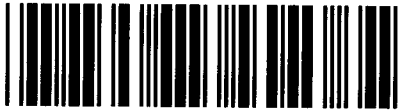


Control Number: 45427



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 45427

APPLICATION OF STAR §
ELECTRICITY, INC. FOR AN §
AMENDMENT TO A RETAIL §
ELECTRIC PROVIDER §
CERTIFICATE §

RECEIVED
2015 DEC 30 AM 9:19
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**STAFF'S RESPONSE TO ORDER NO. 1 REGARDING
SUFFICIENCY AND PROPOSED SCHEDULE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Recommendation on Sufficiency and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On December 10, 2015, Star Electricity, Inc. (Applicant) filed an application (Application) to amend Retail Electric Provider (REP) Certificate No. 10089¹, pursuant to 16 Tex. Admin. Code § 25.107 (TAC), for a change in relinquishment of certification and corporate restructuring. Order No. 1, issued December 11, 2015 required Staff to file a recommendation on sufficiency and propose a procedural schedule by December 30, 2015. This pleading is therefore timely filed.

II. RECOMMENDATION ON SUFFICIENCY OF APPLICATION

Staff has reviewed the application and, as supported by the attached memorandum of Jeffrey Wirth of the Competitive Markets Division, Staff has concluded that the application should be deemed sufficient for further review.

¹ Application of Star Electricity, Inc. for a Retail Electric Provider Certificate, Docket No. 29942, Notice of Approval (August 23, 2004).

III. PROPOSED PROCEDURAL SCHEDULE

Intervention and comment deadline	January 11, 2016
Staff's recommendation on final disposition	January 19, 2016
Deadline for Request for Referral to the State Office of Administrative Hearings	February 2, 2016

IV. CONCLUSION

Staff respectfully recommends that Applicant's application be deemed sufficient for further review and requests that the procedural schedule proposed above be adopted.

Dated: December 23, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

Karen S. Hubbard
Managing Attorney-Legal Division



Landon J. Lill
Attorney-Legal Division
State Bar No. 24092700
(512) 936-7228
(512) 936-7268 (facsimile)
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 December 23, 2015, in accordance with 16 TAC § 22.74.



Landon J. Lill

Public Utility Commission of Texas

Memorandum

TO: Landon Lill, Attorney
Legal Division

FROM: Jeffrey Wirth, Competitive Market Analyst
Competitive Markets Division

DATE: December 23, 2015

RE: Docket No. 45427 – *Application of Star Electricity, Inc. for an Amendment to its Retail Electric Provider*

Recommendation

Regarding Application of Star Electricity, Inc. for an Amendment to its Retail Electric Provider

On December 10, 2015, Star Electricity, Inc. (“Star Electricity” or “Company”) filed an application with the Public Utility Commission of Texas (“Commission”) to notify the Commission of corporate restructuring and to relinquish its Retail Electric Provider (“REP”) Certificate No. 10089 in accordance with 16 Tex. Admin. Code § 25.107 (“TAC”). Order No. 1 was issued on December 11, 2015, requiring that Commission Staff file a recommendation on the sufficiency of the application and propose a procedural schedule by December 30, 2015.

The application submitted by Star Electricity notifies the Commission that it will be merged into its parent company, Constellation NewEnergy, Inc., effective December 31, 2015. Thereafter, the Company will cease to exist and all its customers and their deposits will become assets of Constellation NewEnergy, Inc. Accordingly, Star Electricity is requesting to relinquish its REP Certificate No. 10089.

16 TAC §25.107(c)(2) provides that an application for REP certification “shall be on a form approved by the commission, verified by oath or affirmation, and signed by an executive officer of the applicant.” Staff reviewed the application for relinquishment of its certificate and found that the application was submitted on a Commission-approved form and it contained all information required by 16 TAC §25.107(c)(2) in terms of sufficiency.

Based on the information above, Staff recommends that the application be considered sufficient for further review from a technical and managerial perspective.

If you have any questions, please contact, Jeffrey Wirth at 6-7463.

Public Utility Commission of Texas

Memorandum

TO: Landon Lill, Attorney, Legal Division

FROM: Diane Hopingardner, Competitive Markets Analyst, Competitive Markets Division

DATE: December 30, 2015

RE: Docket No. 45427 *Application of Star Electricity Inc. for Relinquishment of Retail Electric Provider Certification*

Recommendation

Regarding Completeness of Application for Retail Electric Provider Certification

Applicant's Request

On December 10, 2015, Star Electricity Inc. ("Applicant") filed an application to relinquish its Option 1 REP Certificate No. 10089. The Applicant will be merged into its parent company, Constellation NewEnergy, Inc, and all customers and their deposits will transfer to the parent company. Order No. 1 states that the Commission Staff shall file a recommendation regarding the sufficiency of the application on or before December 30, 2015.

Analysis

A review of the Commission's complaint database indicates that the Customer Protection Division does not have any open complaints against the Applicant. No market participants have filed a petition for relief regarding the Applicant.

Recommendation

I find that the application is sufficient from a financial perspective.