

Control Number: 38681



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SOAH DOCKET NO. 473-11-0314  
P.U.C. DOCKET NO. 38681

RECEIVED  
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PUBLIC UTILITY COMMISSION  
FILING CLERK

PETITION OF COMMISSION STAFF  
TO REVOKE THE RETAIL ELECTRIC  
PROVIDER CERTIFICATION OF  
GTC ENERGY, INC.

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§  
§

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

COMMISSION STAFF'S MOTION TO DISMISS

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission) and files this Motion to Dismiss, and would respectfully show the following:

On September 15, 2010, Staff filed a Petition to Revoke the Retail Electric Provider (REP) Certificate of GTC Energy, Inc. (GTC). This matter was referred to the State Office of Administrative Hearings on September 21, 2010. Subsequently on September 24, 2010, GTC filed an application (Application) with the Commission to relinquish its REP certificate.<sup>1</sup> The Application was approved on October 12, 2010.

P.U.C. PROC. R. 22.181(b) provides that “[a] party that initiated a proceeding may withdraw its . . . petition . . . without prejudice to refile of same, at any time before that party has presented its direct case.” Staff has not presented its direct case in this matter, and therefore respectfully requests that this proceeding be dismissed without prejudice.

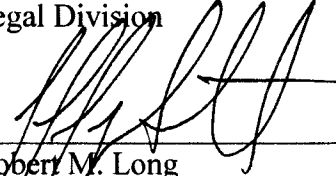
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<sup>1</sup> See PUC Docket No. 38726.

Respectfully Submitted,

Thomas S. Hunter  
Division Director  
Legal Division

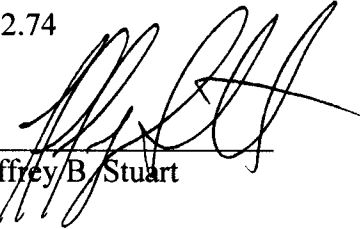
Keith Rogas  
Deputy Division Director  
Legal Division



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Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 18, 2010, in accordance with P.U.C. Procedural Rule 22.74

  
Jeffrey B. Stuart