

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of))	
ENERGY.ME MIDWEST LLC, d/b/a ENERGY.ME,))	Case No. U-17269
for a license as an alternative electric supplier.))	
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In the matter, on the Commission’s own motion,))	
regarding the regulatory reviews, determinations,))	
and/or approvals necessary for ENERGY.ME))	Case No. U-17455
MIDWEST LLC, d/b/a ENERGY.ME,))	
to fully comply with Public Act 295 of 2008.))	
_____))	

At the August 13, 2013 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman
Hon. Greg R. White, Commissioner
Hon. Sally A. Talberg, Commissioner

ORDER

On May 21, 2013, energy.me Midwest LLC, d/b/a energy.me (energy.me) submitted an application pursuant to the “Customer Choice and Electricity Reliability Act,” 2000 PA 141, MCL 460.10 *et seq.* (Act 141), for a license as an alternative electric supplier (AES). An AES is a person selling electric generation service to retail customers in this state, other than a person who physically delivers electricity directly to retail customers. MCL 460.10g(a). With its application, energy.me submitted information designed to show its compliance with the statutory requirements for an AES.

Act 141 requires the Commission to ensure that AESs have the necessary financial capability, possess technical competence to engage in energy transactions, are capable of meeting safety requirements for electric operations, and comply with all other lawful obligations. Additionally, the June 19, 2000 Commission order in Case No. U-11915 requires AESs to maintain an office within Michigan.

The Commission Staff (Staff) is responsible for review of the application and for making a recommendation regarding a license. The Staff reviewed the information submitted by energy.me and recommends that the Commission grant energy.me a license to operate as an AES in Michigan.

Energy.me is a privately held wholly-owned limited liability company and has its headquarters at 224 North Desplaines Street, Fifth Floor, Chicago, Illinois. Energy.me was incorporated in Illinois in 2011 and is a registered corporation in Michigan since May 7, 2013, ID Number D9243M.

According to the application, energy.me is a licensed competitive retail electric supplier in five states, which has focused primarily on residential and commercial electric markets served by over ten utilities in Illinois, Maryland, New Jersey, Ohio, and Pennsylvania. Energy.me is serving approximately 17,000 total electric customers, which includes 4,000 residential customers.

After reviewing energy.me's personnel descriptions and histories, the Staff determined that energy.me has sufficient experience and expertise to manage risk and to reliably supply electricity in Michigan's electric choice market. Based on the information provided and the recommendation of the Staff, the Commission finds that energy.me possesses the appropriate managerial and technical capabilities to serve customers within the state of Michigan.

The Staff reviewed energy.me's financials for the last two years. Energy.me also provided the Staff with a surety bond in the amount of \$100,000. Based upon their review of the financial statements and the bond, the Staff determined that energy.me's financial capabilities meet the Act 141 requirements. The Commission agrees.

The Commission requires AESs to maintain an office in Michigan. Energy.me has its principal location at 2723 South State Street, Suite 150, Ann Arbor, Michigan 48104. The Staff determined that energy.me has complied with the Michigan office requirements. The Commission agrees.

After review of energy.me's application, the Commission finds that approval of the application is in the public interest. On numerous occasions, the Commission has found that competition can be advantageous to the citizens of the state. Approval of the request for a license as an AES will expand the opportunities for competition. Accordingly, the application should be approved. The grant of an AES license is conditioned on compliance with all applicable provisions of the statute and the Commission's orders. Failure to comply fully may result in revocation of the license or other penalties. Further, the grant of a license is conditioned upon the provision of service to customers within a reasonable time. Failure to do so may result in revocation of the license.

On October 6, 2008, Public Act 295 of 2008, MCL 460.1001 *et seq.*, the "Clean, Renewable, and Efficient Energy Act," was signed into law (Act 295). The Commission issued an order in Case No. U-15800 on December 4, 2008, which provides requirements for implementing Act 295. Among other things, Act 295 requires all providers of electric service in this state, including AESs, to establish renewable energy programs.

Act 295 also requires the Commission to establish a statewide net metering program. Pursuant to Section 173(1) of Act 295, the Commission promulgated rules entitled “Electric Interconnection and Net Metering Standards,” which were effective May 27, 2009. AESs are required to comply with the net metering requirements of Act 295 and the Commission’s rules.

The Commission finds that, as a licensed AES in Michigan, energy.me is required by Act 295 to file a renewable energy plan (REP) with the Commission. However, the Commission notes that the original deadline set by Act 295 and the order in Case No. U-15800 for filing a REP has passed. Therefore, in consideration of the fact that energy.me’s AES license was granted, the Commission has opened a separate docket for energy.me’s REP, which shall be filed in Case No. U-17455 by November 13, 2013.

THEREFORE, IT IS ORDERED that:

A. energy.me Midwest LLC, d/b/a energy.me, is granted a license as an alternative electric supplier.

B. energy.me Midwest LLC, d/b/a energy.me, shall operate as an alternative electric supplier in compliance with the regulatory requirements specified in the “Customer Choice and Electricity Reliability Act,” MCL 460.10 *et seq.*, and the Commission’s orders.

C. energy.me Midwest LLC, d/b/a energy.me, is required to comply with the net metering requirements of Act 295 of 2008 and the Commission’s rules.

D. energy.me Midwest LLC, d/b/a energy.me, shall file its initial renewable energy plan in Case No. U-17455 by November 13, 2013.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

John D. Quackenbush, Chairman

Greg R. White, Commissioner

Sally A. Talberg, Commissioner

By its action of August 13, 2013.

Mary Jo Kunkle, Executive Secretary

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Case No. U-17269

In the matter, on the Commission's own motion,)
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MIDWEST LLC, d/b/a ENERGY.ME,)
to fully comply with Public Act 295 of 2008.)

Case No. U-17455

Suggested Minute:

Case No. U-17269 involves an application filed by energy.me Midwest LLC, d/b/a energy.me, for a license as an alternative electric supplier. Case No. U-17455 is a docket opened by the Commission for the alternative electric supplier to comply with Act 295. The order before you grants the requested license and requires compliance with Act 295.