

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)	
VIRIDIAN ENERGY PA LLC)	Case No. U-18001
for a license as an alternative gas supplier.)	
_____)	

At the March 29, 2016 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. John D. Quackenbush, Commissioner
Hon. Norman J. Saari, Commissioner

ORDER GRANTING LICENSE

On December 23, 2015, Viridian Energy PA LLC (Viridian) applied for a license to operate as an alternative gas supplier (AGS) within Michigan pursuant to 2002 PA 634, MCL 460.9 *et seq.* (Act 634). As part of its application, Viridian 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 establishing the AGS licensing procedure (March 12 order).

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

¹ See, 2002 PA 634, MCL 460.9b(3).

The Staff reviewed Viridian's license application and information and has recommended this company be granted a license to operate as an AGS in Michigan.

The application indicates that Viridian is a wholly-owned subsidiary of Crius Energy, LLC (Crius), which is controlled by Crius Energy Corporation. Crius Energy Corporation is 43.06% publicly owned by the Crius Energy Trust, which is an unincorporated, limited-purpose trust established under the laws of the Province of Ontario on September 7, 2012, and is publicly listed and traded on the Toronto Stock Exchange. Viridian was organized in Nevada on October 1, 2009, is headquartered in Stamford, Connecticut, and was registered with the Michigan Corporations Division on February 2, 2012, ID Number D91965.

Viridian currently provides natural gas and electricity to over 110,000 customers in California, Delaware, the District of Columbia, Illinois, Maryland, New Jersey, Ohio, Pennsylvania and Virginia. Through its multiple subsidiaries, Crius serves approximately 800,000 residential and small commercial retail natural gas and electricity customers in choice markets along with solar energy products in 20 states and the District of Columbia.

Upon review of Viridian's personnel descriptions and histories, the Staff observed that their key personnel have approximately 90 combined years of experience in the energy industry from risk management, load forecasting, nominations and scheduling, commodity procurement and marketing. Viridian will respond to customer inquiries and complaints in a timely manner through its current customer call center. Based on its review, the Staff has determined that Viridian is well qualified with sufficient experience and expertise to serve customers in Michigan's Gas Customer Choice Program.

Based on the information provided by Viridian and the recommendation of the Staff, the Commission finds that Viridian possesses the appropriate managerial and technical capabilities to serve customers within the state of Michigan.

Viridian provided the Staff with a surety 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 Viridian's financial capabilities and availability meet Act 634 requirements. The Commission agrees.

Act 634 requires Viridian to maintain an office within the state of Michigan.² Viridian has established an office in Ann Arbor, Michigan. The Staff determined that Viridian has met the office requirements for licensing. The Commission agrees.

Based on Viridian's submissions and the Staff's review, the Commission finds that Viridian's request to be licensed as an AGS is reasonable and in the public interest, and that it should be approved. However, the grant of the license is 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. Viridian Energy PA LLC is granted a license as an alternative gas supplier.
- B. Viridian Energy PA LLC shall comply with the regulatory requirements specified in 2002 PA 634, MCL 460.9 *et seq.*; the Commission's orders and administrative rules approved by the Commission; and each of the delivering natural gas utilities' tariffs.

² See, 2002 PA 634, MCL 460.9b(2).

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, under 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 the Attorney General – Public Service Division at pungp1@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

Sally A. Talberg, Chairman

John D. Quackenbush, Commissioner

Norman J. Saari, Commissioner

By its action of March 29, 2016.

Mary Jo Kunkle, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

Case No. U-18001

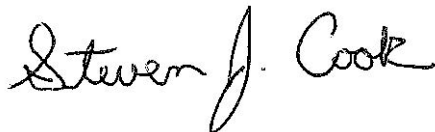
County of Ingham)

Lisa Felice being duly sworn, deposes and says that on March 29, 2016 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.



Lisa Felice

Subscribed and sworn to before me
This 29th day of March 2016



Steven J. Cook
Notary Public, Ingham County, Michigan
As acting in Eaton County
My Commission Expires: April 30, 2018

U-18001

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