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APPLICATION OF STREAM GAS	§	BEFORE THE
& ELECTRIC LTD FOR RETAIL	§	
ELECTRIC PROVIDER	§	PUBLIC UTILITY COMMISSION
CERTIFICATION PURSUANT TO	§	
SUBST. R. 25.107	§	OF TEXAS

**STREAM GAS & ELECTRIC LTD.'S RESPONSE
TO AMPRO ENERGY LP'S MOTION TO INTERVENE**

Stream Gas & Electric Ltd. ("SG&E") files this response to AmPro Energy LP's ("AmPro Energy") Motion to Intervene in the above-referenced proceeding.

AmPro Energy motion to intervene is based on two items in Stream's application for Retail Electric Provider Certification ("REP Application"): 1. Reference to Mr. Rodriguez's professional experience with AmPro Energy; and 2. Reference to enterprise management software by ENE_Trak, LLC. SG&E disagrees with the characterizations with respect to each of these items in AmPro Energy's Motion. Further, the items raised in AmPro Energy's Motion, even if they were accurate, which they are not, are not relevant to the compliance of SG&E with the Commission's requirements for REP Certification. As such, AmPro Energy's motion should be denied.

In its motion, AmPro Energy disputes the statements in SG&E's REP Application that reference Mr. Rodriguez's professional experience with AmPro Energy. AmPro claims that "at no time was Mr. Alex Rodriguez either a principal or an employee of

AmPro Energy."¹ However, AmPro Energy's own website includes press releases that demonstrate the falsity in AmPro Energy's representations. First, as of the time of this filing, the AmPro Energy website includes a press release from August 1, 2003 announcing that Mr. Rodriguez "has joined the company as Vice President of Business Development. Mr. Rodriguez will join President Amy Gasca in her efforts to continue building a first-rate management team committed to the profitable growth of the company."² Second, the same website includes a press release from August 3, 2003 referencing Mr. Rodriguez as Vice President of Business Development for AmPro Energy.³ In addition, Mr. Rodriguez has many years of professional experience in retail competition in utility related industries that satisfy the Commission's experience requirements.

The second issue raised by AmPro claims that the software referenced in SG&E's REP Application is proprietary to AmPro Energy. SG&E has a good faith belief that it is authorized to enter into an agreement with ENE_Trak for the use of its software. The disputes referenced in AmPro Energy's motion are contractual issues which will be decided in litigation in court outside this Commission proceeding. SG&E is moving forward with discussions with other software vendors in the event that the ENE_Trak issues are not resolved. SG&E will not violate a court order. Accordingly, SG&E is willing to amend the references in Attachment D-1 of the REP Application to describe the use of third-party software without specific reference to the name of the vendor. With that amendment to the REP Application described herein, the issues in AmPro

¹ AmPro Motion at 2.

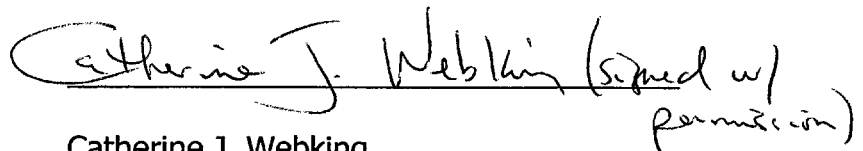
² See entire AmPro Energy press releases included with this filing as Attachment 1.

³ See Attachment 1.

Energy's motion regarding the use of software alleged to be proprietary to AmPro Energy is moot and does not serve as a basis for intervention.

WHEREFORE, PREMISES CONSIDERED, because the only issues raised in AmPro Energy's motion to intervene are not based in fact, are moot, and are otherwise not relevant to the compliance of SG&E with the Commission's certification requirements. SG&E looks forward to operating as a responsible market participant and looks forward to providing competitive options to retail electric customers in Texas. AmPro Energy has no justiciable interest in Stream's REP Application and Stream requests that AmPro Energy's motion to intervene be denied.

Respectfully submitted,

A handwritten signature in black ink that reads "Catherine J. Webking". To the right of the signature, there is a handwritten note in parentheses: "(signed w/ permission)".

Catherine J. Webking
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion has been served via facsimile to all parties on this day, September 1, 2004.

Catherine J. Webking (signed w/ permission)
Catherine J. Webking

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August 3, 2003
AMPRO ENERGY ADDS TO MANAGEMENT TEAM
Company Hires Marketing Executive

August 1, 2003
AMPRO ENERGY ESTABLISHES BUSINESS DEVELOPMENT TEAM
Company Taps Seasoned Executive

August 1, 2003
AMPRO ENERGY ADDS VICE PRESIDENT OF BUSINESS DEVELOPMENT TO ITS MANAGEMENT TEAM
Company Hires Top Marketing Executive

July 20, 2003
AMPRO ENERGY AWARDED LAKWOOD CHURCH SELECT AMPRO ENERGY

June 16, 2003
AMPRO ENERGY RECEIVES NORTH AMERICAN ENERGY STANDARDS AWARD
designed to Help Women- and...

May 1, 2003
AMPRO ENERGY OPENS OFFICE IN DALLAS
Company Acquires Suite of Office Space

March 17, 2003
AmPro Energy, Inc., Retail Energy Selects ESG to Provide Electric Service

August 1, 2003
AMPRO ENERGY ADDS VICE PRESIDENT OF BUSINESS DEVELOPMENT TO ITS MANAGEMENT TEAM
Company Hires Top Marketing Executive

HOUSTON, TEXAS (August 1, 2003) - AmPro Energy, Inc., one of the leading providers of retail energy to small commercial and industrial customers in Texas, today announced that Alejandro Rodriguez has joined the company as Vice President of Business Development. Mr. Rodriguez will join President Amy Gasca in her efforts to continue building a first-rate management team committed to the profitable growth of the company.

"Mr. Rodriguez brings unique and valuable expertise in retail energy sales and marketing," said Amy Gasca, President and CEO of AmPro Energy. "Mr. Rodriguez fits right in to AmPro Energy's performance-oriented culture."

"We have made a long-term commitment to the Texas retail market," Ms. Gasca continued. "A seasoned marketing director, Mr. Rodriguez certainly helps reinforce AmPro Energy as the retail electric provider that focuses on customer service."

Prior to joining AmPro Energy Team, Mr. Rodriguez served as Vice President of Sales and Marketing for Utility Choice Electric. Mr. Rodriguez possesses over 10 years of national business development experience spanning across both the deregulated energy and telecomm industries.

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Ampro Energy News Center - Microsoft...

August 3, 2003
AMPRO ENERGY ADDS TO MANAGEMENT TEAM WITH BUSINESS DEVELOPMENT MANAGER
Company Hires Marketing Executive

HOUSTON, TEXAS (August 3, 2003) - AmPro Energy, Inc., one of the leading providers of retail energy to small commercial and industrial customers in Texas, today announced that Melissa Dix has joined the company as a Business Development Manager.

Ms. Dix will be managing channel partners providing assistance with marketing tools and deal execution. This is part of AmPro Energy's initiative to build and maintain mutually beneficial relationships.

"The relationship we have with our business partners is a vital part of our business. We have developed an excellent reputation at working effectively and efficiently with our partners" said Alex Rodriguez, Vice President of Business Development.

"Ms. Dix brings unique and valuable expertise from her prior employment with Lehman Brothers in London" said Amy Gasca, President and CEO of AmPro Energy. "AmPro Energy prides itself on hiring the "best and the brightest" talent and Ms. Dix represents just one more addition to AmPro Energy's "dream team".

Prior to joining AmPro Energy, Ms. Dix was employed by Lehman Brothers's London office as an Associate within their Product Marketing team.

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