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DOCKET NO. 41494

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PUBLIC UTILITY COMMISSION
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APPLICATION OF ELECTRANET §
POWER, LLC FOR RETAIL §
ELECTRIC PROVIDER §
CERTIFICATION, PURSUANT TO §
SUBST. R. §25.107 §

PUBLIC UTILITY COMMISSION
OF TEXAS

**ORDER NO. 2
DEEMING APPLICATION INSUFFICIENT/DEFICIENT;
REQUIRING RESPONSE FROM APPLICANT**

On May 15, 2013, Electranet Power, LLC (Electranet or Applicant) filed an application under PURA¹ § 39.352 and P.U.C. SUBST. R. 25.107 for approval of a certificate to provide retail electric service in the entire state of Texas.

On June 5, 2013, Commission Staff (Staff) filed a recommendation stating that the application was deficient as follows: (1) Applicant did not provide its audited financial statements for the most recent completed calendar or fiscal year and unaudited financial statements for the most recent completed quarter and Electranet did not provide the required letter of credit; and (2) Applicant did not demonstrate sufficient energy commodity risk management experience.

Based on Staff's recommendation, the application is deemed insufficient. P.U.C. SUBST. R. 25.107(c)(5) provides that:

Except where good cause exists to extend the time for review, the presiding officer shall issue an order stating whether an application is deficient or complete within 20 days of filing. Deficient applications and those without necessary supporting documentation will be rejected without prejudice to the applicant's right to reapply.

At this time, the inefficiency and burden to the Applicant and Commission from rejecting the application and requiring the Applicant to reapply constitute good cause for extending the time for review to allow the Applicant to correct the application. Accordingly, the Applicant shall correct the application by **June 14, 2013** or an order will be issued rejecting the application without prejudice to the Applicant's right to reapply. By **June 21, 2013**, Commission Staff shall

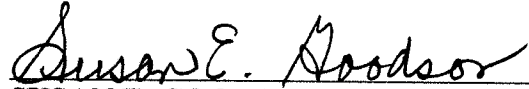
¹ Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001-66.016 (Vernon 2007 & Supp. 2012) (PURA).

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file its recommendation on final disposition, which shall consider any information timely provided by the Applicant

SIGNED AT AUSTIN, TEXAS the 7th day of June 2013.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON

ADMINISTRATIVE LAW JUDGE