contracts for large C&I customers.[238] Moreover, the profiled states show that there are a substantial number of suppliers actively serving large C&I customers. Box 4–5 describes the unique sign-up period that Oregon has developed for its non-residential customers.

Box 4–5: Oregon's Annual Window for Switching for Nonresidential Customers

Nonresidential customers of the two large investor-owned distribution utilities in Oregon can switch to an alternative supplier, but the switching process is unique. Nonresidential customers must make their selections during a limited annual window. The window must be at least 5 days in duration, but usually a month is allowed. In addition to picking the alternative supplier, the largest customers must select a contract duration. One option specifies a minimum duration of 5 years, with an annual renewal after that. As of 2005, alternative suppliers were anticipated to serve about 10% of load in one distribution area and about 2.1% in the other. The former utility offered choice beginning in 2003. The latter utility began customer choice in 2005. Detailed descriptions are available at *http://www.oregon.gov/PUC/electric_restruc/indices/ORDArpt12-04.pdf*.

Exposure of all customers to time-based prices is not necessary to introduce price-responsiveness into the retail market.[239] As a first step, customers who are the most price-sensitive and elastic could be exposed to time-based rates. Niagara Mohawk in upstate New York has taken this approach for its largest customers, as have Maryland and New Jersey for their largest customers. California is considering setting real-time pricing as the default rate for medium-sized and larger commercial and industrial customers. Another means to introduce price-responsiveness is to provide customers voluntary time-based rate programs, along with assistance in equipment purchase or financing. The actions of the New York PSC to require voluntary TOU for residential customers, and the Illinois legislature to require that residential customers be offered real-time pricing as a voluntary tariff are examples of such a policy. Of course, the point is that competition will provide customers with the mix of products and services that match their needs and preferences—not a determination of the popularity of real-time pricing.

4. Use of Auctions To Procure POLR Service

As discussed above, New Jersey has used an auction process to procure POLR supply for both residential and C&I customers. Illinois has proposed to use a similar auction when its rate caps expire. Auctions may allow retail customers to obtain the benefit of competition in wholesale markets as suppliers compete to supply the necessary load. However, as discussed in Chapter 3, if there is a load pocket, use of an auction is unlikely to help this process and thus the benefits of competition may not be as great.

5. Consumer Awareness of Customer Choice and Engendering Interest in Alternative Suppliers

Observers of restructuring in other industries have found that the growth of customer choice can be a slow process. A commonly cited example is that it took 15 years before AT&T lost half of long-distance service customers to alternative suppliers.[240] One reason why retail competition could be slow to develop is that the expected gains from learning more about market choices are too small to make it worthwhile to learn.[241] Residential customers with small loads might be in this position in states with retail customer choice.[242]

The pricing of POLR service and aid in computing the ''shopping credit'' may be elements that can encourage more rapid development of retail competition by making the rewards for active search sufficient to motivate search behavior by residential consumers. Some states that have low ''shopping credits'' have had little retail entry. Some retail competition states have had substantial consumer education programs, including Web sites with orientation materials and price comparisons.[243] These efforts minimize the cost of learning more about the market and about market alternatives and can, therefore, make market search beneficial to customers.

New York has engaged in a different approach to encourage the development of retail competition. It is helping to organize temporary discounts from alternative suppliers and ordering distribution utilities to make these discounts known to consumers who contact the distribution utility.[244] These efforts have increased residential switching and reduced prices, at least for the short term. Experience indicates that once residential customers switch to alternative suppliers, they seldom return to POLR service once the temporary discounts no longer apply.[245]

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[238] *See, e.g.*, Consolidated Edison; Alliance for Retail Energy Markets; Constellation; PPL; RESA; NY PSC; Direct Energy; Reliant; PA OCA; Wal-Mart; Morgan.

[239] Steven Braithwait and Ahmad Faruqui, *The Choice Not to Buy: Energy Savings and Policy Alternatives for Demand Response*, PUBLIC UTILITIES FORTNIGHTLY, March 15, 2001.

[240] James Zolnierek, Katie Rangos, and James Eisner, Federal Communication Commission, Common Carrier Bureau, Industry Analysis Division, *Long Distance Market Shares, Second Quarter 1998* (September 1998), pp. 19–20, available at *http://www.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/mksh2q98.pdf*, and Thomas L. Welch, Chairman, Maine Public Utilities Commission, UtiliPoint PowerHitters interview (January 24, 2003) available at *http://mainegov-images.informe.org/mpuc/staying_informed/about_mpuc/commissioners/ph-welch.pdf*.

[241] Economists refer to this phenomenon as rational ignorance. Clemson University, *The Theory of Rational Ignorance*, The Community Leaders' Letter, Economic Brief No. 29, available at *http://www.strom.clemson.edu/teams/ced/econ/8-3No29.pdf*.

[242] Joskow, Interim Assessment.

[243] *See, e.g.*, ELCON; Progress Energy; Constellation; PEPCO; PA OCA.

[244] In Case 05–M–0858, the New York Public Service Commission adopted the ''PowerSwitch'' alternative supplier referral program, first developed by Orange and Rockland, as the model for all state utilities.

[245] New York State Consumer Protection Board, Comment to the New York State Public Service Commission, Case 05–M–0334, Orange and Rockland Utilities, Inc., Retail Access Plan (May 2, 2005) at 5. The Board indicates that retail customers who have participated in ''PowerSwitch'' are returning to POLR service at a rate of less than 0.1% per month. The Board applauds PowerSwitch because it is completely voluntary and provides assured initial savings to consumers.

ENVIRONMENTAL PROTECTION AGENCY

[FRL–8183–6]

Science Advisory Board Staff Office; Advisory Council on Clean Air Compliance Analysis; Notification of a Public Advisory Committee Meeting (Teleconference)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency), Science Advisory Board (SAB) Staff Office announces a public teleconference for the Advisory Council on Clean Air Compliance Analysis.

DATES: The teleconference will take place on June 29, 2006 from 1 p.m. to 3 p.m. (Eastern Time).

FOR FURTHER INFORMATION CONTACT: Any member of the public who wishes to obtain the teleconference call-number and access code must contact Dr. Holly Stallworth, Designated Federal Officer (DFO), EPA Science Advisory Board

Staff Office (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone/voice mail: (202) 343–9867.

SUPPLEMENTARY INFORMATION:

Background: The Advisory Council on Clean Air Compliance Analysis (Council) is a Federal advisory committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. The Council is charged with providing advice, information and recommendations to the Agency on the economic issues associated with programs implemented under the Clean Air Act and its Amendments. Pursuant to a requirement under section 812 of the 1990 Clean Air Act Amendments, EPA conducts periodic studies to assess the benefits and the costs of the Clean Air Act. The Council has been the chief reviewing body for these studies and has issued advice on a retrospective study issued in 1997, a prospective study issued in 1999, and, since 2003, analytic blueprints for a second prospective study on the costs and benefits of clean air programs covering the years 1990–2020. EPA's Office of Air and Radiation (OAR) is proceeding to implement past advice offered by the Council on its forthcoming ''Second Prospective Analysis.'' OAR's Web site on these section 812 studies may be found at *http://www.epa.gov/oar/sect812/.*

The Council teleconference will provide an opportunity for members to receive an update from EPA/OAR on the status of its Second Prospective Analysis. Council members will discuss whether any additional advisory activities are needed prior to OAR's issuance of a full draft report. The meeting agenda and any background materials will be posted on the SAB Web site at: *http://www.epa.gov/sab* prior to the meeting.

Procedures for Providing Public Input: Members of the public may submit relevant written or oral information for the Council to consider during the advisory process. *Oral Statements:* In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes per speaker with no more than a total of fifteen minutes for all speakers. Interested parties should contact the DFO, contact information provided above, in writing via e-mail at least by June 22, 2006, in order to be placed on the public speaker list.

Meeting Accommodations: For information on access or services for individuals with disabilities, please contact Dr. Holly Stallworth at (202) 343–9867, or via e-mail at *stallworth.holly@epa.gov.* To request accommodation of a disability, please contact Dr. Stallworth, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: June 7, 2006.

Anthony F. Maciorowski,

Associate Director for Science, EPA Science Advisory Board Staff Office.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–8183–7]

Science Advisory Board Staff Office; Clean Air Scientific Advisory Committee (CASAC); Notification of a Public Advisory Committee Meeting of the CASAC Lead Review Panel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public meeting of the Clean Air Scientific Advisory Committee's (CASAC) Lead Review Panel (Panel) to conduct a peer review of EPA's *Air Quality Criteria for Lead (Second External Review Draft), Volumes I and II* (EPA/600/R–05/144aB–bB, May 2006); and to conduct a consultation on the Agency's *Analysis Plan for Human Health and Ecological Risk Assessment for the Review of the Lead National Ambient Air Quality Standards* (Draft, May 31, 2006).

DATES: The meeting will be held from 8:30 a.m. (Eastern Time) on Wednesday, June 28, 2006, through 12 p.m. (Eastern Time) on Thursday, June 29, 2006.

Location: The meeting will take place at the Marriott at Research Triangle Park, 4700 Guardian Drive, Durham, NC, 27703, Phone: (919) 941–6200.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wishes to submit a written or brief oral statement (five minutes or less) or wants further information concerning this meeting must contact Mr. Fred Butterfield, Designated Federal Officer (DFO), EPA Science Advisory Board (1400F), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; via telephone/voice mail: (202) 343–9994; fax: (202) 233–0643; or e-mail at: *butterfield.fred@epa.gov.* General information concerning the CASAC or the EPA Science Advisory Board can be found on the EPA Web site at: *http://www.epa.gov/sab.*

SUPPLEMENTARY INFORMATION:

Background: EPA is in the process of updating, and revising where appropriate, the air quality criteria document (AQCD) for lead. Section 109(d)(1) of the Clean Air Act (CAA) requires that EPA carry out a periodic review and revision, as appropriate, of the air quality criteria and the national ambient air quality standards (NAAQS) for the six ''criteria'' air pollutants, including lead. On December 1, 2005, EPA's National Center for Environmental Assessment National, Research Triangle Park (NCEA–RTP), within the Agency's Office of Research and Development (ORD), made available for public review and comment a revised draft document, *Air Quality Criteria for Lead (First External Review Draft), Volumes I and II* (EPA/600/R–05/144aA–bA). This first draft Lead air quality criteria document (AQCD) represented a revision to the previous EPA document, *Air Quality Criteria for Lead,* EPA–600/8–83/028aF–dF (published in June 1986) and an associated supplement (EPA–600/8–89/049F) published in 1990. Under CAA sections 108 and 109, the purpose of the revised AQCD is to provide an assessment of the latest scientific information on the effects of ambient lead on the public health and welfare, for use in EPA's current review of the NAAQS for lead. Detailed summary information on the revised draft AQCD for lead is contained in a previous EPA **Federal Register** notice (70 FR 72300, December 2, 2005).

EPA is soliciting advice and recommendations from the CASAC by means of a peer review of the revised draft Lead AQCD. The CASAC, which is comprised of seven members appointed by the EPA Administrator, was established under section 109(d)(2) of the Clean Air Act (CAA or Act) (42 U.S.C. 7409) as an independent scientific advisory committee, in part to provide advice, information and recommendations on the scientific and technical aspects of issues related to air quality criteria and NAAQS under sections 108 and 109 of the Act. The CASAC is a Federal advisory committee chartered under the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. Earlier this year, the SAB Staff Office established a CASAC Lead Review Panel to provide EPA with advice and recommendations concerning lead in ambient air. The Panel complies with the provisions of FACA and all appropriate SAB Staff Office procedural policies.