

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**ES-21**

In the Matter of the Application of  
3 PHASES RENEWABLES, INC.

For Authority to be Certified as Electricity  
Service Supplier in Oregon.

**REQUEST FOR WAIVER**

Pursuant to OAR 860-038-0400(1) and 860-038-0400(13), 3 Phases Renewables, Inc. (“3 Phases”), requests that the Public Utility Commission of Oregon (“Commission”) waive the provision contained in OAR 860-038-0400(13) requiring an electric service supplier (“ESS”) to file its application for renewal thirty (30) days prior to the expiration date of its current certificate. 3 Phases’ current ESS certificate expires on March 6. Under this rule, 3 Phases’ renewal application was due on February 6. In support of this request for waiver of the rule, 3 Phases states as follows:

The rules governing direct access are contained in OAR 860 Division 38. OAR 860-038-0001(4) allows the Commission to provide relief from the application of a rule for good cause shown. 3 Phases’ delay in filing the renewal application was simply an administrative oversight. 3 Phases is currently a certified ESS in good standing under the Commission’s rules, and it is in the public interest to allow 3 Phases to continue to serve as an ESS. 3 Phases has completed its renewal application, which it has filed along with this Request for Waiver.

WHEREFORE, 3 Phases respectfully requests that the Commission grant a waiver from the deadline under OAR 860-038-0400(13) in which to file the ESS Renewal.

DATED this 3<sup>rd</sup> day of March, 2020.

Respectfully submitted,

/s/ Richard Lorenz

Richard Lorenz, OSB No. 003086

Cable Huston LLP

1455 SW Broadway, Suite 1500

Portland, OR 97204-1136

Telephone: (503) 224-3092

E-Mail: [rlorenz@cablehuston.com](mailto:rlorenz@cablehuston.com)

Of Attorneys for *3 Phases Renewables*

PUBLIC UTILITY COMMISSION OF OREGON  
ATTN: ESS RENEWAL  
P.O. BOX 2153  
SALEM, OR 97308-2153  
(503) 378-6634

## RENEWAL APPLICATION FOR CERTIFICATION AS AN ELECTRICITY SERVICE SUPPLIER IN OREGON

**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 [www.puc.state.or.us](http://www.puc.state.or.us) contains a link for electronic access to the Oregon Administrative Rules and Oregon Revised Statutes.

**INSTRUCTIONS:** If you are requesting renewal, the original and one copy of this application and attachments must be sent to the Public Utility Commission of Oregon, along with a \$200.00 check or money order made payable to the "Public Utility Commission of Oregon." COMPLETE ALL APPLICABLE PARTS. 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.

**Under your current certification, what is your exact legal name?**

3 Phases Renewables Inc

**Are you requesting renewal?** Check the appropriate box and follow instructions.

- Yes, requesting renewal.** Complete the application.  
 **No, not requesting renewal.** Sign and return the application.

**Is the information previously submitted to the Oregon Public Utility Commission correct for questions 1 to 5?**

- Yes** Skip to question 6.  
 **No** Update the relevant information and then skip to question 6.

**Classification for which application is made.** 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. Exact legal name of Applicant** 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.B. Applicant's 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 Applicant is a corporation, enter the name of the jurisdiction of incorporation below.**

**2.D. Business Address**

**2.E. Phone Number**

**Ext.**

**2.F. 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 applicant or its affiliates are registered or certified in a capacity similar to that of an Electricity Service Supplier.**

**2.I. Is the Applicant (including owners, directors, partners and officers) now, or has the Applicant (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?** *Check the appropriate box.*

- Yes** *If the answer is yes, provide the details of each affiliation as a single attachment.*  
 **No**

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

**3.B. Phone Number  
Ext.**

**3.C. Fax Number**

**3.D. Email Address** *(if available)*

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

**4.B. Phone Number  
Ext.**

**4.C. Fax Number**

**4.D. Toll-free or local phone number provided for customers**

**4.E. Email Address** *(if available)*

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

**5.B. Phone Number  
Ext.**

**5.C. Fax Number**

**5.D. Email Address** *(if available)*

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

- Yes** *Provide as an attachment, an explanation of the circumstances.*  
 **No**

Has any circumstances or events materially altered information previously submitted to the Oregon Public Utility Commission in response to questions 7 to 14 or has any circumstances or events materially impacted the applicant's ability to reasonably serve electricity consumers in Oregon?

Yes Update the relevant information, provide an explanation, and then skip to question 15.

No Skip to question 15.

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7.A. Applicant's Dun & Bradstreet number (if available)

The applicant 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

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8. Provide as an attachment, the information that confirms the Applicant has adequate insurance coverage, security bond, or other financial assurance commensurate with the types and numbers of consumers and loads Applicant intends to serve.

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9. Provide as an attachment, information documenting the Applicant's technical competence in the areas of energy procurement and delivery; information systems; billing & collection; and if applicable, safety & engineering.

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

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11. Applicant intends to serve: Check the appropriate box.

11.A.  Large Nonresidential Customers -- See OAR 860-038-0005 for the definition of Large Nonresidential customers.

11.B.  Small Nonresidential Customers

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12. Area(s) applicant intends to serve:

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13. Provide as an attachment, the location and a description of all electrical supply lines and facilities subject to ORS 757.035, that the Applicant 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.

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14. Provide as an attachment, an emergency curtailment plan as required by ORS 757.710.

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15. The applicant must continue to attest to the following statements. To confirm the Applicant's agreement to meet this requirement, place a check in the box preceding each statement.

15.A.  The Applicant 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 Applicant will comply with all applicable federal and state laws, rules, Commission orders, and electric company tariffs.

15.C.  The Applicant 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 Applicant will adequately respond to Commission information requests within 10 business days.

16. The Applicant must continue to comply with the following requirements. *To confirm the Applicant's ability to comply, place a check in the box preceding each statement.*

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

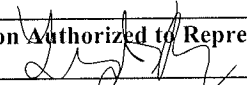
16.E.  The Applicant must promptly report to the Commission any circumstances or events that materially alter information provided to the Commission in the certification or renewal process or materially impacts its ability to reasonably serve electricity consumers in Oregon.

16.F.  The Applicant 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 Applicant, 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.	3 Phases Renewables Inc	ES 21	15-038
b.			
c.			
d.			

By signature below, I declare that all information on and attached to the application is true and correct.

Signature of Person Authorized to Represent Applicant 		Title General Counsel	
Printed Signature Lisa Mazur-White		Date 2/1/2020	
Address 1228 East Grand Avenue			
City El Segundo	State CA	Zip Code 90245	

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**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 applicant.
2. Every corporation and person in any chain of successive ownership of five percent or more of voting securities of applicant.
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 applicant or by any person or corporation in any chain of successive ownership of five percent or more of voting securities of applicant.
4. Every person who is an officer or director of applicant or of any corporation in any chain of successive ownership of five percent or more of voting securities of applicant.
5. Every corporation which has two or more officers or two or more directors in common with applicant.
6. Every corporation and person, five percent or more of which is directly or indirectly owned by applicant.
7. Every corporation or person that is exercising any substantial influence over the policies and actions of applicant, 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 applicant 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 applicant within the meaning of this section even though no one of them alone is so affiliated.