



Control Number: 14406



Item Number: 610

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REGISTRATION OF POWER
MARKETER PURSUANT TO
SUBSTANTIVE RULE § 25.105

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PUBLIC UTILITY COMMISSION
OF TEXAS

POWER MARKETER REGISTRATION OF SAJA ENERGY LLC

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

Pursuant to Section 35.032 of the Public Utility Regulatory Act ("PURA") and P.U.C. Substantive Rule 25.105, SAJA ENERGY LLC hereby registers with the Commission as a Power Marketer with the Public Utility Commission of Texas. In support of this registration, and pursuant to the aforementioned regulations and the Commission's instructions, SAJA ENERGY submits the following:

1. Legal name and address of Registering Party:

Saja Energy LLC, 5373 West Alabama, Suite 502, Houston, TX 77056

2. Name, title, address, telephone number, facsimile number, and e-mail address of the person to whom communications should be addressed:

David Yi, President
5373 West Alabama, Suite 502
Houston, TX 77056
Telephone: (713) 940-4445
Fax: (713) 552-1429
dyi@sajaenergy.com

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

Saja Energy is owned by David Yi - President (51%) and Makaira Energy LLC (49%) which is a wholly owned subsidiary of Enjet, LLC. Saja Energy LLC is a Texas Limited Liability company with no affiliation to any utility.

4. 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:

Saja Energy LLC has no affiliates that are electric or municipally-owned utilities in Texas. Furthermore, Saja Energy LLC does not have any affiliates that buy or sell wholesale in Texas or that sell electricity at retail in Texas.

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5. Description of the location of any facility in Texas used to provide service:

Saja Energy LLC does not own or operate any facilities which are engaged in the sale of electric energy for resale in interstate commerce or the transmission of electric energy in interstate commerce.

6. Description of the service provided:

Saja Energy LLC will conduct wholesale marketing and trading of energy products and services, as well as other business necessary to facilitate said activities, in the Electric Reliability Council of Texas market.

7. Registration information filed with FERC:

Attached hereto as Attachment B is a copy of the Order issued by the Federal Energy Regulatory Commission granting Saja Energy LLC market-based rate authorization on February 23, 2013.

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

Attached hereto as Attachment A is an affidavit that Saja Energy LLC is a power marketer.

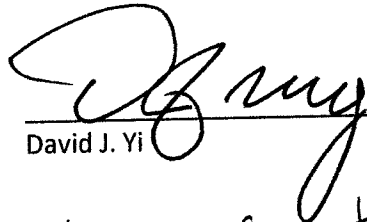
EXHIBIT A

AFFIDAVIT

STATE OF TEXAS

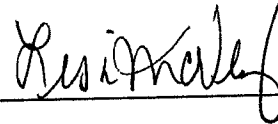
COUNTY OF HARRIS

I, David J. Yi, President of Saja Energy LLC, hereby represent and certify that I have reviewed the registration of Saja Energy LLC as a Power Marketer being filed in PUCT Project No.14406 and affirm that the information therein is true and accurate to the best of my knowledge, information, and belief that Saja Energy LLC will be a Power Marketer as defined in Section §31.022(11) of the Public Utility Regulatory Act.



David J. Yi

SUBSCRIBED AND SWORN before me this 1 day of August, 2013.





Notary Public in and for the State of Texas

Printed Name: LISA MCVEY

My Commission Expires: 2/29/16

EXHIBIT B

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Saja Energy LLC
Docket No. ER13-973-000

April 3, 2013

Mr. Daniel E. Frank
Attorney for Saja Energy LLC
Sutherland Asbill & Brennan LLP
700 Sixth Street N.W., Suite 700
Washington, D.C. 20001-3980

Reference: Market-Based Rate Authorization

Dear Mr. Frank:

On February 22, 2013, you filed on behalf of Saja Energy LLC (Saja Energy) an application for market-based rate authority with an accompanying tariff. The proposed market-based rate tariff provides for the sale of energy, capacity, and ancillary services at market-based rates.¹ Saja Energy requests waivers commonly granted to similar market-based rate applicants.

Your filing was noticed on February 25, 2013, with comments, protests or interventions due on or before March 15, 2013. None was filed.

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation - West, under 18 C.F.R. § 375.307, your submittal filed in the referenced docket is accepted for filing, effective February 23, 2013, as requested. Based on your

¹ Saja Energy requests authorization to sell ancillary services in the markets administered by PJM Interconnection, L.L.C. (PJM), New York Independent System Operator, Inc. (NYISO), ISO New England Inc. (ISO-NE), California Independent System Operator Corp. (CAISO), and Midwest Independent Transmission System Operator, Inc. (MISO). Saja Energy also requests authorization to engage in the sale of certain ancillary services as a third-party provider in other markets.

representations, Saja Energy meets the criteria for a Category 1 seller in all regions and is so designated.²

You state that Saja Energy is located in Houston, Texas, and intends to act as a power marketer. You further represent that Saja Energy is wholly owned by an individual and is not affiliated with any entity that owns or controls generation or transmission facilities. Further, you affirmatively state that Saja Energy has not erected barriers to entry and will not erect barriers to entry into the relevant market.

Saja Energy represents that it should be a Category 1 seller in all regions because: (1) it and its affiliates own or control less than 500 megawatts in any region, (2) it and its affiliates do not own or control transmission facilities, (3) neither it nor its affiliates are affiliated with a franchised public utility, and (4) it raises no other vertical market power issues.

Market-Based Rate Authorization

The Commission allows power sales at market-based rates if the seller and its affiliates do not have, or have adequately mitigated, horizontal and vertical market power.³

Based on your representations, Saja Energy's submittal⁴ satisfies the Commission's requirements for market-based rate authority regarding horizontal and vertical market power.

Saja Energy's request for waiver of Subparts B and C of Part 35 of the

² *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252, at P 848-50, *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh'g*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268, *clarified*, 124 FERC ¶ 61,055, *order on reh'g*, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh'g*, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh'g*, Order No. 697-D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff'd sub nom. Mont. Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011), *cert. denied sub nom. Pub. Citizen, Inc. v. FERC*, 133 S. Ct. 26 (2012).

³ Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 62, 399, 408, 440.

⁴ The next time you make a market-based rate filing with the Commission, you must include a revised tariff in compliance with Appendix C – Limitations and Exemptions Regarding Market-Based Rate Authority to include appropriate citations. *Niagara Mohawk Power Corporation*, 121 FERC ¶ 61,275 (2007) at P 8. *See also*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268 at P 384.

Commission's regulations requiring the filing of cost-of-service information, except for sections 35.12(a), 35.13(b), 35.15 and 35.16 is granted. Saja Energy's request for waiver of Part 41, Part 101, and Part 141 of the Commission's regulations concerning accounting and reporting requirements is granted with the exception of 18 C.F.R. §§ 141.14 and 141.15.⁵ Notwithstanding the waiver of the accounting and reporting requirements here, Saja Energy is expected to keep its accounting records in accordance with generally accepted accounting principles.

Saja Energy requests blanket authorization under Part 34 of the Commission's regulations for all future issuances of securities and assumptions of liability. A separate notice was published in the Federal Register establishing a period during which protests could be filed. None was filed. Saja Energy is authorized to issue securities and assume obligations or liabilities as guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of Saja Energy, compatible with the public interest, and reasonably necessary or appropriate for such purposes.⁶

Saja Energy must file electronically with the Commission Electric Quarterly Reports.⁷ Saja Energy further must timely report to the Commission any change in status that would reflect a departure from the characteristics the Commission relied upon in granting market-based rate authority in accordance with Order No. 697.⁸

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed

⁵ *Citizens Energy Corp.*, 35 FERC ¶ 61,198 (1986); *Citizens Power and Light Corp.*, 48 FERC ¶ 61,210 (1989) (*Citizens Power*); *Enron Power Marketing, Inc.*, 65 FERC ¶ 61,305 (1993), *order on reh'g*, 66 FERC ¶ 61,244 (1994) (*Enron*).

⁶ *Citizens Power*, 48 FERC ¶ 61,210; *Enron*, 65 FERC ¶ 61,305.

⁷ *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003). Attachments B and C of Order No. 2001 describe the required data sets for contractual and transaction information. Public utilities must submit Electric Quarterly Reports to the Commission using the EQR Submission System Software, which may be downloaded from the Commission's website at <http://www.ferc.gov/docs-filing/eqr.asp>.

⁸ *Reporting Requirement for Changes in Status for Public Utilities with Market-Based Rate Authority*, Order No. 652, FERC Stats. & Regs. ¶ 31,175, *order on reh'g*, 111 FERC ¶ 61,413 (2005); 18 C.F.R. § 35.42 (2012).

documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against any of the applicant(s).

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R § 385.713.

Questions regarding the above order should be directed to:

Federal Energy Regulatory Commission
Attn: Michelle Barnaby
Phone: (202) 502-8407
Office of Energy Market Regulation
888 First Street, N.E.
Washington, D.C. 20426

Sincerely,

Steve P. Rodgers, Director
Division of Electric Power
Regulation - West