



The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SERVICE SUPPLIER/GOVERNMENTAL AGGREGATOR SERVICE OPERATIONS AND CERTIFICATE ABANDONMENT APPLICATION

Preface

This form is intended for the purpose of making application to The Public Utilities Commission of Ohio (PUCO) for the voluntary cessation of natural gas services and operations and the abandonment of certificate issued for competitive retail natural gas service(s) or governmental aggregation, within the service areas of all Ohio-regulated local gas distribution (LDC) companies.

Filing Instructions

The following cover form and application are designed so that you may directly input information onto the form. You may also download the entire application package by saving it to your local disk.

Please print or type all required information. Identify all attachments with an exhibit label and title (***Example: Exhibit C-2 LDC Notice***). All attachments should bear the legal name (and any references to which the Applicant is doing business in Ohio), and should be included on the electronic copy provided.

To file application, send or deliver the original completed cover form, application, affidavit, and all supporting information, along with 10 copies to:

***The Public Utilities Commission of Ohio, Docketing Division
180 East Broad Street, 13th Floor
Columbus, OH 43215-3793.***

The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SUPPLIER/GOVERNMENTAL AGGREGATOR FILING COVER FORM POST INITIAL CERTIFICATION

In the Matter of the Application of)
 Constellation ProLiance, LLC) Case No. **02 - 1909 -GA- CRS**
)
 to: Withdraw license with no existing customers)

Name of Applicant: Constellation ProLiance, LLC

Applicant's Address: 9960 Corporate Campus Drive, Suite 2000, Louisville KY 40223

Contact Person or Counsel: Stephen Baker

Telephone Number: 502-214-6313

Mark the reason for filing this form, application, and supporting information. Check only one of the five main categories. Use separate copies of this form for each type of application.

1. ☐ Certification Renewal Application (to be filed 30 to 120 days prior to expiration of current certificate) per Rules 4901:1-27-09 and 4901:1-27-04 of the Ohio Administrative Code.
2. ☐ Notification of Material Change in Business (to be filed in the initial or most recent certification docket and within 30 days of the material change occurring) per Rule 4901:1-27-10 of the Ohio Administrative Code. Please check the following material change(s) that is(are) involved with this filing:
 - ☐ Change in ownership of five percent or more
 - ☐ Affiliation with public utility or change in affiliation with a public utility in this state
 - ☐ Retirement or other long-term changes to supply sources
 - ☐ Revocation, restriction, or termination of interconnection or service agreement with pipeline company or natural gas company
 - ☐ Fall of bond rating below BBB-
 - ☐ Fall of bond rating below Baa3
 - ☐ Filed or intend to file for some form of bankruptcy
 - ☐ Receipt of judgment, finding, or ruling that could affect fitness or ability to provide service
 - ☐ Other (please describe):
3. ☐ Certificate Transfer Application per Rule 4901:1-27-11 of the Ohio Administrative Code.
4. ☒ Abandonment Application (to be filed at least 90 days prior the effective date of the abandonment) per Rule 4901:1-27-11 of the Ohio Administrative Code. Please indicate which of the following two situations applies to the proposed abandonment:
 - ☒ Seek to abandon operations with no existing customers
 - ☐ Seek to abandon operations with existing customers
5. ☐ Other application (please describe) :

The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SERVICE SUPPLIER/GOVERNMENTAL AGGREGATOR OPERATIONS AND CERTIFICATE ABANDONMENT APPLICATION

This PDF form is designed so that you may directly input information onto the form. You may also download the form by saving it to your local disk.

SECTION A - GENERAL INFORMATION

A-1 Applicant Information:

Name Constellation ProLiance, LLC
Address 9960 Corporate Campus Drive, Suite 2000, Louisville KY 40223
Telephone # 502-426-4500 **Web site address** www.constellation.com
PUCO Certification Case # 02-1909-GA-CRS **Certificate #** 02-030G(6)

A-2 Contact person for regulatory or emergency matters:

Name Lael Campbell **Title** Director, State Government Affairs
Business Address 101 Constitution Avenue NW, Suite 400 East, Washington DC 20004
Telephone # 202-637-0350 **Fax #**
Email Address lael.campbell@constellation.com

SECTION B - OPERATIONS/SERVICE INFORMATION

B-1 Date Applicant Will Cease Operations. August 31st 2014

B-2 Are customers being switched back to LDC ☐ **or contracts assigned** ☐ ?

B-3 If contracts were/will be assigned, to whom? n/a

B-4 In which month's billing cycle will the customers be switched? n/a

B-5 Indicate total number of Ohio customers currently served 0 **, and by service territory:**

CGO 0

DEO 0

DUKE 0

VEDO 0

- B-6** Pursuant to Rule 4901:1-27-11 (B), applicant acknowledges that all contract terms and conditions were fulfilled prior to abandoning the operations provided under its certificate, or applicant has assigned such contracts to another retail natural gas supplier to fulfill the unexpired contract terms and conditions. YES ☒ NO ☐

SECTION C - EXHIBITS

- C-1 Exhibit C-1 “Notice to Director of the Consumer Services Department”** provide a dated copy of the written notice that notified PUCO Department Director of Applicant’s intent to assign customer contracts, pursuant to Rule 4901:1-29-10(D)(1)(a) of the Ohio Administrative Code.
- C-2 Exhibit C-2 “LDC Notice”** provide a dated copy of the written notice provided to each LDC in each certified territory the CRNGS supplier operates of its intent to cease providing service pursuant to Rule 4901:1-27-11(B)(2) of the Ohio Administrative Code.
- C-3 Exhibit C-3 “Customer Notice”** provide a dated copy of the notice that notified customers of the company’s intent to abandon service pursuant to Rule 4901:1-27-11(B)(3); and if applicable, provide a dated copy of the notice that also notified customers of the company’s intent to assign contracts to another supplier.
- C-4 Exhibit C-4 “Affidavit”** provide a signed and notarized affidavit (*approved form attached herein*).

Applicant Signature:

Ken Wether

Title: Chief Commercial Officer

aw

Date:

9/12/14

The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SERVICE SUPPLIER/GOVERNMENTAL AGGREGATOR OPERATIONS AND CERTIFICATE ABANDONMENT AFFIDAVIT EXHIBIT C-4

AFFIDAVIT

In the Matter of the Application of)
Constellation ProLiance, LLC) Case No. 02-1909-GA-CRS
To Abandon Retail Natural Gas Service Supplier)
Or Ohio Natural Gas Governmental Aggregation)
Operations and Certificate in Ohio.)

County of Jefferson

State of Kentucky

Kevin Watson Affiant, being duly sworn/affirmed according to law, deposes and says that:
He/She is the Chief Commercial Officer (Office of Affiant) of
Constellation NewEnergy-Gas Division, LLC (Name of Applicant).

1. Affiant is authorized to and does make this affidavit for said Applicant.
2. Applicant herein attests under penalty of false statement that all statements made in the application are true and complete.
3. Affiant further sayeth naught.

Affiant Signature & Title

Kevin Watson sk

Sworn and subscribed before me this 12th day of September Month 2014 Year

Signature of Official Administering Oath

Andrea Whitaker Kullman

Print Name and Title

Andrea Whitaker Kullman



My commission expires on

5-4-2016

Constellation ProLiance, LLC
Case No. 02-1909-GA-CRS
Competitive Retail Natural Gas Supplier Certificate Withdrawal Application

- **Exhibit C-1** "Notice to Director of the Consumer Services Department" provide a dated copy of the written notice that notified PUCO Department Director of Applicant's intent to assign customer contracts, pursuant to Rule 4901:1-29-10(D)(1)(a) of the Ohio Administrative Code.
- **Exhibit C-2** "LDC Notice" provide a dated copy of the written notice provided to each LDC in each certified territory the CRNGS supplier operates of its intent to cease providing service pursuant to Rule 4901:1-27-11(B)(2) of the Ohio Administrative Code.
- **Exhibit C-3** "Customer Notice" provide a dated copy of the notice that notified customers of the company's intent to abandon service pursuant to Rule 4901:1-27-11(B)(3); and if applicable, provide a dated copy of the notice that also notified customers of the company's intent to assign contracts to another supplier.

Please refer to Constellation ProLiance, LLC's letter to the Public Utilities Commission of Ohio dated September 9th 2014 (attached).



100 Constellation Way
Suite 600C
Baltimore, MD 21202
www.constellation.com

September 9, 2014

VIA E-Filing

Ms. Barcy F. McNeal, Secretary
Public Utilities Commission of Ohio
180 East Broad Street, 11th Floor
Columbus, OH 43215-9793

**RE: Case No. 02-1909-GA-CRS
Constellation ProLiance, LLC**

Dear Ms. McNeal,

Pursuant to Ohio Administrative Code Rule 4901:1-29-10(D)(1)(a), Constellation ProLiance, LLC (CPRO) herein provides notice to the Director of the Consumer Services Department of its intent to abandon service and withdraw its Competitive Retail Natural Gas Service (CRNGS) Certificate No. 02-030G(6).

On August 31st 2014, CPRO was merged with and into Constellation NewEnergy-Gas Division, LLC. Please note the attached Kentucky Secretary of State merger related documents.

Constellation ProLiance, LLC had no jurisdictional customers on August 31st 2014 nor did it have any jurisdictional customers during calendar years 2013 and 2014. As such, there has been no Customer Notice of CPRO's intent to abandon service pursuant to Ohio Administrative Code Rule 4901:1-27-11(B)(3).

Also, in as much as CPRO's current CRNGS Certificate is already scheduled to expire on October 3rd 2014, there has been no LDC Notice of CPRO's intent to cease providing service pursuant to Ohio Administrative Code Rule 4901:1-27-11(B)(2).

If there are any questions regarding this notification, please contact me at 502-214-6313 or stephen.baker@constellation.com.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "S. Baker", written over a horizontal line.

Stephen Baker, Legal Compliance
On behalf of Constellation NewEnergy-Gas Division, LLC

Attachment

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/12/2014 1:41:36 PM

in

Case No(s). 02-1909-GA-CRS

Summary: Application CRNGS Operations and Certificate Abandonment Application electronically filed by Mr. Stephen D Baker on behalf of Constellation ProLiance, LLC