

**ORDER NO. 02-031**

**ENTERED JAN 09 2002**

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**BEFORE THE PUBLIC UTILITY COMMISSION**  
**OF OREGON**

ES 4

In the Matter of the Application of AES )  
NEWENERGY INC for authority to be certified as ) ORDER  
an Electricity Service Supplier in Oregon. )

**DISPOSITION: APPLICATION GRANTED**

NOTE: By issuing this order, the Commission makes no endorsement regarding Applicant's rates or service.

**INTRODUCTION**

On December 19, 2001, AES NEWENERGY INC (applicant) filed this application with the Commission pursuant to OAR 860-038-0400. Applicant seeks to be certified as a scheduling electricity service supplier (ESS or ES) in Oregon.

On December 20, 2001, the Commission served notice of the application by electronic mail to the Commission's ES application electronic mail list. The Commission did not receive any protests.

Based on the application and the Commission's records, the Commission makes the following:

**FINDINGS OF FACT**

The Applicant, AES NEWENERGY INC is a Delaware business corporation. Applicant intends to provide electricity service to nonresidential retail consumers in Oregon. Applicant is seeking certification as a scheduling ES under OAR 860-038-0400 and ORS 757.649.

**OPINION**

**Applicable Law**

Applications to be certified as an electricity service supplier are filed pursuant to OAR 860-038-0400. OAR 860-038-0400(1) provides that:

An electricity service supplier (ESS) must be certified by the Commission to sell electricity services to consumers.

An applicant must declare whether it intends to offer electricity service as a scheduling or a nonscheduling electricity service supplier. OAR 860-038-0400(2) provides that:

An ESS must be certified as either a scheduling or nonscheduling ESS as prescribed in OAR 860-038-0410.

Applicant must comply with all other provisions as set forth in OAR 860-038-0400 including an attestation that Applicant will comply with all applicable laws, rules, Commission orders, and electric company tariffs.

**CONCLUSIONS**

Applicant has met the requirements to be certified as an electricity service supplier. The application should be granted.

**ORDER**

IT IS ORDERED that:

1. The application of AES NEWENERGY INC, to be certified as a scheduling electricity service supplier, is granted.
2. Applicant may provide authorized services in Oregon for a period of one year from the date of this order.

Made, entered, and effective\_\_\_\_\_.

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Phil Nyegaard  
Acting Director  
Utility Program

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order pursuant to ORS 756.580.