

Control Number: 14406



Item Number: 431

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Endure Energy, L.L.C. 14007 W 156<sup>th</sup> Lane Olathe, KS 66062

2008 APR -4 AM 9: 34

April 1, 2008

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Public Utilities Commission of Texas Filing Clerk 1701 N. Congress, Room 8-100, P.O. Box 13326, Austin, TX 78711-3326

RE: Section 36.032 of the Public Utilities Regulatory Act and P.U.C. Subst. R.35.105 Persons planning to buy or sell electric energy at wholesale in Texas. A potential power marketer filing following in Project 14406

Control #14406

To the Honorable Public Utility Commission of Texas,

Endure Energy, L.L.C. ("Endure") is power marketer that will own electric energy in Texas for the purpose of selling the electric energy at wholesale. Endure does not own generation, transmission, or distribution facilities and does not have a certificated service area.

#### Address:

Endure Energy, L.L.C. 14007 W 156<sup>th</sup> Lane Olathe, KS 66062

Name, address, and telephone number, fax number, and e-mail address of the person to whom communications should be addressed:

Mark A. Blackton, EVP 14007 W 156<sup>th</sup> Lane Olathe, KS 66062 Phone: (816) 668-8682 Fax: N/A m.blackton@endureenergy.com

Names and types of businesses of the owners with percentages of ownership:

DE Shaw Group, Investment Fund - 85% Robert Bennett, Individual - 5% Gordon Wood, Individual - 3% Michael Purmort, Individual - 1% Mark Blackton, Individual - 1% Treasury Units - 5%

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Endure Energy, LLC Project 14406 Filing April 1, 2008

Each affiliate that buys or sells electricity at wholesale in Texas, sells electricity at retail in Texas, or is an electric or municipally owned utility in Texas:

N/A

# A description of the location of any facility in Texas used to provide service:

None

### A description of the service provided

Endure helps commercial and industrial wholesale customers manage electricity costs in the state of Texas.

# Copies of all registration information filed with FERC

Enclosed is a copy of Endure Energy, L.L.C.'s Petition for Acceptance of Initial Tariff, Waivers and Blanket Authority, Docket No. ER08-\_\_\_\_\_-0000, as filed February 28, 2008.

Affidavit by an authorized person that the registrant is a power marketer

Attested this 1<sup>st</sup> day of April 2008, that the Applicant is a Power Marketer by

Mark A. Blackton Executive Vice President Endure Energy, L.L.C.

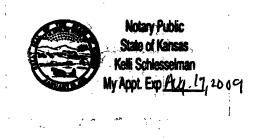
Who appears before KUM SMUSEMAA A Notary Public in the County of Johnson and the State of Kansas

Hereby swears that:

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- 1. He is of full legal age;
- 2. He is an officer of Endure Energy, L.L.C. duly authorized to make this submission; and
- 3. He has reviewed the information included in this affidavit, and that all statements herein are true and complete to the best of his knowledge.

Kelli Simlekelman 4.01.08



#### **PROJECT NO. 14406**

**REGISTRATION OF POWER** MARKETERS, EXEMPT WHOLESALE GENERATORS AND **OUALIFYING FACILITIES PURSUANT TO SUBST. R.25.105** (FORMERLY SUBST. R.23.19)

PUBLIC UTILITY COMMISSION **OF TEXAS** 2007 NOV -8 AN 10:

# REGISTRATION OF PSEG ENERGY RESOURCES & TRADE LLC AS A POWER MARKETER

#### TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

PSEG Energy Resources & Trade LLC ("PSEG ER&T")<sup>1</sup> hereby registers with the Public Utility Commission of Texas ("Commission") as power marketer pursuant to Section 35.032 of the Texas Utilities Code ("Public Utility Regulatory Act") and Commission Subst. R. 25.105. PSEG ER&T is a wholly-owned direct subsidiary of PSEG Power LLC ("PSEG Power")<sup>2</sup> and a wholly-owned indirect subsidiary of Public Service Enterprise Group Incorporated ("PSEG").<sup>3</sup>

PSEG ER&T has obtained authorization from the Federal Energy Regulatory Commission ("FERC") to sell power at wholesale at market-based rates.

PSEG ER&T respectfully requests an effective date of November 8, 2007 for this registration. In support of this registration, PSEG ER&T submits the following:

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<sup>&</sup>lt;sup>1</sup> PSEG ER&T sells power and energy and certain ancillary services at market-based rates. PSEG ER&T markets the capacity and production of PSEG Nuclear LLC's ("PSEG Nuclear") and PSEG Fossil LLC's ("PSEG Fossil") generating stations, manages the commodity price risks and market risks related to generation, and provides gas supply services. PSEG ER&T is engaged in extensive asset-based energy trading operations throughout the Northeast.

<sup>&</sup>lt;sup>2</sup> PSEG Power is a wholesale energy supply company that integrates its generation asset operations with its wholesale energy, fuel supply, energy trading and marketing, and risk management functions through three principal operating subsidiaries: (i) PSEG Nuclear, which owns and operates nuclear generating stations; (ii) PSEG Fossil, which develops, owns, and operates domestic fossil-fuel fired and other non-nuclear generating stations; and (iii) PSEG ER&T.

PSEG is a public utility holding company engaged in, among other things, the generation of electric energy, and the transmission, distribution and sale of electricity and natural gas through its subsidiaries.

Marji Philips Managing Director Market Development PSEG Energy Resources & Trade LLC 80 Park Plaza, T19 Newark, NJ 07102 973-430-6893 – Phone 973-643-8385 – Facsimile Jodi L. Moskowitz, Esq. General Regulatory Counsel – Operations and Compliance PSEG Services Corp. 80 Park Plaza, T-5G Newark, NJ 07102 973-430-6409 – Phone 973-430-5983 – Facsimile Jodi.Moskowitz@PSEG.com

Shawn Leyden, Esq. Vice President Commercial PSEG Services Corporation 80 Park Plaza, T19 Newark, NJ 07102 973-430-7698 – Phone 973-643-8385 – Facsimile

2. Affiliates that buy or sell electricity at wholesale in Texas:

Guadalupe Power Partners LP Odessa - Ector Power Partners LP

3. Location of facilities in Texas:

PSEG ER&T has no facilities in Texas. PSEG ER&T currently operates from its Newark, New Jersey location and in coordination with its affiliates in Texas. Moreover, PSEG ER&T has no affiliate that sells electricity at retail in Texas and has no affiliate that is an electric or municipally-owned utility in Texas.

4. Description of services:

PSEG ER&T will buy and sell electricity and related services within the Electric Reliability Council of Texas ("ERCOT").

5. Copies of FERC registration information [attached].

PSEG ER&T has received authorization from the FERC to sell power at wholesale at market-based rates. See Exhibit A for supporting documentation.

6. Affidavit by authorized person that the registrant is a power marketer:

Attached as Exhibit B is an affidavit by Kevin J. Quinn, the President of PSEG ER&T.

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Respectfully submitted,

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Jodi L. Moskowitz, Esq. General Regulatory Counsel – Operations and Compliance PSEG Services Corp. 80 Park Plaza, T-5G Newark, NJ 07102 973-430-6409 – Phone 973-430-5983 – Facsimile Jodi.Moskowitz@PSEG.com

# EXHIBIT A

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#### PSEG Energy Resources & Trade, LLC FILEO UFFICE OF THE SECRETARY

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Filed:

Market-Based Power Sales Tariff FERC Electric Tariff Original Volume No. 1 Original Sheet No. 1

2. <u>Ancillary Services</u>: PSEG ER&T makes ancillary services available under this rate schedule as specified below:

A. New England Power Pool (NEPOOL): PSEG ER&T offers Automatic Generation Control, Ten Minute Spinning Reserve, Ten Minute Non-Spinning Reserve and Thirty Minute Operating Reserve Services into NEPOOL Markets administered by ISO New England, Inc.

B. New York Power Pool (NYPP): PSEG ER&T offers Regulation (load following service provided by generation with automatic generation control) and Operating Reserves (ten minute spinning, ten minute non-spinning and thirty minute operating reserves) Service into NYPP markets administered by the New York Independent System Operator.

C. Pennsylvania-New Jersey-Maryland Interconnection (PJM): PSEG ER&T offers Energy Imbalance and Operating Reserves Services and, at such time as the Commission may authorize market-based rate sales of this service, Regulation Service into the Pennsylvania-New Jersey-Maryland Interchange Energy Market.

D. Other Markets and Services: PSEG ER&T makes available additional ancillary services in NEPOOL, NYPP, and PIM as the Commission may specify and authorize from time to time in orders that extend such authority to all sellers previously authorized to sell energy or capacity at marketbased rates.

Effective:

- 3. <u>Applicability:</u> This schedule is applicable to all sales of electric energy, capacity, and ancillary services by PSEG ER&T.
- 4. <u>Rates:</u> All sales shall be made at rates established by agreement between the purchaser and PSEG ER&T.
- Other Terms and Conditions: All other terms and conditions shall be established by agreement between the purchaser and PSEG ER&T.

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