**MAINE PUBLIC UTILITIES COMMISSION**

**APPLICATION FOR LICENSE AS A COMPETITIVE ELECTRICITY PROVIDER**

Pursuant to 35-A M.R.S. § 3203 and MPUC Rules, Chapter 305, *“Licensing Requirements, Annual Reporting, Enforcement and Consumer Protection Provisions for Competitive Provision of Electricity”*

***PROVIDE ALL INFORMATION AS REQUIRED BY CHAPTER 305 BELOW. REFER TO CHAPTER 305 FOR SPECIFIC INFORMATION REQUIRED. COMMISSION STAFF MAY REQUEST ADDITIONAL INFORMATION IN ORDER TO COMPLETE THE PROCESSING OF YOUR APPLICATION.***

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| **INFORMATION REQUIRED FROM ALL APPLICANTS** | | |
| 1 | Applicant’s legal name:  *[Ch. 305 § 2(B)(9)(a)]* |  |
| 2 | Name(s) under which Applicant will do business in Maine*:*  *[Ch. 305 § 2(B)(9)(a)]* |  |
| 3 | Applicant’s business street address:  *[Ch. 305 § 2(B)(9)(b)]* |  |
| 4 | Applicant’s mailing address, if different:  *[Ch. 305 § 2(B)(9)(b)]* |  |
| 5 | Filing Fee has been sent to the Commission  *[Ch. 305 § 2(D)(5]* | [ ] Yes  [ ] No – but will be sent within one week of electronic filing |
| 6 | Contact person, mailing address, e-mail, and telephone number for regulatory/licensing matters:  *[Ch. 305 § 2(B)(9)(e)]* |  |
| 7 | Contact person, mailing address, e-mail, and telephone for consumer issues and complaints:  *[Ch. 305 § 2(B)(9)(f)]* |  |
| 8 | Contact person, title, mailing address, telephone number, e-mail address for Commission CEP listing on the web for customers searching for supplier. |  |
| 9 | Location and agent for service of process on Applicant in Maine:  *[Ch. 305 § 2(B)(8) and (9)(c)]* | A list of potential registered agents may be found at: <http://www.maine.gov/sos/cec/corp/servicecolist.html> The MPUC provides this list for the ease of the applicant and does not speak to the qualifications of the entities listed. |
| 10 | Location, if any, of any office available to the general public or Maine customers:  *[Ch. 305 § 2(B)(9)(d)]*  *(State hours open to the public.)* |  |
| 11 | Applicant’s web page address |  |
| 12 | Type of organization of Applicant:  Applicant should attach by-laws and documents indicating type of organization  *[Ch. 305 § 2(B)(9)(k)]* |  |
| 13 | Provide the names, titles, and business addresses of Applicant’s officers, directors, and partners. Also include the names and business addresses of any competitive electricity providers or previously existing competitive electricity providers in the U.S. or Canada that are or were associated with the Applicant’s officers, directors, and/or partners within the last 5 years. If an identified competitive electricity provider associated with the Applicant’s officers, directors, and/or partners ceased providing service, provide a description of the reasons and circumstances that caused the entity to stop providing service.  [Ch. 305 § 2(B)(9)(n)] | Required information, including names, titles, business addresses of Applicant’s officers, directors, and partners, and officers, directors, and partner’s affiliation as an owner, director or partner in existing or previously existing competitive electricity providers is provided in Attachment \_\_. |
| 14 | Names and addresses of all affiliated interests currently engaged in the retail sale of electricity in the U.S. or Canada or previously engaged in the retail sale of electricity in the U.S. or Canada with in the last 5 years. If an identified affiliate ceased providing service, provide a description of the reasons and circumstances that caused the entity to stop providing service.  *[Ch. 305 § 2(B)(6)]* | Required information is provided in Attachment \_\_. |
| 15 | Copies of most recent financial disclosures. If applicant does not make financial disclosures, it shall include the most recent financial disclosures of its corporate parent. If the applicant is a newly formed entity that is not part of another organization, the Commission may accept other documentation to demonstrate financial capability.  *[Ch. 305 § 2(B)(1)]*  Applicant’s that are new entities providing services other than supplier services may request to provide this information after the first year of operations. | Required information is provided in Attachment \_\_. (If applicant has neither financial disclosures nor a corporate parent, provide other evidence of financial capability.)  **All information filed with the Commission is considered public unless a protective order is issued by the Commission Staff. Confidential treatment may be given to the financial information provided by Applicant if the public release of the information would be competitively harmful to Applicant and the information is not otherwise publicly available. Applicant must request such treatment in writing and should file a redacted application prior to the issuance of a protective order. 35-A M.R.S. § 1311-A.** |
| 16 | State(s) in which Applicant is incorporated or otherwise registered or licensed to do business.  *[Ch. 305 § 2(B)(9)(l)]* | Supporting information is provided in Attachment \_\_.  Indicate with an asterisk (\*) those states where Applicant may do business but is not currently doing so. |
| 17 | A list of jurisdictions in which applications for authority for sale of generation, broker or aggregator services have been made and disposition of applications.  *[Ch. 305 § 2(B)(9)(i)]* | Required information is provided in Attachment \_\_.  Indicate the status of any application and indicate with an asterisk (\*) those states where Applicant has authority for sale of generation, or authority to provide broker or aggregator services, but is not currently doing so. |
| 18 | List of jurisdictions in which Applicant or affiliated interest have **engaged** in the sale of generation services or broker or aggregator services within past six (6) years.  *[Ch. 305 § 2(B)(9)(h)]* | Required information is provided in Attachment \_\_. |
| 19 | Bankruptcy history of the Applicant’s or affiliated interest of Applicant within the past six (6) years.  *[Ch. 305 § 2(B)(9)(j)]* | [ ] See Attachment \_\_\_ for detailed statement of all bankruptcy proceedings for the past six years of Applicant or any affiliated interest of Applicant.  [ ] Neither Applicant nor Applicant’s affiliated interest(s) had any bankruptcy proceedings in the past six years. |
| 20 | Disclose all civil court or regulatory enforcement proceedings or criminal prosecutions commenced against Applicant or affiliated interest of Applicant within the past six years or currently pending that relates to or arise out of the sale of electricity, the provision of broker or aggregator services, the sale of natural gas, the provision of utility services, business fraud, or unfair or deceptive sales practices.  *[Ch. 305 § 2(B)(4)(b)]* | [ ] See Attachment \_\_\_ for summary of enforcement actions and related information  [ ] Neither Applicant nor associated entity has had any such proceedings |
| 21 | The number of customer complaints, by state and customer class, related to the sales of electricity or natural gas, or the provision of broker or aggregator services filed against Applicant at Commissions other than the Maine PUC within the last twelve (12) months.  *[Ch. 305 § 2(B)(4)(c)]* | [ ] See Attachment \_\_ for a summary of such complaints against Applicant, including the average number of customers served by Applicant in each jurisdiction during the same period.  [ ] Applicant had no customer complaints within the last twelve (12) months. |
| 22 | What type(s) of license does Applicant seek? [Check all that apply]  *[Ch. 305 § 2(A)(1)] [defined in Ch. 305 § 1(B)(3), (5), (13) and (18)]* | [ ] Aggregator/Broker (Includes Marketers)    [ ] Standard Offer Provider    [ ] Competitive Electricity Provider (Generation/Supplier Service) |
| 23 | A generic list of products and services that Applicant will market or offer in Maine.  *[Ch. 305 § 2(B)(9)(g)]* | Required information is provided in Attachment \_\_.  This listing should indicate whether Applicant plans to offer indexed price offerings in addition to other pricing strategies, green product, or product offerings.  To the extent the Applicant will offer green or environmental products, Applicant must explain how it will satisfy the marketing of electricity attributes requirements of Chapter 305 § 4(7)  (The Commission understands that products actually offered may vary from what the Applicant lists here.) |
| 24 | Customer classes to be served as defined in Ch. 305 §1(B):  *[Ch. 305 § 2(B)(9)(g)]* | [ ] Residential (§1(B)(24)  [ ] Small Non-Residential (§1(B)(25)  [ ] Medium Non-Residential (§1(B)(19)  [ ] Large Non-Residential (§1(B)(16) |
| 25 | T&D utility territories in which Applicant will do business:  *[Ch. 305 § 2(B)(9)(g)]* | Investor-Owned T&D Utilities:  [ ] Central Maine Power Company  [ ] Versant Power - Bangor Division  [ ] Versant Power – Maine Public Division  Consumer-Owned T&D Utilities  [ ] Eastern Maine Electric Cooperative  [ ] Fox Island Electric Cooperative  [ ] Houlton Water Company  [ ] Kennebunk Light and Power District  [ ] Madison Department of Electric Works  [ ] Midcoast Regional Redevelopment Authority  [ ] Van Buren Light & Power District  [ ] Additional information provided on Attachment \_\_ |
| 26 | Does the Applicant plan to use its own employees to market its product or will it use independent contractors or 3rd parties? To the extent that the Applicant will not use its own employees to market its products, please explain the marketing channels that the Applicant expects to use and provide details on the procedures in place to ensure that independent contractors or 3rd parties comply with all Maine rules.  *[Ch. 305 § 2(B)(9)(o)]* |  |
| 27 | Does Applicant have agreements with Third Party Sales Agent(s) as defined in Ch. 305 §1(B))(26) and if so are the required registration form(s) attached? |  |
| 28 | Will Applicant hold retail consumer funds?  *[Ch. 305 § 2(B)(1)(b)]* | [ ] Yes [ ] No  (If ***yes***, Applicant shall include additional documentation to demonstrate financial capability sufficient to refund deposits to retail customers. See Attachment \_\_\_\_\_\_.) |
| 29 | Demonstration of technical capability:  *[Ch. 305 § 2(B)(2)(a)]* | Information demonstrating Applicant’s technical capability, including a description of industry experience is provided in Attachment \_\_. If no specific electric industry experience, Applicant should provide further explanation as to its qualifications and technical ability. |
| **ADDITIONAL INFORMATION REQUIRED FROM**  **COMPETITIVE ELECTRICITY PROVIDERS TO OFFER SUPPLIER SERVICE**  **(INCLUDING PROSPECTIVE STANDARD OFFER PROVIDERS)** | | |
| 30 | Has Applicant received FERC approval as a Power Marketer?  *[Ch. 305 § 2(B)(9)(m)]* | [ ] Yes [ ] No  (If **yes**, attach copy)  (If ***no***, the date and docket number of application to FERC, or other explanatory information, are provided in Attachment \_\_.) |
| 31 | Has Applicant entered into all required interconnection arrangements or contracts with Maine utilities?  *[Ch. 305 § 2(B)(2)(c)]* | [ ] Yes [ ] No  (If ***yes***, a list of arrangements or contracts is provided in Attachment \_\_.) If **no**, please state when Applicant estimates completion of all necessary interconnection arrangements or contracts. |
| 32 | Technical capability to secure generation:  *[Ch. 305 § 2(B)(2)(b)(I)]* | Provide generation in ISO-NE control area: Documentation that Applicant is either a participant in the ISO-NE electricity market or will conduct transactions through a contractual arrangement with an entity that is provided in Attachment \_\_.  Provide generation in Northern Maine: Documentation that Applicant is either a participant in the market administered by NMISA or will conduct transactions through a contractual arrangement with an entity that is provided in Attachment \_\_. |
| 33 | Resource portfolio requirement:  *[Ch. 305 § 2(B)(5);*  *35-A M.R.S. § 3210]* | Information or a statement demonstrating Applicant’s ability to satisfy resource portfolio requirements of 35-A M.R.S. § 3210 and Chapter 311 of the Commission’s Rules is provided in Attachment \_\_. |
| 34 | Tax Assessor registration and collection statement:  *[Ch. 304 §2(B)(7) and 35-A M.R.S. § 3203(2)(F)]* | Evidence demonstrating Applicant’s registration with the State Tax Assessor, and an affirmative statement that the Applicant agrees to collect and remit taxes, as required in 35-A M.R.S. § 3203(2)(F), are provided in Attachment \_\_. |
| **ADDITIONAL INFORMATION REQUIRED FROM ALL**  **COMPETITIVE ELECTRICITY PROVIDERS TO OFFER SUPPLIER SERVICES**  **(EXCLUDING PROSPECTIVE STANDARD OFFER PROVIDERS)** | | |
| 35 | Does Applicant seek to be licensed to offer service to residential or small commercial consumers as defined in Ch. 305 §1(B)(241) & (25): | [ ] Yes [ ] No |
| 36 | If response to Question 35 is yes, what security is Applicant providing?  *[Ch. 305 § 2(B)(3)(e)(i-ii)]*  **THE MPUC DOES NOT ACCEPT BONDS AS FINANCIAL SECURITY** | [ ] Letter of credit conforming to Ch. 305, with required supporting materials, is provided in Attachment \_\_.  [ ] Cash - Bank Check issued to “Treasurer, State of Maine” for $100,000 due prior to serving customers but within two weeks of the Commission’s deliberation of Applicant’s proposed license unless stated otherwise in Commission Order  [ ] No security required |
| 37 | If a security instrument is required, does Applicant request any modifications of the initial $100,000 security level?  *[Ch. 305 § 2(B)(3)(c))]* | [ ] Yes, Support for Applicant’s requested modification is provided in Attachment \_\_.  [ ] No  [ ] No security required |

[ ] Other supporting material for this application is provided in Attachment(s) \_\_\_\_\_.

or

[ ] No other supporting material is provided herewith.

By obtaining a license, Competitive Electricity Providers agree:

1. To comply with all Maine laws and regulations applicable to competitive electricity providers (including aggregators and marketers);
2. Agree that it will be responsible for the actions of any third-party entities that it contracts with to promote or market its products’
3. To provide by filing in the docket designated for it as a competitive electricity provider using the Commission’s electronic case management system, updated information if there are substantial changes in circumstances from those documented in the license application process no later than within 60 days of those changes, including filing updated disclosures and acknowledgement forms regarding third-party sales agents prior to any third-party sales agent undertaking any door-to-door sales on behalf of the competitive electric provider;
4. To use reasonable efforts not to conduct business with any entity acting as a competitive electricity provider in Maine without a license from the Commission. For purposes of this provision, a review of the Commission’s webpage to determine if an entity is licensed constitutes a reasonable effort.
5. That it and its agents and third-party sales agents submit to the jurisdiction of the courts of the State of Maine and the Maine Public Utilities Commission; and
6. That all contracts for generation, broker or aggregator service to residential or small non-residential customers will be interpreted according to Maine law and maintained in Maine courts or before Maine administrative agencies.

(Chapter 305, §2(C))

By submitting this application to the Commission, the Applicant verifies that all foregoing information included is true and correct. Any applicant who knowingly submits misleading, incomplete or inaccurate information may be penalized in accordance with perjury statutes and pursuant to 35-A M.R.S. § 3203 and the provisions of this Chapter. (Chapter 305, § 2(D)(12)

*Date of Application: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

*Legal Name of Applicant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*