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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **Harrisburg, PA 17105-3265** | | |  |
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|  | | Public Meeting held January 9, 2014 | | |
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| Commissioners Present: | | |  | |
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| |  | | --- | | Robert F. Powelson, Chairman | | John F. Coleman, Jr., Vice Chairman | | James H. Cawley | | Pamela A. Witmer | | Gladys M. Brown | | | | | |
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| Amendment to Electric Generation Supplier License of Viridian Energy PA LLC | | | Docket Number:  A-2009-2145794 | |
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**ORDER**

**BY THE COMMISSION:**

On February 25, 2010, Viridian Energy PA LLC (Viridian) the Commission approved Viridian’s application to offer, render, furnish or supply electric generation services as a supplier of electric power to residential, small commercial (25kW and under demand), large commercial (greater than 25 kW demand) and industrial in the electric distribution company (EDC) service territory of PPL Electric Utilities Corporation, within the Commonwealth of Pennsylvania. On November 19, 2010, Viridian’s request to amend its license to include the additional EDC service territories of Duquesne Light Company and PECO Energy Company was approved.

On October 4, 2013, Viridian filed a request to amend it license to include the additional EDC service territory of Metropolitan Edison Company within the Commonwealth of Pennsylvania. This proposed amendment is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809. Viridian states that it will continue to serve residential, commercial and industrial customers.

Since Viridian is serving residential customers, Viridian will be required to comply with, and be governed by, applicable Chapter 56 residential service regulations as set forth in the Commission Order at *Guidelines for Maintaining Customer Service at the Same Level of Quality Pursuant to 66 Pa. C.S. § 2807(d), and Assuring Conformance with 52 Pa. Code Chapter 56 Pursuant to 66 Pa. C.S. § 2809(e) and (f)* at Docket No. M-00960890 F0011, entered July 11, 1997. Thus, we deem it appropriate to reiterate certain items with respect to Chapter 56 of our regulations. Chapter 56 (52 Pa. Code Chapter 56) is applicable to residential accounts. An EGS cannot physically disconnect a residential customer from the electricity grid; therefore, the rules relating to residential service termination are not applicable to EGSs. An EGS may seek to terminate its generation service through an appropriate written notice to the customer and the distribution company. The residential customer can then attempt to repair their relationship with the supplier, seek a new supplier, or return to utility service at default service rates in accordance with the utility's obligations under section 2807(e), 66 Pa. C.S. § 2807(e). The customer would only be disconnected from the electricity grid pursuant to appropriate regulations if the customer failed to meet its obligations to the utility or the EGS that has been designated by the Commission as the provider of last resort.

Additionally, we specifically note that the licensee must comply with, and ensure that its employees, agents, representatives and independent contractors comply with the standards of conduct and disclosure for licensees set out in Commission regulations at 52 Pa. Code § 54.43 that were enacted to protect consumers of this Commonwealth. These standards include, *inter alia*, the provision of timely and accurate information about the services offered by the licensee, the practice of nondiscrimination in service in regard to race, color, religion, national origin, marital status, etc., the safeguarding of a consumer’s personal information, and compliance with applicable state and federal consumer protection laws. Also, we take this opportunity to remind the licensee of its agreement to abide by, and to ensure that its employees, representatives, agents and independent contractors abide by all applicable federal and state laws, and Commission regulations, procedures and orders, including Emergency Orders, which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of business.

Viridian has provided proofs of publication in appropriate Pennsylvania newspapers, and proofs of service to the interested parties as required by the Commission. Viridian also has a current surety bond on file with the Commission. Additionally, Viridian has demonstrated that it is a loading serving entity within the PJM Interconnection, LLC. As of December 30, 2013, no protests have been filed.

Upon full consideration of all matters of record, we find that approval of this request for an amended electric generation supplier license is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:**

1. That the request of Viridian Energy PA LLC for an amended electric generation supplier license is hereby approved, consistent with this Order.

2. That a license be issued authorizing Viridian Energy PA LLC to begin to offer, render, furnish or supply electric generation supplier services as a supplier of electricity to residential, small commercial (25kW and under demand), large commercial (greater than 25 kW demand) and industrial customers in the electric distribution company service territories of Duquesne Light Company, PECO Energy Company, Metropolitan Edison Company and PPL Electric Utilities Corporation, within the Commonwealth of Pennsylvania.

3. That this proceeding at Docket No. A-2009-2145794 be marked closed.

 **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: January 9, 2014

ORDER ENTERED: January 9, 2014