August 23, 2024

Ms. Sallie Tanner
Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

Re: WALTON EMC NATURAL GAS COMMENTS IN RESPONSE TO THE FIRST REVISED NOTICE OF PROPOSED RULEMAKING - RULE CHAPTER 515-7-8 SERVICE QUALITY STANDARDS FOR CERTIFICATED MARKETERS AND REGULATED PROVIDERS – DN 15296

Dear Ms. Tanner:

Please find enclosed for filing, comments of Walton EMC Natural Gas ("Walton Gas") respectfully submitted in the above-referenced docket. These comments are being filed with the Commission by means of its Alternative Electronic Filing procedures.

Please contact me if you have any questions.

Sincerely,

Phil Weatherly,
Director, Business Development
Walton EMC Natural Gas
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BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

IN RE:	**NOTICE OF PROPOSED RULEMAKING**	)	
	RULE CHAPTER 515-7-8 SERVICE	)	
	QUALITY STANDARDS FOR	)	**DN 15296**
	CERTIFICATED MARKETERS AND	)	
	REGULATED PROVIDER	)	

COMMENTS OF WALTON EMC NATURAL GAS

Walton EMC Natural Gas appreciates the opportunity to submit comments in response to the First Revised Notice of Proposed Rulemaking, NOPR to amend existing Commission rule 515-7-8: Service Quality Standards for Certificated Marketers and Regulated Providers that was issued on July 19, 2024.

Walton Gas participated in the review of issues prior to the initial NOPR to Amend Rule 515-7-8: Service Quality Standards for Certificated Marketers that was issued on October 4, 2023. Walton Gas also submitted brief comments in response to the initial NOPR, that was issued on October 4, 2023.

Walton Gas supports the effort to modify the existing rule with respect to clarifying several parts the remediation process, the timeline, probationary period the reporting and general compliance.

In the spirit of developing a clear, consistent and workable rule, Walton Gas submits the following comments.

Rule 515-7-8-.04 regarding Call Center Service Levels

Walton Gas believes the 180 seconds should begin when the caller makes an initial selection in the IVR, whether it is to speak with a live or automated agent. For whatever reason the customer calls, he/she should be able to timely, effectively get their business taken care of, within 180 seconds, regardless if the agent is live or automated. If they do, it should be considered a successful call and should count in both the numerator and the denominator.

To that end, we recommend adding "to speak with a live or automated agent" in the second paragraph, and in the definition of Total Received Calls in section to read as follows:

> Marketers shall be responsible for answering at least 80% of calls within 180 seconds. If placed into an Interactive Voice Response (IVR), the 180 seconds start when the customer makes the selection from the IVR to speak to a live or automated agent.

The change in the definition of "Total Received Calls", section (iii) would be as follow:

> Total Received Calls" means all calls received by a Marketer within a recording period in which a customer makes the selection within the IVR to speak to a live or automated agent and only excludes those calls that meet the definition of a Customer Terminated Call".

Rule 515-7-8-.12 Remediation

Walton Gas remains unclear as to the purpose of "remediation" as described in the revisions.

- The definition of "Remediation period" appears to be straightforward and clear. We think it should stand as is, without being confused (or in conflict) with the inclusion of "Passing Remediation". As defined, the Remediation period "means the time allowed by this rule for a marketer to correct its failure to meet a service quality measure (SQM) benchmark". We believe the three-month period is a reasonable time to remedy the issues that led to the non-compliance. That would mean, in our view, that there is no penalty during those three months for not meeting the benchmark.

- Passing Remediation is defined as, "a marketer has successfully met an SQM benchmark established by the Commission during the Remediation Period as defined in section 515-7-8-.12. If the marketer does not achieve a passing remediation, it is considered a failed remediation, and the Marketer will be subject to a penalty." If a marketer can be fined for failing to meet an established benchmark during the remediation period, then this appears to conflict with the definition, which allows "…time allowed for a marketer to correct its failure…"

- Regarding Call Center Service Level Remediation in Rule 515-7-8-.12 (a)

  The Marketer, in order to achieve a Passing remediation and avoid a penalty, at a minimum shall meet a 70% benchmark during the second month of remediation, and the established benchmark of 80% during the third month of the remediation period".

  - First, again, Walton Gas believes there should be no penalty during the three-month Remediation Period.

  If it is desirable to have a second month benchmark in the remediation process, Walton Gas supports the lower "benchmark" for the second month of remediation, such as the 70% level. This would demonstrate that there is an on-going effort to correct the issues and that it is not being neglected. However, if the Marketer continues to progress in the third month of the remediation period but only attains a 78% level, instead of the 80% benchmark, it would be subject to a penalty since it did not meet BOTH the second month benchmark AND the third month benchmark. This seems to reduce the Remediation Period to two months – as the "established benchmark" must be achieved in the third month of the remediation period. Perhaps a lower third month threshold for example, if the Marketer achieves just a 71% level in the second month, and a 78% level in the third month, progress is being made but would still be subject to penalty. Walton believes that after the completion of the remediation period and the filing of the remediation report, the marketer would then follow the steps of the rolling probation period and be subject to penalties for each failure until 12 months of non-failures have occurred.

- Regarding the Billing Accuracy Remediation in Rule 515-7-8-.12 (b)

  - The Marketer is required to meet the established benchmark of 98.5% in both the second and third month of the remediation period.

  - First, this would effectively reduce the Remediation Period to one month as the Marketer will be assessed a penalty if they do not meet the benchmark in the second and third month of the remediation process.

  - Walton Gas suggests that the benchmarks in the second and third month of the Remediation Period be lowered or omitted. It is also not consistent with the Call Center Service Level Remediation where the second month benchmark is lower than the established benchmark.

  - Walton reiterates its comments on what it believes to be the more reasonable implementation of remediation outlined above.

Rule 515-7-8-.14 Rolling Probation Period

Walton Gas seeks to clarify as to when the penalties will apply after the Remediation period ends and when the Marketer is eligible for the next Remediation Period.

As written there appears to be an inconsistency in how the rolling probation period is determined. Walton recommends the following replacement language to achieve what we believe to be the intention of the probation period.

"At the conclusion of the remediation period, the marketer will be subject to a penalty for each recording period that it is not in compliance with the established SQM benchmark that was subject to the remediation. The marketer will remain subject to penalties, and continue on probation, until they have demonstrated compliance with the benchmark for twelve (12) consecutive months. After the completion of probation period the marketer will be allowed to participate in the remediation procedures set forth in this rule."

Walton also recommends dropping the last sentence relating to Force Majeure since it is fully explained in subsection 8-.15, as it would apply any time, not just during probation.

Respectfully submitted this 23rd day of August 2024,

Phil Weatherly,
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