

FILE



Direct Energy.

15-2067-GA-ABN

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Barbara Farmer
Compliance Analyst
Direct Energy
(713)354-4710

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Public Utility Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

December 10, 2015

RE: Direct Energy Small Business, LLC Competitive Retail Natural Gas Supplier License (12-238G) Termination Notice

Dear Docketing Division:

The purpose of this filing is to provide notice to the Public Utility Commission of Ohio of the intent to abandon the Competitive Retail Natural Gas Supplier License held by Direct Energy Small Business, LLC (12-238G). This decision was made based on the notion that customers formerly served under the Direct Energy Small Business, LLC license are being served by Direct Energy Services, LLC or have selected another Choice Provider. There are currently no customers being served by Direct Energy Small Business, LLC under this license.

Please find enclosed one (1) original and ten (10) copies of the Abandonment Application as required.

If there are any questions or comments regarding this notice, please contact me directly.

Best Regards,

Barbara Farmer

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician JE Date Processed DEC 11 2015

PUCO

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**Public Utilities
Commission**

ORIGINAL

**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.***

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PUCO

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)
 Direct Energy Small Business, LLC) Case No. 12 - 148 -GA- CRS
)
 to:)

Name of Applicant: Direct Energy Small Business, LLC

Applicant's Address: One Hess Plaza, Woodbridge, NJ 07095

Contact Person or Counsel: Barbara Farmer

Telephone Number: (713)354-4710

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 60 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 4901:1-27-11 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 4901:1-27-12 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 Direct Energy Small Business, LLC
Address 1 Hess Plaza
Telephone # (800)830-5923 Web site address
PUCO Certification Case # 12-148-GA -CRS Certificate # 12-238G

A-2 Contact person for regulatory or emergency matters:

Name Teresa Rigenbach Title Sr. Manager, Govt & Reg Aff
Business Address Firth Third Building, 21E. State St, Columbus, OH 43215
Telephone # 614-220-4369 Fax # n/a
Email Address teresa.rigenbach@directenergy.com

SECTION B - OPERATIONS/SERVICE INFORMATION

B-1 Date Applicant Will Cease Operations. 12/10/2015

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

B-3 If contracts were/will be assigned, to whom? Direct Energy Services, LLC or LDC

B-4 In which month's billing cycle will the customers be switched? Consents have occurred at various times not related to billing cycle.

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

CGO

DEO

DUKE

VEDO

- 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:



Title: ASSISTANT SECRETARY

Date:

12/9/2015

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)
Direct Energy Small Business) Case No. 12-148-ABN
To Abandon Retail Natural Gas Service Supplier)
Or Ohio Natural Gas Governmental Aggregation)
Operations and Certificate in Ohio.)

County of
State of

Craig Galligan Affiant, being duly sworn/affirmed according to law, deposes and says that:
He/She is the Assistant Secretary (Office of Affiant) of Direct Energy Small Business, LLC
(Name of Applicant).

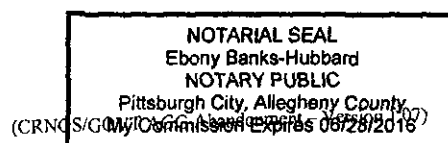
1. Affiant is authorized to and does make this affidavit for said Applicant.
2. Applicant herein attests under penalty of false statement that all statements made in the application are true and complete.
3. Affiant further sayeth naught.

Affiant Signature & Title  , ASSISTANT SECRETARY

Sworn and subscribed before me this 9th day of DECEMBER Month 2015 Year

Signature of Official Administering Oath  Print Name and Title Ebony Banks-Hubbard, Paralegal

My commission expires on June 28, 2016





Carl W. Boyd
Sr. Manager, Compliance
Direct Energy
412.667.5272
carl.boyd@directenergy.com

May 14, 2014

Ohio Public Utilities Commission
Attn: Service Monitoring and Enforcement Division
180 East Broad Street
Columbus, OH 43215

RE: Hess Small Business Services Customer Migration

To Whom It May Concern:

Please accept this letter as notice of the upcoming migration of Hess Small Business Services (HSBS) customers to Direct Energy.

As you know, as of November 1, 2013, HSBS became part of the Direct Energy family of companies. As a result of the decommissioning of a legacy billing system that houses the HSBS customers, they are being migrated to Direct Energy's systems. These customers' existing terms and conditions, prices and services will all continue unchanged and uninterrupted. There are no residential customers included in this activity.

There are approximately 10,000 Ohio accounts involved in this activity, throughout the different utility territories across the state. Direct Energy anticipates that this migration will take place beginning on or about June 15, 2014. As such, the attached notices explaining the change are being delivered to customers over the next few weeks.

If you have any questions or comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl W. Boyd', with a long horizontal flourish extending to the right.

Carl W. Boyd
Sr. Manager, Compliance

Enclosures

THIS CUSTOMER TRANSFER AGREEMENT (the "Agreement") is made this day of May 19, 2014 between Hess Small Business Services, (the "Releasing Supplier") and Direct Energy Services, LLC, (the "Accepting Supplier") and accepted by The East Ohio Gas Company d/b/a Dominion East Ohio ("East Ohio").

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THIS AGREEMENT sets forth the conditions that the Releasing Supplier and Accepting Supplier must meet in order for East Ohio to process the changeover of customers and assets from the Releasing Supplier's pools to the Accepting Supplier's pools.

THE FOLLOWING must be provided to East Ohio by the Releasing Supplier one month (1) prior to the customer/asset transfers from their pool:

1. List of all accounts to be transferred to the Accepting Supplier.
2. List of any assets (Local Production, On-System Storage, etc.) to be transferred to the Accepting Supplier.
3. Copy of draft letter which will be sent to all customers being transferred from Releasing Supplier indicating change and customer contact.¹ Such draft letter shall be subject to review and approval by East Ohio prior to issuance to customers.

THE FOLLOWING must be provided to East Ohio by the Accepting Supplier one month (1) prior to the customer/asset transfers to their pool:

1. List of all accounts to be transferred from the Releasing Supplier.
2. List of any assets (Local Production, On-System Storage, etc.) to be transferred from the Releasing Supplier and acknowledgment of any cost (On-System Storage Fees, etc.) that the Accepting Supplier will now be responsible for.
3. Copy of draft letter which will be sent to all customers being transferred to the Accepting Supplier indicating change and customer contact.¹ Such draft letter shall be subject to review and approval by East Ohio prior to issuance to customers.
4. A new Exhibit for any General Transportation (GTS served from a General pool) and Daily Transportation customers Accepting Supplier is acquiring from the Releasing Supplier.

ADDITIONAL CONDITIONS for this specific Agreement are attached under EXHIBIT A ("Special Terms and Conditions").

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

¹ This letter can be a combined letter with the Accepting Supplier provided a contact number for both Suppliers is listed.

IN WITNESS WHEREOF, this Agreement was executed and effective as of the date first above written.


ORIGINAL

Attest


Releasing Supplier

ASSISTANT SECRETARY
Title

Attest


Accepting Supplier

VICE PRESIDENT
Title

Attest

East Ohio

Title

SPECIAL TERMS AND CONDITIONS

Exhibit A

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1. Accepting Supplier agrees to assume responsibility for all re-bills for Releasing Supplier's transferred customers.
2. Releasing supplier will assign all assets (storage, imbalances, etc.) to the Accepting supplier unless otherwise amended.
3. Releasing Supplier will provide a separate termination letter if they wish to terminate their pooling agreements with East Ohio. Releasing Supplier must pay any and all outstanding charges to East Ohio prior to termination of such agreements. In the event that Releasing Supplier fails to make such payments in a timely manner, Accepting Supplier agrees to accept responsibility for said payments.
4. If local production is transferred, the Accepting Supplier agrees to accept the Releasing Supplier's Local Production Ohio Adjustment.

ORIGINAL



Small Business Services
A Direct Energy™ Company

May 2, 2014

Dear Valued Customer:

In February, we informed you that Hess Corporation's Energy Marketing business, of which Hess Small Business Services (HSBS) is a wholly-owned subsidiary, was acquired by Direct Energy. Our combined teams continue to be committed to providing you with the same exceptional services to which you have grown accustomed as a HSBS customer. Together, we are even better positioned to provide you with innovative energy products, competitive rates, and world-class service. Below is some information to help you understand what happens next.

Direct Energy's name and logo will soon begin appearing on your bill and any correspondence about your service. Until your contract comes up for renewal, however, you will continue to be served under the terms and rates of your existing Agreement. When your contract is within three months of its expiration, you will be contacted to discuss your options for renewing with Direct Energy. In the meantime, should you have any questions about your current contract, you may continue to reach us at <<insert phone number>>.

As part of the transition from HSBS to Direct Energy, you may receive a letter from your utility notifying you of your enrollment with Direct Energy. Please rest assured that this is just an operational detail, and there is nothing you need to do to ensure continuity of service.

As Hess Small Business Services and Direct Energy join together to become one united company, we will share information with you about the additional products and services we will be offering to you as a member of our Direct Energy family.

We thank you for your business and we appreciate your trust in us. We look forward to continuing to serve you now and for many years to come.

Truly yours,

A handwritten signature in black ink, reading "Stephen E. Girard".

Stephen E. Girard
Head of Hess Small Business Services