



Public Utility Commission of Texas

AMENDMENT APPLICATION FOR AGGREGATORS *(Includes Instructions for Withdrawal of an Aggregator Registration and for Filing Updates to Company Contact Information)*

All filings must be submitted to:

Central Records Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7180

Filing requirements are prescribed in the Commission's Procedural Rules, which can be found on the Commission's web site, www.puc.state.tx.us. Under Rules and Laws, consult § 22.71 and § 22.72. For each type of action explained below, the number of required copies is listed. A filing must also be filed in electronic format when it consists of more than 10 pages. The number of paper copies required can sometimes be reduced when submitting the filing through the Commission's web site using Interchange Filer.

Amendments (Substantive Changes) to an Aggregator Registration

Any change to an Aggregator's registration, other than information specified in the *Updates to Company Contact Information* section of these instructions, requires a staff review to make sure that registration requirements are still maintained. This *Amendment Application for Aggregators* form must be used and a unique project number will be assigned upon filing.

An *Amendment Application for Aggregators* (Application) consists of the title page and affidavit attached to these instructions, and the properly completed items from the regular *Aggregator Registration Form*, as required by the chart provided below in these instructions. **Seven copies (six copies and one original)** must be presented upon filing.

To amend an approved aggregator registration, the Registered Aggregator (Applicant) must file the *Amendment Application for Aggregators* title page and the corresponding affidavit, but otherwise use the regular *Aggregator Registration Form* (the form used for initial registration as an aggregator). However, to complete its Amendment Application, the Applicant needs to answer only the specific questions pertinent to the type of amendment being requested, as identified in the chart provided below. An Aggregator applying to amend its approved registration must provide all responses required by this Amendment Application in a complete and truthful manner.



If any substantive changes occur to the information provided in this Amendment Application before it is approved, the Applicant must promptly notify the Commission by filing as a supplement the applicable portions of the Amendment Application that display the changed information. To file this supplementary information, the Applicant shall also file seven copies (six copies and one original) with the Commission's Filing Clerk in the project number assigned to this Amendment Application. Do not submit new title pages with supplemental filings.

Updates to Company Contact Information

A shorter filing is permissible if the Aggregator only needs to make changes to the contact information in its approved registration, assuming those changes are not contingent upon the approval of an amendment to its registration (see chart).

In this circumstance, the company does **not** need to use this Amendment Application Form and should instead file the update information in Project No. 26840, *Contact Information Updates Pertaining to Any Participant in the Texas Electric Market*. On the Aggregator Registration Form, the requirements in Part A concerning "Address," "Customer Service Contact," and "Regulatory Contact Person" qualify for this type of filing.¹

The filing should clearly indicate the party submitting the change, the applicable aggregator registration number, indication of information items that are no longer correct, and the new information. Present **an original and three copies** upon filing in Central Records.

Withdrawal of an Aggregator Registration

Aggregators can voluntarily withdraw their registration by making a filing in accordance with P.U.C. Substantive Rule 25.111(i)(10), which can be found on the Commission's website (under Rules and Laws), and states the following:

- A registered aggregator that ceases to provide aggregation services may withdraw its registration by notifying the commission 30 days prior to ceasing operations and providing proof of refund of any monies owed to customers. An aggregator that withdraws its registration is not required to comply with paragraphs (1) - (9) of this subsection, following such a withdrawal.

"Proof of refund" is interpreted as requiring an affidavit. The aggregator must state under oath that it no longer has customers and does not owe any monies to customers before the Commission will issue an order approving withdrawal of the aggregator registration.

Use the *Amendment* form's Title Page to initiate withdrawal of an Aggregator Registration. Attach a sworn statement of intent to withdraw. When operations have ceased, customers are no longer being served, and no monies are owed to customers, file a sworn statement to that effect

¹ Note: This method should *not* be used when the contact information changes are dependent upon an amendment to the Aggregators' Registration (see chart). When contact information is changed in conjunction with an amendment proceeding, the Commission's records are updated through that proceeding, and it is *not* necessary to make additional filings in Project No. 26840.

in the same project number that is assigned upon the initial filing. The Affidavit page of the *Amendment* Form may be downloaded electronically and modified for this purpose, if desired, or a separately produced statement may be used. If all of these matters are complete when the Aggregator decides to withdraw, they may be accomplished with one affidavit.

Seven copies (six copies and one original) must be presented to Central Records for any filing concerning the withdrawal of an Aggregator registration.

See chart, next page, for filing requirements specific to the change requested.

These instruction sheets should not be filed with the Application.

In the “Required Responses” column below, all items indicated from the *Aggregator Application Form* must be addressed with either updated, detailed information or a response of “no change” (i.e., no change since the last action/amendment to the registration). Failure to provide complete, truthful, or responsive answers to all requested items may result in denial or processing delay of the amendment requested. An answer of "Not Applicable" or "N/A" will be considered non-responsive.

Type of Amendment Requested in this Amendment Application for Aggregators	Required Responses to items listed on the Aggregator Registration Form (To the extent the Part & Item indicated is applicable to the Applicant's desired Class)
Change of company name; adding or discontinuing d/b/a's:	Part A (indicate all names that will be current upon approval of this application, as well as those discontinued by the application)
Legal or corporate structure changes; change in ownership:	Part A, Items 1-7, Part B, and Part C
Transfer of registration:	All Parts
Change from not taking deposits to taking deposits (from “No” to “Yes” in Part C, Item 1 of the <i>Aggregator Registration Form</i>):	Part A, Items 1-7, and Part C
Change in method of financial resources used to qualify (Part C, Item 2 of the <i>Aggregator Registration Form</i>):	Part A, Items 1-7, and Part C
Adding or changing Aggregator Classes:	All Parts applicable to the desired classification(s)
Changing from an “Alternative Limited Registration” to a “Standard Registration” (from Box 2 to Box 1 under Part B of the <i>Aggregator Registration Form</i>):	All Parts
Other changes for which a Registered Aggregator seeks approval (Does not include Updates to Contact Information or Withdrawal of Registration):	Part A, Items 1-7, and any other items pertinent to the change the Aggregator seeks
Withdrawal of Registration: Use Title Page of <i>Aggregator Amendment Application</i> . Supply notarized affidavit (may adapt from <i>Application's</i> Affidavit page) to request withdrawal of application and state status of any monies owed to customers.	Do not use the Aggregator Registration Form
Updates to Contact Information (Address, Customer Contact, or Regulatory Contact): Do not use the Aggregator Amendment Application. Instead, file written notice of the changes in Project No. 26840, as explained in these instructions.	Do not use the Aggregator Registration Form

Paul Hudson
Chairman

Julie Caruthers Parsley
Commissioner

Barry T. Smitherman
Commissioner

W. Lane Lanford
Executive Director



Public Utility Commission of Texas

For Registered Aggregators in the Texas Retail Electric Market:

AMENDMENT APPLICATION FOR AGGREGATORS
*(For Use by a Registered Aggregator to Apply for an Amendment to its
Approved Aggregator Registration or to Withdraw its Registration)*

(TITLE PAGE)

PROJECT NO. _____

(Assigned by Central Records when Amendment Application or Withdrawal is initially filed)

Approved Aggregator Registration No. _____

Proceeding under which Aggregator Registration Number was obtained, Project No.: _____

Any other proceedings that modified the original Aggregator Registration, Project Nos.: _____

APPLICANT *(Registered Aggregator applying to amend its approved registration):*

CONTACT *(Authorized Representative or Attorney to contact about this Application):*

NAME: _____ TITLE: _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____

EMAIL ADDRESS: _____

SUMMARY *(Briefly state nature of amendment request or intent to withdraw):*
