



September 30, 2013

Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, DE 19904  
Attn: Reg. Doc. 49

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DELAWARE P.S.C.

**RE: Starion Energy's Comments  
Regulation Docket No. 49  
Order No.: 8424**

Dear Commissioners,

Starion Energy PA, Inc. ("Starion") welcomes the opportunity to submit comments regarding Order Number 8424, Regulation Docket 49. Starion serves residential and commercial customers, offering fixed and variable products to allow the customer to choose the best option that meets their individual needs. Customers have the ability to choose a fixed rate and lock in prices for a specified period allowing them to budget certainty month to month energy expenses or they can participate in our variable rate program to take advantage of current market conditions of energy that Starion buys day to day.

Starion believes the proposed regulations make great strides to ensure customers are protected from deceptive door to door sales marketers and we applaud the Commission's efforts. Starion does have some concerns about a few provisions in the proposed regulation and would like to work with the Commission to ensure the regulation is clear and prevent any potential adverse consequences.

Should the Commission require that energy brokers be licensed to help safeguard consumers, it is critical that those brokers are aware of the current marketing regulations and abide by them. Brokers are in a very unique situation often representing more than one company, working as an independent contractor, many times working from home, making Supplier oversight of their every action very difficult, if not impossible. If brokers are required to be licensed, we believe they should be held responsible for any violations of the regulations. Starion is concerned Order 8424, as currently proposed, will make the supplier responsible for the broker's actions, by defining a broker as an "agent" although they would be obtaining an independent license and working independently of the Supplier.

Starion does believe as a Supplier we have a duty to comply with the law and ensure our employees are in compliance, but lack the oversight needed to ensure the same compliance from our brokers. Starion believes the Commission should hold the Brokers responsible for their

marketing practices and deny their license if shown to habitually violate the law. Starion suggests making the Supplier liable for the actions of the broker only when the Supplier engages with a broker that has not received the proper license or if a supplier continues to use a broker once the license has been revoked. By holding the broker directly responsible for their actions, we believe they will have more motivation to comply with all relevant laws and regulations, which provide greater protections for Delaware consumers.

Starion strongly supports the proposed requirements on background checks. For the safety of our customers we believe it is important to know exactly who they will be coming into contact with. We do have concerns with the vagueness of Section 3.8.6.4.3 of the order, "The Electric Supplier may not hire a Person or Agent for Door-to-Door Sales or marketing who was convicted of a felony or misdemeanor when the conviction reflects adversely on the persons suitability for such employment." Starion would recommend changing the section to give greater specifics on what the Commission views as convictions that reflects adversely on a person's suitability. We suggest rewording this section to prohibit the hiring of an individual who has been convicted of a violent crime or convicted of making false statements or misrepresentations. Starion wants to work with the Commission to ensure any ambiguities are limited, which can be done by further tailoring this section.

The Competitive Energy Industry is full of a lot of large companies, but it is important to note there are many small companies emerging into the market place, including Starion. We are committed to working with the Commission to ensure compliance with this new order, but we are concerned that an unintentional minor violation of the law could have some serious financial consequences for smaller companies. We recognize the proposal gives some discretion on the amount of the penalty based on the violation. We feel many companies are going to make a good faith effort to comply which should be a factor when deciding the penalties.

Starion strongly supports the proposed regulation changes on the door to door sales contained in Section 3.8.6.2 and Section 3.8.6.3. The proposal clearly lays out the requirement for all door to door transactions giving Suppliers and Marketers clear rules to abide by ensuring the consumer makes informed decisions when approached by a door to door salesperson. We appreciate the Commission's work to develop these standards.

Starion looks forward to working with the Commission in the future to ensure the market continues to provide competitive prices and quality customer service.

Very truly yours,



Alexandrea L. Isaac, Esq.  
General Counsel