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SAM M. WALTON DEVELOPMENT COMPLEX * ENERGY DEPARTMENT #0550 * 2001 S.E. 10TH STREET
BENTONVILLE, AR 72716 - 0550 *

December 27, 2005

Mary L. Cottrell
Secretary of the Department
Department of Telecommunications and Energy
One South Station-2nd Floor
Boston, MA 02110

Re: Proposed Revisions to NSTAR Electric Terms and Conditions; D.T.E. 05-84

Dear Ms. Cottrell:

Wal-Mart respectfully requests your consideration of its comments herein filed after the submittal deadline regarding the proposal of NSTAR Electric to modify its Terms and Conditions regarding Basic (Default) Service. According to our understanding, NSTAR is proposing to prevent Commercial and Industrial customers ("C&I's") from returning to the same competitive retail supplier if C&I's have moved from that supplier to Basic Service within the previous six months.

Wal-Mart recently became aware of NSTAR's proposal and believes restrictions on moving to and from competitive suppliers will hamper competition in the Massachusetts market. Over the last few years, Wal-Mart has secured competitive electricity in 12 different states and 19 different markets, in which Massachusetts is one. In our broad experience, the most successful competitive markets have short minimum stay requirements, usually 30 days or less.

NSTAR's proposal of a six-month time frame would give the utilities an unfair advantage, as well as harm the competitive market by denying an "apples-to-apples" comparison of electric commodity prices. We find the most successful competitive markets where there are well-structured market design characteristics such as transparency with the true cost-of- service reflected within rate structures, in addition to short minimum stay requirements. This market transparency is enhanced with the opportunity for frequent "apples-to-apples" comparisons.

Wal-Mart supports the explanations of customer movement given in The Energy Consortium comments in the above-referenced docket, pages 2 and 3, on December 16, 2005.

Perhaps as an alternative, the Department of Telecommunications and Energy could evaluate and consider the bidding out of customer accounts on Basic Default Service. Such an example is currently found in the Texas ERCOT area.
In this scenario, customers have the benefit of several suppliers competing for their business, which would help assure customers obtain competitive pricing, and the winning bidder would appreciate the opportunity to earn their business. Therefore, despite this current well-functioning competitive atmosphere mistakenly viewed as "gaming", the competitive bidding for Basic Default Service could help further eliminate the misconception.

Thank you for your consideration of our comments and we hope they may provide the Department of Telecommunications and Energy with a customer perspective on this issue.

Respectfully submitted,

Angela S. Beehler
Director of Energy Regulation