



Control Number: 26280



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ANNUAL REPORT FORM FOR AGGREGATORS

FOR REPORTING PERIOD OF July 1, 2001_ to June 30, 2002

FOR AGGREGATOR REGISTRATION NO. 80088

FILED IN PROJECT NO. 26280, *Aggregator Annual Reports*

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Part A: General Information

Part A is applicable to all Aggregators operating in the State of Texas.

1. **Aggregator Names:** *mc² Energy Management*
2. **Contact Person for this Annual Report:** Marcus A. Aguilar
3. **Aggregator Classification.** *Class I, Class II.A*
4. **Scope of Registration.** We are registered as a Class I, Class II.A aggregator
5. **Activity with Customers.** We started our marketing activities to aggregate:
 - a. private² customers.
 - b. municipalities and/or other political subdivisions.
6. **REP Affiliation.** As of the end of the reporting period, we signed a third party supplier agreement with First Choice, and were in the process of obtaining a similar agreement with TXU Energy.
7. **Registration Changes:** No changes since initial registration in March of 2002. Most of our activities have involved marketing of our services. We have not aggregated any customers as of the end date of this report.

Part B: Technical and Customer Protection Information

Class I, II.A and II.D Aggregators must answer *only* Questions 1-10. Class II.B Aggregators must answer *only* Questions 11 – 15. Class II.C Aggregators must answer *only* Questions 16-20.

Class I, II.A and Class II.D Aggregators:

1. **Aggregation Information.** Complete the attached *Chart A—Aggregation Information*, concerning customer types, contracted REPs, and compensation sources for each aggregation performed by the Aggregator. [§§25.111(f)(1)(F) and (M)] **As noted above,**

² In this question, “private” customers are any that are not a Political Subdivision Corporation, municipal corporation, county, hospital district, or other political subdivision.

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we have not aggregated any customers as of the end date of this report. Most of our activities have consisted of marketing of our services

2. Marketing Policies and Practices.

- a. We solicit a written release from the customer, which we use to obtain the customer load. We subsequently supply these release forms to the REPs we're requesting quotes from. The REPs have subsequently supplied us with load information and quotes concerning the affected accounts. We indicate to our customers that our aggregation fees will be collected by the REP on our behalf and identified as a line item in the bill (unless the customer does not wish it to appear as a line item) as part of the normal billing process.
 - b. At the moment we don't have any Internet addresses we're using to directly promote or solicit our services, nor do we do so on behalf of an REP's web addresses.
 - c. As of the end of the report period we have not solicited nor contracted with a third party and/or marketing agent to obtain aggregated customer load. We are contemplating contracting with independent consultants to market our services in different IOU territories throughout the State. However, to date we have not entered into any contracts.
- 3. Licensure Status.** We have not had had any registration/license/permit suspended or revoked in any state or by a federal authority.
- 4. Complaint History.** We are not aware of any complaints filed since the last report against the us or against any of our that provide utility-related services³ with any state or federal regulatory agency in states other than Texas
- 5. Legal Disclosures.** Since the last report, we have not, nor any of our principals, officers or directors have been (1) convicted or found liable for fraud, theft, larceny, deceit, or violations of any customer protection or deceptive trade laws in any state, (2) convicted for violation of any state or federal criminal laws, (3) found liable for violation of any state or federal civil laws, or (4) penalized by any attorney general, state or federal regulatory agency? If yes, provide the (a) violation type, (b) docket/citation number, (c) court/agency, and (d) final disposition including penalty assessed. [§§25.111(f)(1)(O) and (j)(7)]
- 6. Other Registrations.** As a sole proprietorship, we have not fallen into the "not in good standing" category with the Texas Comptroller of Public Accounts
- 7. Landlord-Tenant Arrangements.** During the reporting period we have not been involved in any agreements between the us and property owners/managers for energy services to their tenants.
- 8. Billing Agent.** We do not function as a billing agent for any REP.

³ P.U.C. SUBST. R. 25.111(f)(Q)(i) characterizes "utility-related services" as those services "such as telecommunications, electric, gas, water, or cable service."

9. **Locations Served.** As mentioned previously, as of the end date of this report, we not signed a contract to aggregate load on behalf of a client. We have instead been involved in marketing our services..
10. **Estimated Savings.** We have not provided any savings to our clients during the report period.

Class II.B (Political Subdivision Corporation) Aggregators:

11. **Membership List.** n/a.
12. **List of REPs.** n/a
13. **Locations Served** n/a
14. **Estimated Savings.** n/a
15. **Taking Title.** n/a

Class II.C Aggregators (Political Subdivisions Conducting Citizen Aggregation):

16. **Participation Level.** n/a
17. **Subcontracting the Administration.** n/a
18. **Verification of Customer Request.** n/a
19. **Locations Served:** n/a.
20. **Estimated Savings.** n/a

Part C: Financial Information

Part C is applicable only to Class 1, Class II.A and Class II.D Aggregators. Aggregators that are not registered under one or more of these Classes do not need to complete *Part C*, and should proceed to the Affidavit.

Questions in *Part C* refer to the most recent July-to-June reporting period, as well as to any subsequent time for which information relating to these questions is reasonably known and available to the Aggregator. The Commission anticipates that the supporting documentation for the Aggregator's responses to Questions Nos. 4.a.I and 5.b are proprietary in nature.

Questions Applicable to All Class I, II.A and II.D Aggregators:

1. **Financial Integrity.** We have not sought bankruptcy protection, become insolvent, or otherwise has been unable to meet our financial obligations on a reasonable and timely basis.

2. **Customer Prepayments.** We have not taken any deposits or other advance payments from electricity customers.
3. **Ongoing Status.** To the best of our knowledge, we are not aware of anything else, nor do we anticipate any potential events before the next report, which would be pertinent to our future financial integrity as an Aggregator operating in the State of Texas.

Questions Applicable Only to Aggregators Who Take Prepayments:

An Aggregator taking customer prepayments in Texas must respond to either Question 4, if it is registered pursuant the Standard Registration, or Question 5, if it is registered pursuant to the Alternative Limited Registration. The term “customer prepayments” is used here to include both the “customer deposits” and “other advance payments” specified in § 25.111.

4. **Standard Registrants.** We are not taking customer prepayments pursuant to §25.111(g)(1), Standard Financial Qualifications:

- a. **Financial Qualifications.** n/a

Financial Evidence. n/a

Investment Grade Credit. n/a

- b. **Financial Records** n/a
c. **Ninety-Day Affidavit.** n/a
d. **External Notice.** n/a.
e. **Changing Evidence.** n/a.

5. **Limited Registrants** n/a:

- a. **Notarized Affidavit.** n/a
b. **Customer Registry.** n/a

AFFIDAVIT

STATE OF TEXAS §
COUNTY OF TRAVIS §

1. My name is Marcus Aguilar. I am the owner of the reporting Aggregator, *mc² Energy Management*

2 I swear and affirm that (check one):

- ☐ I am an owner, partner, or officer of the registering party, which is registering as a Class I, Class II.A, and/or a Class II.D aggregator.
- ☐ I am an owner, partner, or officer of the registering party, which is registering as a Class II.B or Class II.C aggregator.

3. I swear and affirm that I have personal knowledge of the facts stated in this Aggregator Annual Report, that I am competent to testify to them, and that I have the authority to make this Report on behalf of the reporting Aggregator. I further swear or affirm that all of the statements and/or representations made in this Report are true, complete, and correct. I swear or affirm that the reporting Aggregator is not in material violation of any of the requirements of its registration. I swear or affirm that, if any material violation of the requirements of its registration occurred subsequent to the reporting period applicable to this Report, the reporting Aggregator has notified the Commission of same. I swear or affirm that the reporting Aggregator understands and will comply with all requirements of applicable law and rules.

4. I swear and affirm that the Aggregator is not in violation of any customer protection, disclosure requirements, marketing guidelines, and anti-discrimination laws or Commission rules.

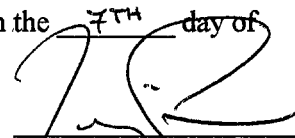
5. I swear and affirm that any assertions of confidentiality regarding this response have been made with a good faith belief that an exception to public disclosure under Chapter 552 of the Texas Government Code applies to the information provided.


Signature of Affiant/Responsible Party

Marcus A. Aguilar
Typed or Printed Name

mc² Energy Management
Name of Reporting Aggregator

SWORN TO AND SUBSCRIBED TO BEFORE ME on the 7TH day of September, 2002


Notary Public in and for the
State of Texas

My Commission Expires: 5/24/05

