

**ORDER NO. 06-159**

**ENTERED APR 06 2006**

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

EA 9

In the Matter of	)	
	)	
Jacques Grant dba YAM Services	)	<b>ORDER</b>
	)	
Application to be registered as an Electricity	)	
Service Aggregator.	)	

**DISPOSITION: APPLICATION GRANTED**

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

**INTRODUCTION**

On January 31, 2002, the Commission issued Order 02-065 granting the application of Jacques Grant dba YAM Services (applicant), docketed as EA 3, to be registered as an Electricity Service Aggregator in Oregon. On January 31, 2003, the applicant did not renew its registration by submitting an application for renewal.

On March 13, 2006, applicant filed this application with the Commission pursuant to OAR 860-038-0380. Applicant seeks authority to register as an electricity service aggregator (EA or aggregator) in Oregon.

On March 13, 2006, the Commission served notice of the application by electronic mail to the Commission's EA 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, Jacques Grant, is a Washington based sole proprietorship doing business as YAM Services. Applicant intends to combine retail electricity consumers in the

service territory of an electric company into a buying group for the purchase of electricity and related services. As an aggregator, Applicant will act as an intermediary between retail electricity consumers and an Electricity Service Supplier (ESS). The contract to purchase and sell electricity services, however, will remain between the retail electricity consumers and the ESS. Applicant is not seeking certification as an ESS under OAR 860-038-0400 and ORS 757.649.

## OPINION

### Applicable Law

Applications to be registered as an electricity service aggregator are filed pursuant to OAR 860-038-0380. OAR 860-038-0380(1) provides that:

For purposes of ensuring compliance with Commission standards for consumer protection, an aggregator must be registered by the Commission to combine retail electricity consumers in the service territory of an electric company into a buying group for the purchase of electricity and related services.

To be registered as an EA, Applicant has agreed, in its application, to the following requirements of OAR 860-038-0380(5) - (9):

- (5) (a) 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 aggregator's terms and conditions that detail the consumer's rights and responsibilities;
  - (b) Comply with all applicable state and federal laws, rules, and Commission orders applicable to aggregators; and
  - (c) Adequately respond to Commission information requests applicable to aggregators and related to the provisions of this rule within 10 business days.
- (6) An aggregator must take all reasonable steps, including corrective actions, to ensure that persons or agents hired by the aggregator, including but not limited to officers, directors, agents, employees, representatives, successors, and assigns adhere at all times to the terms of all state and federal laws, rules, and Commission orders applicable to aggregators.
- (7) Annually, 30 days prior to expiration, a registered aggregator must notify the Commission that it will not be renewing its registration or it must renew its registration by submitting an application for renewal that includes an update of information specified in section (4) of this rule. The aggregator must state that it continues to attest that it will meet the requirements of section (5) of this rule. The authorized representative of

the aggregator must state that all information provided is true and correct and sign the renewal application. The renewal is granted for a period of one year from the expiration date of the prior registration.

(8) No aggregator may make material misrepresentations in consumer solicitations, agreements, or in the administration of consumer contracts. Aggregators may not engage in dishonesty, fraud, or deceit that benefits the aggregator or disadvantages consumers.

(9) An aggregator must promptly report to the Commission any circumstances or events that materially alter information provided to the Commission in the registration process.

**CONCLUSIONS**

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

**ORDER**

IT IS ORDERED that:

1. The application of Jacques Grant dba YAM Services, to be registered as an electricity service aggregator, is granted.
2. Applicant may provide authorized services in Oregon as an electricity service aggregator for a period of one year from the date of this order.
3. Applicant shall comply with the conditions set forth in this order.

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

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Lee Sparling  
Director  
Utility Program

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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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.