



Control Number: 49711



Item Number: 2

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OPEN MEETING COVER SHEET RULEMAKING

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MEETING DATE: July 18, 2019
DATE DELIVERED: July 11, 2019
AGENDA ITEM NO.: 20
CAPTION: Project No. 49711 – *Development of Broker Registration Form*
ACTION REQUESTED: Review and Discussion with respect to Interim Registration Form

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Public Utility Commission of Texas

Memorandum

TO: Chairman DeAnn T. Walker
Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

FROM: Cliff Crouch, Manager Licensing & Compliance
Competitive Markets Division

DATE: July 11, 2019

RE: **July 18, 2019 Open Meeting, Project No. 49711**

SB 1497, 86th Legislature amended Subchapter H, Chapter 39 of the Utilities Code to add Section 39.3555 to provide for registration of brokers. The Act takes effect on September 1, 2019. Persons are not allowed to provide brokerage services without being registered with the Commission. Additionally, retail electric providers may not knowingly provide bids or offers to a person that has not been registered.

To accommodate the September 1 effective date, Staff is providing the attached draft of an interim registration form for your review and discussion at the July 18th Open Meeting. Based on your discussion, staff will make any necessary changes to the form and resubmit for adoption at the August 8th Open Meeting. Adoption of the form will facilitate registrations contemplated by the Act.

Staff plans to initiate a rulemaking project for broker registration later this year that may also address a revised registration form.

Questions concerning this form may be directed to Cliff Crouch at 512-936-7296 or James Kelsaw at 512-936-7338.



Public Utility Commission of Texas Application for Electricity Broker Registration

General Information

Under Public Utility Regulatory Act (PURA) Section 39.3555, any person that provides brokerage services for compensation or other consideration must register as a broker with the Public Utility Commission of Texas (Commission). “Brokerage services” means providing advice or procurement services to, or acting on behalf of, a retail electric customer regarding the selection of a retail electric provider, or a product or service offered by a retail electric provider. Brokers do not sell or take title to electric energy.

Registered brokers must comply with customer protection provisions, disclosure requirements, and marketing guidelines established by the Commission. An administrative penalty may be assessed for failure to comply with PURA or Commission rules.

Registration Form

Answer all of the questions on the registration form completely, providing all relevant information. If substantive changes occur while the application is pending, promptly notify the Commission by filing seven copies (six copies and one original) of the registration form showing the changes with the Commission’s Filing Clerk under the control number assigned to the application.

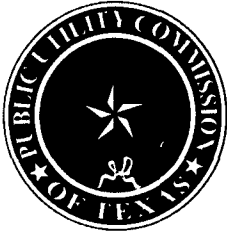
Affidavit

The owner, partner, or officer of the registering person must swear to and affirm the truthfulness, correctness, and completeness of the information provided in this registration by attaching a signed and notarized copy of the Affidavit provided with this registration form.

Filing Instructions

Submit **seven copies (an original and six copies)** of the completed registration form and signed and notarized Affidavit to:

Central Records Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
Telephone: (512) 936-7180



ELECTRICITY BROKER REGISTRATION FORM

PROJECT NO. _____

1. Check the most appropriate box to describe this submission:

- This is a new broker registration.
- This supplies information for a pending broker registration.
- This amends an existing, completed broker registration

Provide an explanation of the amendment:

2. Registering Person: Persons who must register with the Secretary of State must use the name registered with the Secretary of State

Name *Enter name*

3. Authorized Representative or Attorney to contact about this application

Name *Enter name.*

Title *Enter title*

Address *Enter Address*

Telephone *Enter phone number*

Email Address *Enter e-mail address*

4. Description of the brokerage services provided by the registering person: Description of service and type of customers served.

Description of Service: *Enter description*

Types of Customers: *Check all that apply*

Residential

Industrial

Other *Enter other*

Commercial

Municipalities

5. Other Names List any trade, commercial, and doing-business-as (d b a) names, other than the legal name listed in #1 above, under which the registering person intends to operate. Any name in which a corporation intends to operate must be registered with the Secretary of State.

1st Enter name		2nd Enter name	
3rd Enter name	4th Enter name	5th Enter name	

6. Address. List the registering person's business address and telephone number. Provide the same information for the principal place of business, if different from the Texas business address. If the registering person's principal place of business is outside of Texas, the out-of-state address, telephone number, and the name of an individual to contact about Texas broker registration must also be provided in addition to its Texas business address.

Street address Enter address		
City Enter city	State Enter state	Zip Enter zip
Out of State Address Enter street		
City Enter city	State Enter state	Zip Enter zip

7. Officers. Provide, as **Attachment A**, the names, business addresses, email addresses, and phone numbers of the registering person's officers, directors, and partners, as applicable.

8. Customer Service Contact. List the telephone number and email address of the customer service department. If the registering person does not have a dedicated customer service department, then provide the name, title, address, email address, and telephone number of the customer service contact person.

Customer Service Department	Telephone Number Enter number	Email Address Enter address
Name Enter name		Title Enter title
Texas business address Enter address		
Telephone Number Enter number		
Email Address Enter address		

9. Regulatory contact person. List the name, physical business address, telephone number, and e-mail address for a regulatory contact person.

Name Enter name	Title Enter title
Texas business address Enter address	
Telephone Number Enter number	
Email Address Enter address	

10. Secretary of State Record. Provide a copy of the certificate of status issued by the Texas Secretary of State certifying that the registering person is in good standing and authorized to transact business in Texas

Copy of Secretary of State record is attached.

AFFIDAVIT

My name is _____. I am the _____ of the Applicant.

I swear or affirm that I have personal knowledge of the facts stated in the attached registration, that I am competent to testify to them, and that I have the authority to submit this application form on behalf of the registering person. I further swear or affirm that all statements made in the Registration Form are true, correct and complete and that any substantial changes in such information will be provided to the Public Utility Commission of Texas in a timely manner. I swear or affirm that the registering person understands and will comply with all requirements of the applicable law and rules, including customer protection provisions, disclosure requirements, and marketing guidelines for retail electric service.

Signature of Registering Person's Owner, Partner, or Officer

Printed Name

Name of Registering Person

Sworn and subscribed before me this ____ day of _____, _____.
Month Year

Notary Public in and For the State of _____.
My commission expires on _____.