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January 10, 2025

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Application of Integrity NRG Services of Pennsylvania LLC; Electric Gen Supplier

Docket No. A-2024-3049909

Dear Secretary Chiavetta:

Enclosed via electronic filing is a Withdrawal of Protest of NRG Energy, Inc. in the above-captioned matter. A copy has been served to the Applicant, as shown on the certificate of service.

If you need anything further, please feel free to reach out to me. Thank you.

Sincerely,

Karen O. Moury

Karen O. Moury

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of NRG Energy, Inc.'s Withdrawal of Protest upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via First Class Mail and/or Email

Steven Stern
Integrity NRG Services
of Pennsylvania LLC
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Lakewood, NJ 08701
sstern@integrityadvisors.com

January 10, 2025

Karen O. Moury

Karen O. Moury

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Integrity NRG Services of : Docket No. A-2024-3049909
Pennsylvania LLC; :
Electric Generation Supplier Application :

WITHDRAWAL OF NRG ENERGY, INC.’S PROTEST

On June 18, 2024, Integrity NRG Services LLC (“Integrity”) filed the above-captioned Electric Generation Supplier (“EGS”) Application, pursuant to Section 54.32 of the regulations of the Pennsylvania Public Utility Commission (“Commission” or “PUC”), 52 Pa. Code § 54.32. Due to Integrity’s use of “NRG” in the Applicant’s name, NRG Energy, Inc. (“NRG”) filed a Protest to the Application on September 26, 2024. Through the Protest, NRG opposed the use of the Applicant’s legal name, contending that any use by Integrity of NRG’s legal name as an EGS in marketing, advertising, trademark or other customer-facing communications in Pennsylvania would be misleading and cause significant customer confusion.

On December 13, 2024, Integrity filed an Amended EGS Application and accompanying exhibits revising the name from Integrity NRG Services LLC to IES of PA LLC. Upon review of the amended filing, NRG is satisfied that Integrity has fully addressed the concerns described in the protest by making the name change and implementing the associated necessary measures across its business. Therefore, pursuant to Section 1.82 of the regulations, NRG withdraws its protest, with the understanding that the revised name change is reflected in the caption and at the docket so as to avoid any potential confusion at the time when the application is adjudicated. In support hereof, NRG further states as follows:

I. BACKGROUND

1. On June 18, 2024, Integrity filed an EGS Application with the Commission seeking authority to provide electric supply service as a broker/marketer to retail customers throughout the Commonwealth.

2. On July 18, 2024, the Commission issued a Secretarial Letter identifying various deficiencies. As of September 25, 2024, Integrity filed various updates to the EGS Application.

3. A party objecting to the approval of an application filed with the Commission may file a protest to the application.¹

4. Under the Commission's regulations at 52 Pa. Code § 62.108(a), protests are due within 15 days of publication of the application in newspapers of general circulation. Based upon a review of the docket, it does not appear that Integrity has yet filed a statement verifying publication of the application in the required newspapers.

5. On September 26, 2024, NRG filed a Protest so as to avoid any misleading communications with customers or cause any confusion regarding a relationship that does not exist between NRG and Integrity.

6. Counsel for NRG is:

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¹ 52 Pa. Code § 5.51(a); *see also* 52 Pa. Code § 62.108.

II. BASIS FOR PROTEST

7. A protest must (1) set out clearly and concisely the facts from which the alleged interest or right of the protestant can be determined; (2) state the grounds of the protest; and (3) set forth the facts establishing the protestant's standing to protest.² 52 Pa. Code § 5.52(a). NRG's Protest, the details of which are set forth therein, demonstrates that NRG's retail energy subsidiaries include electric generation suppliers and natural gas suppliers, which serve customers of all sizes across the Commonwealth.³ Further, Integrity has no affiliation with NRG, its affiliates or subsidiaries, meaning that NRG has a legitimate interest in Integrity's proposed use of the NRG name and in ensuring that its business interests are not harmed by any wrongful assumptions that are made in the market about the existence of a relationship between Integrity and NRG.

III. BASIS FOR WITHDRAWAL OF PROTEST

8. While the original application containing NRG in the name was pending, Integrity took various measures relating to its internet domain name and corporate filings and registrations.⁴ These measures addressed some of the concerns raised by NRG's Protest.

9. On December 19, 2024, Integrity filed an amended application changing the name of Integrity NRG Services LLC to the name of IES of PA LLC.

² 52 Pa. Code § 5.52(a).

³ NRG's licensed retail companies include: Direct Energy Business, LLC (Docket No. A-11025 and A-125072); Direct Energy Business Marketing, LLC (Docket No. A-2013-2368464 and A-2013-2365792); Direct Energy Services, LLC (Docket No. A-110164 and A-125135); Energy Plus Holdings LLC (Docket No. A-20092139745); Gateway Energy Services Corporation (Docket No. A-2009-2137275 and A-2009-2138725); Green Mountain Energy Company (Docket No. A-2009-2139745 and A-2017-2583732); Independence Energy Group LLC d/b/a Cirro Energy (Docket No. A-2011-2262337 and A-2013-2396449); Reliant Energy Northeast LLC d/b/a NRG Home/NRG Business/NRG Retail Solutions (Docket No. A-2010-2192350 and A-2015-2478293); Stream Energy Pennsylvania, LLC (Docket No. A-20102181867 and A-2012-2308991); and XOOM Energy Pennsylvania, LLC (Docket No. A-2012-2283821 and A-2012-2283967).

⁴ NRG Protest, Para. 12, Appendix A.

10. The only remaining matter that NRG seeks to have addressed is a modification of the applicant's name at the PUC's docket to IES of PA LLC. Such modification would clarify, without needing to review the underlying documents, that NRG is not connected or affiliated with the applicant. Further, a license issued at the docket would reflect the revised name of the applicant, thereby avoiding confusion, particularly among customers.

WHEREFORE, for the foregoing reasons, NRG Energy, Inc. withdraws its Protest to the Electric Generation Supplier Application filed by Integrity NRG Services of Pennsylvania LLC, with the understanding that the caption and any license subsequently issued at the docket is modified consistent with the name used by Integrity in the Amended EGS Application.

Respectfully submitted,

/s/ Karen O. Moury _____

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January 10, 2025

Counsel for NRG Energy, Inc.

VERIFICATION

I, Leah Gibbons, state that I am Senior Director, Regulatory Affairs, NRG Energy, Inc. I hereby verify that I am authorized to make this Verification on behalf of NRG Energy, Inc. and that the facts set forth in the foregoing **Withdrawal of Protest** are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at any hearing in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: January 10, 2025



Leah Gibbons
Senior Director, Regulatory Affairs
NRG Energy, Inc.