May 30, 2014

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

RE: Starion Energy's Comments
Regulation Docket No. 49
Order No. 8545

Dear Commissioners,

Starion Energy PA, Inc. ("Starion") would once again like to thank the Commission for allowing additional feedback on the proposed rule changes contained in Order No. 8545. It is evident that the Commission and Staff have invested their time to consider those comments previously filed by Starion and other stakeholder in an effort to draft regulations that govern the evolving retail supply industry.

Addressing ambiguities and concerns during the drafting process will create a stronger competitive market for all parties. With this goal in mind, Starion would like to raise the following points:

1. The terms "Agent" and "Broker" defined in §1.0 Definitions.

Starion joins in support those comments previously filed by RESA dated October 1, 2013 on this issue. It remains ambiguous whether a marketer, whether it be someone conducting door to door sales, telemarketing or another marketing channel, who is *only* representing one supplier during the sale meets the definition of a 'Broker' or an 'Agent' or both and whether that marketer needs to obtain a Broker's License under §2.0 Certification of Electric Suppliers.

2. §2.0 Certification of Electric Suppliers

If it is the Commission's intention to incorporate other entities, such as Brokers, to be licensed by the Commission the section heading should be reflective of that. Starion suggests a heading of 'Licensing', with subsequent paragraphs that clearly state what entities need to be licensed. Those entities should also be defined in §1.0 Definitions.

3. §3.4 Contracts and Revised Contracts for Residential and Small Commercial Customers.

The additional requirement of confirming the identity of a person who enrolls through the internet and executes an Electronic Signature is inconsistent with the definition of "Verification Process" defined in §1.0 Definitions.

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Starion joins in RESA's October 1, 2013 comments that the term 'substantive change' in paragraph 3.4.4 was and remains ambiguous. By defining a term with the language 'but not limited to' places suppliers in a position of having to guess what changes the Commission wants to review.

4. §3.5 Price and Terms of Service.

If a customer enrolls in a variable product that customer's terms of service will provide a definition of the variable product which states that the price may vary from month-to-month. As such, when that customer's price does vary from month to month it would not trigger the supplier to be sending out notices as described in this paragraph, because that change in price is not reflective of a product or service change. If this reading does not reflect the position of the Commission, additional clarification is needed.

5. §3.8 Marketing and Advertising.

Paragraph 3.8.5 requires Electric Suppliers to notify the Commission not fewer than 5 business days before the start of a marketing campaign. Does this notification requirement include general door to door and telephone solicitation if there are no advertising materials? Does simply soliciting Delaware consumers constitute a marketing campaign? If the answers to the preceding questions are 'yes' then the Commission must provide additional information. For example, if an Electric Supplier chooses not to actively market to Delaware consumers for a given period of time – two weeks, 30 days, etc. does the Commission take the position that before they can begin marketing again they must notify the Commission?

6. §5.0 Customer Protection

Paragraph 5.1.3.10 refers to a ten day rescission period whereas other sections refer to a seven day rescission period.

Starion appreciates the opportunity to submit these comments.

Very truly yours,

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