**PUBLIC UTILITY COMMISSION OF OREGON**

**ATTN: ESS CERTIFICATION**

**201 HIGH ST SE SUITE 100 (97301)**

**PO BOX 1088**

**SALEM, OR 97308-1088**

**(503) 378-6600**

**Oregon-Certified Electricity Service Supplier**

**Material Change Report Form**

**NOTE:** The content and processing of this form is based on Oregon Administrative Rule 860-038-0400. All information that is submitted with this form is considered public record, except as provided for in Oregon Administrative Rule 860-001-0080. The Public Utility Commission web site which is located at <http://www.oregon.gov/puc> contains a link for electronic access to the Oregon Administrative Rules and Oregon Revised Statutes.

**INSTRUCTIONS**: The original and one copy of this form and attachments must be sent to the Public Utility Commission of Oregon. If a response to a question includes an attachment, label the attachment as “Attachment question number, part number, page x of x.” For example, a 3-page attachment sent in response to question number 1.A. will be labeled as follows: page 1 of the attachment will be labeled “Attachment 1.A. Page 1 of 3,” page 2 will be labeled “Attachment 1.A. Page 2 of 3,” and page 3 will be labeled “Attachment 1.A. Page 3 of 3.” The attachments must be assembled and filed in alphanumeric order. **ELECTRONIC SUBMISSION IS NOT ACCEPTED**.

**A. Exact legal name of Certified Electricity Service Supplier (ESS)**

**B. PUC Order number granting certification**

**Note: Complete only the following items that are necessary to reflect the material change(s) to the ESS business or operations:**

**ESS Classification**   *Check the appropriate box.*

**1.A.  Electric Service Supplier --Scheduling** *Provide as an attachment, the information to document an ability to comply with the scheduling requirements of Oregon Administrative Rule 860-038-0410 (2).*

**1.B. Electric Service Supplier -- Non-Scheduling**  *Provide as an attachment, a copy of the contract with a scheduling Electricity Service Supplier, that documents the ability to comply with the scheduling requirements of: Oregon Administrative Rule 860-038-0410(3).*

**2.A. ESS Exact legal name** *Provide as an attachment, an explanation of why the ESS name has changed.*

**2.B. ESS Assumed business name(s), if applicable (e.g., d.b.a., a.k.a.) *Must be registered with the Oregon Corporation Division***

**2.C. If the ESS is a corporation, enter the name of the jurisdiction of incorporation below.** *Provide as an attachment, a validated copy of the State of Oregon, Corporation Division’s “Application for Authority to Transact Business—Business/Professional” and a copy of the “Certificate of Existence,” if applicable.*

**2.D. Business Address**

|  |  |
| --- | --- |
|  | **2.E. NEWPhone Number**        **Ext**.  **2.F. NEW Fax Number** |

**2G. Name of all owners, directors, partners, and officers.** *Attach a description of the work experience of key personnel in the sale, procurement, and billing of energy services or similar products.*

**2.H. List each state where the ESS or its affiliates are registered or certified in a capacity similar to that of an Electricity Service Supplier**.

**2.I. Is the ESS (including owners, directors, partners, and officers) now, or has the ESS (including owners,**

**directors, partners and officers) ever been affiliated with an electric utility, electric service supplier, or entity that provides**

**distribution, transmission, or generation services in Oregon?[[1]](#endnote-1)***Check the appropriate bo****x.***

**Yes** *If the answer is yes, provide the details of each affiliation as a single attachment.*

**No**

**3.A. Name and address of person to be contacted for further information regarding this form.**

|  |  |
| --- | --- |
| **3.D. Email Address (*if available*)** | **3.B. Phone Number**  **Ext.**  **3.C. Fax Number** |

**4.A. Name and address of person to be contacted for regulatory information.**

|  |  |
| --- | --- |
| **Toll-free or local phone number provided for customers**    **4.E. Email Address** *(if available)* | **4.B. Phone Number**  **Ext**.  **4.C. Fax Number** |

**5.A. Name and address of any persons or agents that will perform significant activities in Oregon on behalf of the ESS.**

|  |  |
| --- | --- |
| **5.D. Email Address** *(if available)* | **5.B. Phone Number**  **Ext.**  **5.C. Fax Number** |

**6. Has the ESS, including owners, partners, or directors, violated consumer protection laws or rules in the past three years?**

**Yes** *If the answer is yes, provide as an attachment, an explanation of the circumstances.*

**No**

**7.A. NewESS Dun & Bradstreet number** *(if applicable)*

**If a Material Change affects the ESS financial status, the ESS must provide as attachments, the following statements with accompanying notes, for the most recent fiscal year.**

**7.B. Balance Sheet 7.C. Income Statement 7.D. Credit Report**

**8. Provide as an attachment, the information that confirms the ESS has adequate insurance coverage, security bond, or**

**other financial assurance commensurate with the types and numbers of consumers and loads ESS intends to serve.**

**9. Provide as an attachment, information documenting the ESS' technical competence.**

**10. Identify the services and products that the ESS intends to offer to customers.**

**11. ESS intends to serve:** *Check the appropriate box.*

**11.A.  Large Nonresidential Customers --***See OAR 860-038-0005 for the definition of Large Nonresidential customer*s**.11.B.  Small Nonresidential Customers**

**12. Area(s) ESS intends to serve:**

**13. Provide as an attachment, the location and a description of all electrical supply lines and facilities subject to ORS 757.035, that the ESS owns, operates, or controls.** *Any future changes in the status, ownership, operation, or control of electrical supply lines and facilities must be reported immediately to the Commission.*

**14. If ESS name is changed, provide an emergency curtailment plan as required by ORS 757.710.**

**15. To be considered for certification as an electric service supplier, every ESS must attest to the following statements.** *If the ESS can no longer attest to any or all of the following statements, place a check in the box(es) preceding the statements in question.*

**15.A.  The ESS will furnish to consumers a toll-free number or local number that is staffed during normal business hours to enable a consumer to resolve complaints or billing disputes and a statement of the ESS’s terms and conditions that detail the customer’s rights and responsibilities.**

**15.B.  The ESS will comply with all applicable federal and state laws, rules, Commission orders, and electric company tariffs.**

**15.C.  The ESS will maintain insurance coverage, security bond, or other financial assurance commensurate with the types and numbers of consumers and loads being served, meet any other credit requirements contained in the electric company’s tariffs, and cover creditors for a minimum of 90 days from the date of cancellation.**

**15.D.  The ESS will adequately respond to Commission information requests within 10 business days.**

**16. The ESS must comply with the following requirements.** *If the ESS can no longer comply with any or all of the following requirements, place a check in the box(es) preceding each requirement that can no longer be met.*

**16.A.**  **The ESS will enter into an agreement or agreements with each respective electric company to assign to the electric companies any federal system benefits available from the Bonneville Power Administration to the residential and small-farm customers who receive distribution from an electric company and are served by the ESS.**

**16.B.  The ESS will not enter a Residential Sale and Purchase Agreement with the Bonneville Power Administration pursuant to Section 5(c) of the Pacific Northwest Power Act concerning federal system benefits available to residential and small farm customers receiving distribution from an electric company.**

**16.C.  Annually, 30 days prior to expiration, the ESS must notify the Commission that it will not be renewing its registration or it must renew its registration by submitting an ESS certification renewal form.**

**16.D.  The ESS must take all reasonable steps, including corrective actions, to ensure that persons or agents hired by the ESS adhere at all times to the terms of all federal and state laws, rules, Commission orders, and electric company tariffs applicable to the ESS.**

**16.E.  The ESS must promptly report to the Commission any circumstances or events that materially alter information provided to the Commission in the certification or renewal process or materially impacts its ability to reasonably serve electricity consumers in Oregon.**

**16.F.  The ESS must comply with all of the safety and reporting requirements found in OAR 860-038-0400 (12).**

**17. List each certificate of authority previously granted by the Oregon PUC to the ESS, under an assumed business name, or any other name, and to each affiliated entity. Include all certificates whether or not canceled. For each certificate include: Name of entity, Docket number, and Order number.**

**Name of Entity Docket Number Order Number**

|  |  |  |  |
| --- | --- | --- | --- |
| a. |  |  |  |
| b. |  |  |  |
| c. |  |  |  |
| d. |  |  |  |

**By signature below, I declare that all information on and attached to this form is true and correct.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature of Person Authorized to Represent ESS** | | **Title** | |
| **Printed Signature** | | **Date** | |
| **Address** | | | |
| **City** | **State** | | **Zip Code** |

1. **For the purpose of Electricity Service Supplier Certification, “Affiliated interest” means:**

   1. Every corporation and person owning or holding directly or indirectly five percent or more of the voting securities of ESS.

   2. Every corporation and person in any chain of successive ownership of five percent or more of voting securities of ESS.

   3. Every corporation five percent or more of whose voting securities are owned by any person or corporation owning five percent or more of the voting securities of ESS or by any person or corporation in any chain of successive ownership of five percent or more of voting securities of ESS.

   4. Every person who is an officer or director of ESS or of any corporation in any chain of successive ownership of five percent or more of voting securities of ESS.

   5. Every corporation which has two or more officers or two or more directors in common with ESS.

   6. Every corporation and person, five percent or more of which is directly or indirectly owned by ESS.

   7. Every corporation or person that is exercising any substantial influence over the policies and actions of ESS, even though such influence is not based upon stockholding, stockholders, directors or officers to the extent specified in this section.

   8. Every person or corporation who is exercising such substantial influence over the policies and actions of ESS in conjunction with one or more other corporations or persons with whom they are related by ownership or blood or by action in concert that together they are affiliated with ESS within the meaning of this section even though no one of them alone is so affiliated. [↑](#endnote-ref-1)