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ILLINOIS COMMERCE COMMISSION

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ILLINOIS COMMERCE COMMISSION

Green Mountain Energy Company	§	
	§	Docket No.
Application for Certificate of	§	12-0477
Service Authority under Section	§	
16-115 of the Public Utilities Act		

ILLINOIS COMMERCE COMMISSION
2012 AUG 15 A 11:
CHIEF CLERK'S OFFICE

APPLICATION

Green Mountain Energy Company ("Applicant" or "Green Mountain") hereby requests that the Illinois Commerce Commission ("Commission") grant Applicant a certificate of service authority pursuant to Section 16-115 of the Public Utilities Act ("Act") to operate as an Alternative Retail Electric Supplier for all eligible residential and nonresidential retail customers in the service area of Commonwealth Edison. Applicant was granted a certificate of service authority to operate as an Alternative Retail Electric Supplier for all eligible nonresidential retail customers with annual electrical consumption greater than 15,000 kilowatt-hours on May 18, 2011 (Docket no. 11-0326). In support of its application, Applicant states as follows:

GENERAL [451.20, 451.30 and 451.310]

1. Applicant's name and street address: [451.20(c)(1)]

   Green Mountain Energy Company
   300 West 6th Street, Suite 900
   Austin, Texas 78701

2. Related information:

   Type of business: corporation

   Jurisdiction under whose laws business entity was created: Delaware

   Other names under which Applicant does business (D/B/A): none

   Federal Employer Identification Number (FEIN): 03-0360441 [451.20(c)(2)]

   Registered agent in Illinois: CT Corporation System
   208 S. LaSalle Street
   Suite 814
   Chicago, IL 60604

3. Contact persons for the following:

a) Issues related to processing this application:	L. Michelle Cutrer Assistant General Counsel Green Mountain Energy Company 300 West 6th Street, 9th Floor Austin, TX 78701 (512) 691-6127 phone (512) 691-6353 fax michelle.cutrer@greenmountain.com
b) Issues related to retail customer complaint resolution:	John Bui Sr. Regulatory Analyst, Regulatory Compliance Green Mountain Energy Company 300 West 6th Street, 9th Floor Austin, TX 78701 (512) 691-6339 phone (512) 691-6353 fax john.bui@greenmountain.com
c) Issues related to retail commercial customers (other than complaint resolution), and issues arising from relationships with other providers of electric services:	Jeff Thomas Vice President, Customer Operations (Commercial Services) Green Mountain Energy Company 1255 West 15th Street, Suite 100 Plano, TX 75075 (972) 265-4424 phone (972) 673-0269 fax jeff.thomas@greenmountain.com
Issues related to retail residential customers (other than complaint resolution):	Paul Markovich President, Residential Services Green Mountain Energy Company 300 West 6th Street, 9th Floor Austin, TX 78701 (512) 691-6139 phone (512) 691-353 fax paul.markovich@greenmountain.com
d) Technical issues, including scheduling of generation, transmission and distribution:	Mark E. McShane Senior Vice President, Supply Green Mountain Energy Company 300 West 6th Street, 9th Floor Austin, TX 78701 (512) 691-6107 phone (512) 691-6151 fax mark.mcshane@greenmountain.com

4. Applicant does not agree to accept service by electronic means. [451.30(e)]

5. Applicant is licensed to do business in the State of Illinois, as demonstrated by Attachment for 451.20(d)(1). [451.20(d)(1)]

6. Applicant will publish a notice of its application for certification in the Official State Newspaper within 10 days following the filing of this Application for certification. Applicant will file proof of publication with the Clerk of the Commission within 5 days after publication. [451.30(a)]

7. Neither Applicant, nor any employees of Applicant, will be installing, operating, and/or maintaining generation, transmission, or distribution facilities within the State of Illinois. [451.20(d)(2)]

8. A description of Applicant's business is provided in the Attachment for 451.30(c)(1). Applicant is not affiliated with an Illinois public utility (as defined in Section 3-105 of the Public Utilities Act). Affiliates of Applicant that have been granted a certificate of service authority to operate as an Alternative Retail Electric Supplier in the State of Illinois are listed in the Attachment for 451.30(c)(1). [451.30(c)(1)]

9. Applicant seeks to be authorized to offer service to all eligible residential and nonresidential retail customers in the Commonwealth Edison Company ("ComEd") geographic area. Applicant intends to offer a variety of retail electric products to residential customers, including but not limited to a fixed term and a month-to-month product. Applicant intends to offer a variety of retail electric products to commercial customers, including but not limited to a fixed rate product and a managed index product. [451.30(c)]

10. Applicant is filing under Subpart D of Part 451. [451.30(c)(2)]

11. Notification of intent to serve in ComEd's service area has been provided to ComEd's in-state designated agent, as listed on the Illinois Commerce Commission website, and to the ComEd Electric Supplier Services Department. A copy of the notice to Com Ed of Applicant's intent to serve in the Con Ed service area and proof of delivery of such notice is provided in Attachment for 451.30(c)(3). [451.30(c)(3)]

12. Applicant certifies that:

    a) it will comply with all applicable Federal, State, regional and industry rules, policies, practices, procedures and tariffs for the use, operation, maintenance, safety, integrity, and reliability of the interconnected electric transmission system; [451.20(a)]

    b) it will comply with informational and reporting requirements that the Commission may by rule establish; [451.20(b)]

    c) it will comply with all other applicable laws and regulations and Commission rules and orders; [451.20(e)]

d) it shall comply with all terms and conditions required by Sections 16-115A(a), (b), and (f), 16-119, 16-123, 16-125(b) and (c), 16-127, and 16-128(a) of the Act, to the extent those Sections have application to the services being offered by the alternative electric supplier; and [451.30(d)(2)]

e) it shall comply with all terms and conditions required by Section 16-115A(c) of the Act. [451.310(a)]

13. Applicant agrees to submit good faith schedules of transmission and energy in accordance with applicable tariffs. [451.20(a)]

14. Applicant certifies that it will provide for review by Staff, on a confidential and proprietary basis, data related to contracts for the purchase and sale of electric power and energy. [451.20(b)]

15. Applicant certifies that it will procure renewable energy resources as required by Section 16-115D and Section 16-115(d) of the Act. [451.20(f)]

16. Applicant certifies that it will source electricity from clean coal facilities, as required by Section 16-115(d)(5) of the Act. [451.20(g)]

17. Applicant agrees to adopt and follow rules and procedures ensuring that authorizations from customers, customer billing records, and requests for delivery service transmitted to utilities are retained for a period of not less than two calendar years after the calendar year in which they were created. Applicant agrees to make these records available by request to the Commission or its Staff on a confidential and proprietary basis, as necessary to carry out the Commission's obligations under the Act. [451.40(a)]

18. Applicant agrees to adopt and follow rules and procedures to preserve the confidentiality of its customers' data. [451.40(b)]

19. Applicant currently has authority from the Commission to be an alternative retail electric supplier for all eligible nonresidential retail customers with annual electrical consumption greater than 15,000 kilowatt-hours in the service area of Commonwealth Edison (Docket no. 11-0326). Applicant requests that such current authority be consolidated with any authority granted with this application, under the docket number of this application.

20. Applicant is licensed as a retail electric supplier in Texas, New York, New Jersey, Pennsylvania, Massachusetts, Delaware, Maryland and the District of Columbia. Applicant has been serving residential and commercial retail electric customers in Texas since 2001, in New York since August 2009 and in Pennsylvania since June 2012. Applicant has been serving commercial retail electric customers in New Jersey since February 2012. Complaints filed against Applicant for its provision of any services in the electric or gas industry are summarized in the Attachment for Paragraph 20.

LICENSE OR PERMIT BOND [451.50]

21. With its original Application for a certificate of service authority filed April 5, 2011, Applicant provided the Commission an original License or Permit Bond in the amount of $150,000.00 (Bond Number 016060010), meeting the requirements of Section 451.50. Applicant includes with this Application an original Increase Rider that increases the amount of the License or Permit Bond (Bond Number 016060010) to $300,000.00. A copy of the original License or Permit Bond and the Increase Rider are also included in Attachment for 451.50.

FINANCIAL QUALIFICATIONS UNDER SUBPART C [451.320]

22. Applicant meets the financial criteria set forth in Part 451.320(a)(3), as demonstrated in Attachment for 451.320. Applicant certifies that it is a member of PJM Interconnection ("PJM") and that it will purchase 100% of its physical energy from PJM for delivery to the service territories of the utilities for which Applicant is seeking a certificate, as demonstrated in Attachment for 451.320.

23. Applicant will not provide electric power and energy with property, plant and equipment that it owns, controls, or operates.

    Although Applicant is affiliated with two entities that collectively own a 455 MW gas-fired power plant in Rockford, Illinois (NRG Rockford LLC and NRG Rockford II LLC), Applicant has no contractual rights to the output of the Rockford power plant. NRG Rockford LLC and NRG Rockford II LLC are wholly-owned, indirect subsidiaries of NRG Energy, Inc. Applicant is a wholly-owned, direct subsidiary of NRG Energy, Inc. ("NRG").

TECHNICAL QUALIFICATIONS UNDER SUBPART C [451.330]

24. Applicant will not use electric generation, transmission or distribution facilities that it owns, controls, or operates in serving customers. Applicant meets the requirements of Part 451.330, as demonstrated in Attachment for Section 451.330. [451.330] Applicant agrees to maintain the following phone number, fax and address where its staff can be directly reached at all times:

    NRG real-time desk, that supports Applicant's retail operations:

Telephone:	(609) 524-4554 (24-hour real-time desk)
Fax:	(609) 524-4540 (24-hour real-time desk)
Address:	Green Mountain Energy Company 211 Carnegie Center Princeton, NJ 08540

    Applicant understands that maintenance of an answering service or machine, pager or similar message-taking procedure does not satisfy this requirement. [451.330(c)]

Applicant provides the following additional contact:

Telephone:	(972) 265-4424
Fax:	(866) 306-3695
Address:	Green Mountain Energy Company 1255 W. 15th Street, Suite 100 Plano, TX 75075 Attention: Jeff Thomas

MANAGERIAL QUALIFICATIONS UNDER SUBPART C [451.340]

25. Applicant meets the managerial qualifications set forth in Part 451.340, as demonstrated in the Attachment for Section 451.340. Attachment for Section 451.340 includes a corporate organizational chart and identifies the persons or agents used to meet the requirements of Part 451.340(b).

26. Applicant is not relying on any agents or contractors to meet the technical and managerial requirements of Part 451.330 or 451.340.

FINANCIAL QUALIFICATIONS FOR SINGLE BILLING SERVICE [451.510]

27. Applicant does not intend to provide single billing services.

GENERAL PROVISIONS FOR APPLICANTS FILING UNDER SUBPART D [451.310]

28. Applicant has not been denied an electric supplier license in any state in the United States. [451.310(c)(1)]

29. Applicant has not had an electric supplier license suspended or revoked by any state in the United States. [451.310(c)(2)]

30. Applicant does not have other electric supplier license applications pending in the United States. [451.310(c)(3)]

31. Applicant is not the subject of any lawsuits that were filed in a court of law or formal complaints that were filed with a regulatory agency alleging fraud, deception or unfair marketing practices, or other similar allegations. [451.310(c)(4)]

32. Applicant certifies that its marketing materials which make statements concerning prices, terms and conditions of service will contain information that adequately discloses the prices, terms and conditions of the products or services that the Applicant is offering or selling to the customer. [451.310(d)(1)]

33. Applicant certifies that before any customer is switched from another supplier, Applicant will give the customer written information that adequately discloses, in plain language, the prices, terms and conditions of the products and services being offered and sold to the customer. [451.310(d)(2)]

34. Applicant certifies it will provide documentation to the Commission and to customers that substantiates any claims made by the Applicant regarding the technologies and fuel types used to generate the electricity offered or sold to customers. [451.310(d)(3)]

35. Applicant certifies it will provide to the customer itemized billing statements that describe the products and services provided to the customer and their prices, and provide an additional statement, at least annually, that adequately discloses the average monthly prices, and the terms and conditions, of the products and services sold to the customer. [451.310(d)(4)]

36. Applicant certifies it will include materials comprising the consumer education program (pursuant to Section 16-117 of the Act [220 ILCS 5/16-117]) with all initial mailings to potential residential and small commercial retail customers and before executing any agreements or contracts with such customers, and that Applicant will provide these materials at no charge to residential and small commercial retail customers upon request. [451.310(e) and 451.310(f)]

37. Applicant certifies it will provide to residential and small commercial retail customers on a semiannual basis information on how to obtain a list of alternative retail electric suppliers that have been found in the last 3 years by the Commission (pursuant to Section 10-108 of the Act [220 ILCS 5/10-108]) to have failed to provide service in accordance with the terms of their contracts (pursuant to Section 16-117(g)(4)(C) of the Act). [451.310(g)]

38. Applicant certifies it will maintain sufficient managerial resources and abilities to provide the service for which it has a certificate of authority. [451.340(d)]

[Remainder of page intentionally left blank]

WHEREFORE, Applicant requests that the Commission grant its application for service authority to serve all eligible residential and nonresidential retail customers in the Commonwealth Edison Company service territory.

Respectfully submitted,

Green Mountain Energy Company

By: _____
Robert Thomas
Chief Legal Officer & Secretary

L. Michelle Cutrer
Assistant General Counsel
Green Mountain Energy Company
300 West 6th Street, 9th Floor
Austin, Texas 78701
(512) 691-6127
michelle.cutrer@greenmountain.com

VERIFICATION

STATE OF TEXAS)

TRAVIS COUNTY)

Robert Thomas, being first duly sworn, deposes and says that he is the Chief Legal Officer and Secretary of Green Mountain Energy Company (Applicant); that he has read the foregoing Application of Green Mountain Energy Company, and all of the attachments accompanying and referred to within the Application; and that the statements contained in the Application and the attachments are true, correct and complete to the best of his knowledge, information and belief.

Robert Thomas
Chief Legal Officer & Secretary

Subscribed and sworn to before me

this 9th day of August, 2012.

NOTARY PUBLIC STATE OF TEXAS
THERESA WYLIE
My Commission Expires
October 2, 2013

Notary Public