



Control Number: 50723



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# *Public Utility Commission of Texas*

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## **Memorandum**

TO: Daniel Moore - Legal Division  
FROM: Grace Godines – Analyst, Customer Protection Division  
DATE: April 30, 2020  
RE: Project No. 50723 – *Application of Cable Group, LLC dba Dawn Energy Consulting for an Aggregator Registration*

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### **RECOMMENDATION**

On April 1, 2020, Cable Group, LLC dba Dawn Energy Consulting (Cable Group or the Company) filed an application for registration as an aggregator pursuant to 16 Texas Administrative Code (TAC) § 25.111. On April 15, 2020, Commission Staff issued a notice of deficiency to the applicant. On April 13, 14, 15, and 21, 2020, Cable Group filed supplemental information to cure the deficiency. While Cable Group provided an affidavit, it was not notarized as required by the Aggregator Registration Instructions. Cable Group asked for a waiver from this requirement in their April 21, 2020 filing.

The Company stated in its application that it is seeking registration as a Class I and Class II.A aggregator that aggregates private customers to buy electricity from retail electric providers (REPs) under 16 TAC § 25.111(c)(2)(A)-(B).

Pursuant to the requirements of 16 TAC § 25.111(f)(1)(C), a person seeking to register as a Class I, Class II.A or Class II.D aggregator must provide the name, title, business address, and phone number of each of the registering party's directors, officers, or partners. Cable Group is compliant with 16 TAC § 25.111(f)(1) because the Company provided all the required information in its application to register as an aggregator.

After a review of Cable Group's application, Staff concludes that Cable Group has satisfactorily completed the application for registration as an aggregator and recommends that Cable Group, LLC dba Dawn Energy Consulting's application be approved.

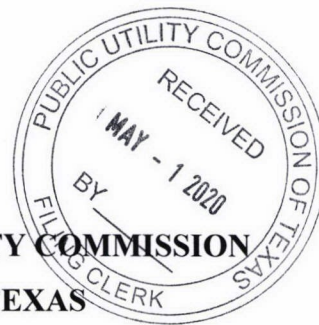


**PROJECT NO. 50723**

**APPLICATION OF CABLE GROUP,  
LLC DBA DAWN ENERGY  
CONSULTING FOR AN  
AGGREGATOR REGISTRATION**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**



**COMMISSION STAFF'S RECOMMENDATION**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this recommendation. Staff recommends that the application be deemed sufficient and that it be approved. In support thereof, Staff shows the following:

**I. BACKGROUND**

On April 1, 2020, Cable Group, LLC dba Dawn Energy Consulting (Cable Group) filed an application for aggregator registration, pursuant to 16 Texas Administrative Code (TAC) § 25.111. Cable Group's application is seeking registration as a Class I and Class II.A aggregator that aggregates private customers to buy electricity from retail electric providers (REPs), as defined under 16 TAC § 25.111(c)(2)(A)–(B). On April 13, 14, 15, and 21, 2020, Cable Group submitted supplements to its application.

On April 21, 2020, the Administrative Law Judge issued Order No. 1 directing Staff to file a recommendation on the sufficiency of the application by May 4, 2020. Therefore, this pleading is timely filed.

**II. RECOMMENDATION**

Staff has reviewed Cable Group's application and supplemental filings, and, as supported by the attached memorandum of Grace Godines of the Licensing and Compliance Section of the Customer Protection Division, the application, as supplemented, complies with 16 TAC § 25.111 with one exception. As noted by Ms. Godines, Cable Group requested a waiver of the requirement that the affidavit supporting the supplement be notarized. Staff interprets this statement to request a good cause waiver to 16 TAC § 25.111(f), which requires that an application to register as a Class I or Class II.A. aggregator be filed on a form approved by the Commission.<sup>1</sup> Staff is unopposed to the request for a good cause waiver. Thus, the application is sufficient, and Cable

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<sup>1</sup> The Commission-approved form is available at [http://www.puc.texas.gov/industry/electric/forms/agg/agg\\_form.pdf](http://www.puc.texas.gov/industry/electric/forms/agg/agg_form.pdf).

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Group meets all of the requirements for persons seeking to register as a Class 1 and Class II.A aggregator.

### **III. CONCLUSION**

For the reasons stated within, Staff recommends Cable Group's application for aggregator registration, as supplemented, be approved.

Dated: May 1, 2020

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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**PROJECT NO. 50723**

#### **CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on May 1, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore  
Daniel Moore