Ellen Horak, RMC, CMR  
Borough of Stanhope  
Borough Clerk  
(973) 347-0159 x16  
77 Main Street  
Stanhope, NJ 07874  
[ehorak@stanhopenj.gov](mailto:ehorak@stanhopenj.gov)

Kathryn Leissler  
Borough of Branchville  
Municipal Clerk  
(973) 948-4626 x20  
34 Wantage Ave  
Branchville, NJ 07826  
[Branchvilleclerk@yahoo.com](mailto:Branchvilleclerk@yahoo.com)

Pursuant to N.J.A.C. 14:4-6.6(s), enclosed are copies of the final versions of the notice to residential customers which will be mailed by IDT Energy, the supplier for the Program, to eligible customers in Township of Fredon, the Borough of Andover, the Township of Blairstown, the Township of Frelinghuysen, the Township of Green, the Township of Hardwick, the Township of Harmony, the Township of Hope, the Township of Knowlton, the Township of Oxford, the Borough of Stanhope and the Borough of Branchville. This government energy aggregation program is limited to residential only for electric.

Best regards,

*Tara Pasca*

Tara Pasca, CEP  
Manager, Government Programs

Copy: Ms. Ami Morita, Esq.  
Mr. Brian Weeks, Esq.