

ELCON *PRESS RELEASE*

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Statement of John Anderson, President of the Electricity Consumers Resource Council (ELCON), in Response to the Supreme Court Granting Certiorari in the Case of FERC s. EPSA, May 4, 2015

The Supreme Court, in its wisdom, has agreed to hear the case of FERC v. EPSA on the issue of Demand Response. ELCON members applaud that decision.

ELCON was a prime driver in FERC issuing Order 745, which is at the core of the ESPA v. FERC case, because we recognize that by reducing load we can have an electricity delivery system that is both more efficient, more environmentally favorable, and, at the same time, is less costly to all consumers, large and small. We certainly believe that FERC's regulatory authority over the so-called Organized Markets allows for FERC to also regulate the energy and capacity markets that these entities oversee. It is in these energy and capacity markets that the rules for Demand Response are set.

And we are especially pleased that the Supreme Court has agreed to consider the second question in this case – the question of how Demand Response participants should be compensated – so that we can reach a definitive determination on that issue and then proceed to maximize our Demand Response potential.

Demand Response can be a win-win issue for consumers who get lower prices and generators who get a more efficient grid. We eagerly await the Court's consideration and decision.

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ELCON, established in 1976, is the national association of large industrial users of electricity from virtually every manufacturing sector. ELCON members seek a reliable supply of electricity at competitive prices and have long supported federal and state efforts to achieve that objective. More information about ELCON is available at ELCON's website, www.elcon.org.