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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 of Electric Generation Supplier License of Constellation New Energy-Gas Division LLC, for Approval to Offer, Render, Furnish or Supply Natural Gas or Natural Gas Generation Services in Mixed Meter Scenarios. | | | Docket Number:  A-125095 | |
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**ORDER**

**BY THE COMMISSION:**

On April 5, 2001, the Commission issued a license authorizing Constellation NewEnergy-Gas Division, LLC (CNEG) under its prior name of Alliance Energy Services Partnership, the right to begin to offer, render, furnish or supply natural gas supply services to industrial companies in the Commonwealth of Pennsylvania in the natural gas distribution company (NGDC) service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, and UGI Utilities, Inc. On April 28, 2004, the Commission approved a request by Alliance Energy Services Partnership to change the name on its license to CNEG.

On September 16, 2004, the Commission approved a change to CNEG’s license to include the additional service territory of the Peoples Natural Gas Company. On July 17, 2006, the Commission approved a change to CNEG’s license to include the additional service territories of T. W. Phillips Gas and Oil Company and the Equitable Gas Company.

On November 15, 2006, the Commission approved a change to CNEG’s license to authorize it to provide natural gas service to large commercial customers in its approved service territories within the Commonwealth of Pennsylvania.

On March 17, 2011, the Commission approved a change to CNEG’s license to authorize it to provide natural gas service to small and large commercial, governmental, and industrial customers in the additional NGDC service territories of Philadelphia Gas Works and PECO Energy Company, and to provide natural gas services to small commercial and governmental customers in all of its other authorized service territories within the Commonwealth of Pennsylvania.

On June 5, 2011, the Commission approved another change to CNEG’s license to authorize it to begin to offer, render, furnish, or supply natural gas supply services to small and large commercial, governmental, and industrial customers in the additional NGDC service territories of UGI Central Penn, UGI Penn Natural, and Valley Energy.

On October 28, 2013, CNEG filed a request to amend its natural gas supplier license to include the additional class of residential customers under the “mixed meter scenario”, pursuant to the Commission’s Secretarial Letter dated July 3, 2013 (Mixed Meter Letter) at Docket No. M-2009-2082042.

In the Mixed Meter Letter, the Commission provided guidance on natural gas generation licensing “Requirements Applicable in Mixed Meter Scenarios,” where mixed meter refers to a situation where an NGS has contracted with a large commercial, industrial, or governmental customer, and the service provided to residential or small commercial customers through separate meters is part of or incidental to that contract or account.

Since CEGC has no present intention to separately serve any residential or small commercial (less than 6,000 Mcf annually) customers, and seeks authorization to serve these customer classes only in the event that a residential or small commercial (less than 6,000 Mcf annually) customer is incidentally served in a mixed meter scenario, CEGC need not submit a disclosure statement at this time. However, if CEGC would begin to interact directly with such customers in the future, CEGC is directed to submit a disclosure statement as required by 52 Pa. Code § 54.5.

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

**IT IS ORDERED:**

1. That the request of Constellation NewEnergy-Gas Division, LLC is hereby approved, consistent with this Order.

2. That a license authorizing Constellation NewEnergy-Gas Division, LLC to begin to offer, render, furnish, or supply natural gas supplier services as a supplier to residential, small commercial (Less than 6,000 Mcf annually) (both limited to mixed meters), large commercial (over 6,000 Mcf annually), industrial and governmental customer classes customers, pursuant to the Commission’s Secretarial Letter dated July 3, 2013 at Docket No. M-2009-2082042, in the natural gas distribution company service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, UGI Utilities, Inc. UGI Central Penn, UGI Penn Natural, Equitable Gas Company, Philadelphia Gas Works, PECO Energy Company, Peoples Natural Gas Company, Peoples TWP, and Valley Energy Inc. within the Commonwealth of Pennsylvania.

3. That this proceeding at Docket No. A-125095 be closed.



**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: January 9, 2014

ORDER ENTERED: January 9, 2014