

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)	
PLYMOUTH ROCK ENERGY, LLC,)	Case No. U-17492
for a license as an alternative electric supplier.)	
_____)	

In the matter, on the Commission’s own motion,)	
regarding the regulatory reviews, determinations,)	
and/or approvals necessary for PLYMOUTH ROCK)	Case No. U-17549
ENERGY, LLC, to fully comply with Public Act 295)	
of 2008.)	
_____)	

At the January 23, 2014 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman
Hon. Greg R. White, Commissioner
Hon. Sally A. Talberg, Commissioner

ORDER

On October 10, 2013, Plymouth Rock Energy, LLC, (PRE) submitted an application pursuant to the “Customer Choice and Electricity Reliability Act,” 2000 PA 141, MCL 460.10 *et seq.* (Act 141), for a license as an alternative electric supplier (AES). An AES is a person selling electric generation service to retail customers in this state, other than a person who physically delivers electricity directly to retail customers. MCL 460.10g(a). With its application, PRE submitted information designed to show its compliance with the statutory requirements for an AES.

Act 141 requires the Commission to ensure that AESs have the necessary financial capability, possess technical competence to engage in energy transactions, are capable of meeting safety requirements for electric operations, and comply with all other lawful obligations. Additionally, the June 19, 2000 Commission order in Case No. U-11915 requires AESs to maintain an office within Michigan.

On October 6, 2008, Public Act 295 of 2008, MCL 460.1001 *et seq.*, the “Clean, Renewable, and Efficient Energy Act,” was signed into law (Act 295). The Commission issued an order in Case No. U-15800 on December 4, 2008, which provides requirements for implementing Act 295. Among other things, Act 295 requires all providers of electric service in this state, including AESs, to establish renewable energy programs.

Act 295 also requires the Commission to establish a statewide net metering program. Pursuant to Section 173(1) of Act 295, the Commission promulgated rules entitled “Electric Interconnection and Net Metering Standards,” which were effective May 27, 2009. AESs are required to comply with the net metering requirements of Act 295 and the Commission’s rules.

The Commission Staff (Staff) is responsible for review of the application and for making a recommendation regarding a license. The Staff reviewed the information submitted by PRE and recommends that the Commission grant PRE a license to operate as an AES in Michigan.

PRE is a wholly owned subsidiary of Plymouth Rock Energy Parent Holding, LLC, which in turn, is partially owned by MVC Private Equity Fund, LP. PRE is a privately held limited liability company and has its headquarters at 1074 Broadway, Woodmere, NY. PRE was organized in New York on September 2, 2004 and registered with the Michigan Corporations Division on October 23, 2012, ID Number D9201J.

PRE is a licensed competitive retail electric supplier in New York, New Jersey, Pennsylvania, Maryland, Ohio, Illinois and Connecticut (currently inactive). Additionally, PRE is licensed as a natural gas supplier in New York, New Jersey, Maryland, Ohio and, recently, Pennsylvania. PRE serves approximately 46,000 total retail electric and natural gas customers throughout these jurisdictions.

After reviewing PRE's personnel descriptions and histories, the Staff determined that PRE has sufficient experience and expertise to manage risk and to reliably supply electricity in Michigan's electric choice market. Based on the information provided, and the recommendation of the Staff, the Commission finds that PRE possesses the appropriate managerial and technical capabilities to serve customers within the state of Michigan.

The Staff reviewed PRE's audited financial statements for the last two years. PRE also provided the Staff with a surety bond in the amount of \$100,000. Based upon its review of the financial statements and the bond, the Staff determined that PRE's financial capabilities meet the Act 141 requirements. The Commission agrees.

The Commission requires AESs to maintain an office in Michigan. On December 6, 2013, PRE filed a letter in the docket amending the Michigan office address submitted in the original application filing. PRE's Michigan office is located at 25900 Greenfield Road, Suite 245, Royal Oak, MI 48237. The Staff determined that PRE has complied with the Michigan office requirements. The Commission agrees.

After review of PRE's application, the Commission finds that approval of the application is in the public interest. On numerous occasions, the Commission has found that competition can be advantageous to the citizens of the state. Approval of the request for a license as an AES will expand the opportunities for competition. Accordingly, the application should be approved. The

grant of an AES license is conditioned on compliance with all applicable provisions of the statute and the Commission's orders. Failure to comply fully may result in revocation of the license or other penalties. Further, the grant of a license is conditioned upon the provision of service to customers within a reasonable time. Failure to do so may result in revocation of the license.

The Commission also finds that, as a licensed AES in Michigan, PRE is required by Act 295 to file a renewable energy plan (REP) with the Commission. However, the Commission notes that the original deadline set by Act 295 and the order in Case No. U-15800 for filing a REP has passed. Therefore, in consideration of the fact that PRE's AES license was granted, the Commission has opened a separate docket for PRE's REP, which shall be filed in Case No. U-17549 by June 30, 2014.

THEREFORE, IT IS ORDERED that:

- A. Plymouth Rock Energy, LLC, is granted a license as an alternative electric supplier.
- B. Plymouth Rock Energy, LLC, shall operate as an alternative electric supplier in compliance with the regulatory requirements specified in the "Customer Choice and Electricity Reliability Act," MCL 460.10 *et seq.*, and the Commission's orders.
- C. Plymouth Rock Energy, LLC, is required to comply with the net metering requirements of Act 295 of 2008 and the Commission's rules.
- D. Plymouth Rock Energy, LLC, shall file its initial renewable energy plan in Case No. U-17549 by June 30, 2014.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, pursuant to MCL 462.26.

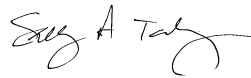
MICHIGAN PUBLIC SERVICE COMMISSION



John D. Quackenbush, Chairman



Greg R. White, Commissioner



Sally A. Talberg, Commissioner

By its action of January 23, 2014.



Mary Jo Kunkle, Executive Secretary

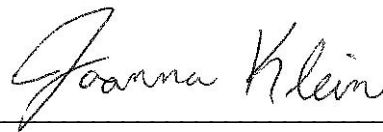
PROOF OF SERVICE

STATE OF MICHIGAN)

Case No. U-17492

County of Ingham)

Joanna Klein being duly sworn, deposes and says that on January 23, 2014 A.D. she served a copy of the attached Commission order by first class mail, postage prepaid, or by inter-departmental mail, to the persons as shown on the attached service list.



Joanna Klein

Subscribed and sworn to before me
This 23rd day of January 2014

Gloria Pearl Jones
Notary Public, Ingham County, MI
My Commission Expires June 5, 2016
Acting in Eaton County

Service List U-17492

Customized Energy Solutions, Ltd.
Robert Abraham
1528 Walnut Street, 22nd Floor
Philadelphia PA 19102

Plymouth Rock Energy, LLC
25900 Greenfield Road, Suite 245
Oak Park MI 48237