

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

| | | |
|---|---|------------------|
| In the matter of the application of |) | |
| TITAN GAS, LLC, d/b/a CLEANSKY ENERGY |) | |
| for a license as an alternative gas supplier. |) | Case No. U-21573 |
| <hr/> |) | |

At the March 15, 2024 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Katherine L. Peretick, Commissioner
Hon. Alessandra R. Carreon, Commissioner

ORDER

On January 23, 2024, Titan Gas, LLC, d/b/a CleanSky Energy (CleanSky) applied for a license to operate as an alternative gas supplier (AGS) in Michigan pursuant to Public Act 634 of 2002, MCL 460.9 *et seq.* (Act 634). As part of its application, CleanSky provided information to demonstrate compliance with the AGS license requirements set forth in Act 634 and the Commission’s March 12, 2003 order in Case No. U-13694 (March 12 order) establishing the AGS licensing procedure.

Act 634 requires an AGS to have the necessary financial, managerial, and technical capabilities to serve customers within the state of Michigan.¹ In accordance with the March 12 order, the Commission Staff (Staff) must review the application of the prospective AGS for

¹ See, MCL 460.9b(3).

conformance with Act 634 and with the Commission's orders. The Staff then must recommend appropriate action regarding that application to the Commission.

The Staff has reviewed CleanSky's license application and information, as well as the history of its affiliates. Based on this review, the Staff recommends that CleanSky be granted a license to operate as an AGS in Michigan.

CleanSky currently provides natural gas and electricity to approximately 1.3 million customers in Maryland, Washington, D.C., New Jersey, Pennsylvania, New York, Delaware, Massachusetts, New Hampshire, Illinois, and Ohio.

Upon review of CleanSky's personnel descriptions and histories, the Staff observed that CleanSky's key personnel have extensive experience in the energy industry. The Staff also found that CleanSky is able to respond to customer inquiries and complaints in a timely manner through its current customer assistance group. Based on its review, Staff has determined that CleanSky has sufficient experience and expertise to serve customers in Michigan's Gas Customer Choice Program. The Commission agrees.

CleanSky provided the Staff with a bond in the amount of \$100,000. Based on its review of the audited consolidated financial statements and the satisfied bond requirement, the Staff determined that CleanSky's financial capabilities and availability meet Act 634 requirements. The Commission agrees.

Act 634 requires CleanSky to maintain an office within the state of Michigan.² Clean Sky's Michigan office is located at 40600 Ann Arbor Road East, Suite 200, Plymouth, MI 48170. The Staff determined that CleanSky has met the office requirements for licensing. The Commission agrees.

² See, Act 634, MCL 460.9b(2).

The Staff's review of CleanSky's application also included a review of formal complaints or investigations, energy-related penalties and fines, and any energy violations of law and business ethics in the other nine states where CleanSky holds a license to supply natural gas. Currently, there are no open lawsuits or formal complaints.

Based on CleanSky's submissions and the Staff's review, the Commission finds that CleanSky's request to be licensed as an AGS is reasonable and in the public interest, and should be approved. The Commission finds that the AGS license should be conditioned upon compliance with all of the applicable provisions of Act 634, the Commission's orders and administrative rules, and each of the delivering natural gas utilities' tariffs. Failure to comply with any of these provisions may result in revocation of the license or other penalties.

THEREFORE, IT IS ORDERED that:

A. Titan Gas, LLC, d/b/a CleanSky Energy, is granted a license as an alternative gas supplier, subject to the conditions contained in this order.

B. Titan Gas, LLC, d/b/a CleanSky Energy, shall comply with the regulatory requirements specified in Public Act 634 of 2002, MCL 460.9 *et seq.*; the Commission's orders and administrative rules; and each of the delivering natural gas utilities' tariffs.

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. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel.

Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Katherine L. Peretick, Commissioner

Alessandra R. Carreon, Commissioner

By its action of March 15, 2024.

Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

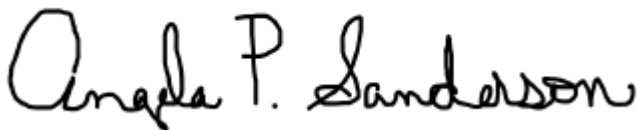
Case No. U-21573

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on March 15, 2024 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).


Brianna Brown

Subscribed and sworn to before me
this March day of 15th 2024.



Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2024

Service List for Case: U-21573

| Name | On Behalf Of | Email Address |
|-------------------------------------|-------------------------------------|---------------------------------|
| Alex H. Gilbert | Titan Gas LLC d/b/a CleanSky Energy | agilbert@cleanskyenergy.com |
| Titan Gas LLC d/b/a CleanSky Energy | Titan Gas LLC d/b/a CleanSky Energy | customercare@cleanskyenergy.com |