



## Public Service Commission

**For Immediate Release:** 06/13/19

John B. Rhodes, Chair

**Contact:**

John Chirlin | [John.Chirlin@dps.ny.gov](mailto:John.Chirlin@dps.ny.gov) | (518) 474-7080

<http://www.dps.ny.gov>

<http://twitter.com/NYS DPS>

**19053 / 16-M-0618, 19-G-0279, 19-M-0280,  
19-M-0281, 19-M-0367**

### **PSC Issues Show Cause Enforcement Orders Against Five ESCOs**

#### ***Commission Directs ESCOs to Show Cause Why They Should Not Be Prohibited from Marketing and Enrolling Customers in New York***

**NEW YORK** — The New York State Public Service Commission (Commission) today announced steps related to five energy service companies, or ESCOs, operating in New York. The actions could result in these ESCOs being prohibited from further marketing and enrolling new customers in New York.

“Our ongoing work to reform the ESCO market remains a priority, and we continue to crack down and hold ESCOs accountable,” **said Commission Chair John B. Rhodes.** “We oversee the business practices of ESCOs to ensure that they honor their agreements with customers and abide by the Uniform Business Practices.”

In May of 2019, the Court of Appeals issued a 6-0 ruling that the Commission has the authority to regulate ESCOs’ access to utility distribution systems, including the authority to require ESCOs to meet price caps set at utility prices.

Today, the Commission directed that Atlantic Power & Gas, LLC explain why the Commission should not ban the Company from operating in New York or take other remedial action. On March 13, 2017, the Commission issued an order directing Atlantic Power to cease marketing to and enrolling residential and non-residential customers unless the Commission authorized the resumption of such activities. On March 4, 2019, Department of Public Service staff identified apparent violations of the order’s conditions for continuing eligibility and the Commission’s Uniform Business Practices, including re-enrolling customers who requested to be returned to their utility. Atlantic Power, which does business in the Central Hudson, Con Edison, and National Grid’s KeySpan Gas East and Brooklyn Union Gas service territories, has 30 days to counter the Department’s findings.

Further, the Commission also directed that Clear Choice Energy LLC, Amerigreen Energy, LLC, Bluesource Energy LLC and Got Gas?, LLC, explain why the companies should not be barred

from operating in New York for failing to file their annual compliance filings. These companies currently do not have any customers.

Today's decisions may be obtained by going to the Commission Documents section of the Commission's Web site at [www.dps.ny.gov](http://www.dps.ny.gov) and entering Case Numbers 16-M-0618, 19-G-0279, 19-M-0280, 19-M-0281, 19-M-0367 in the input box labeled "Search for Case/Matter Number."

Many libraries offer free Internet access. Commission documents may also be obtained from the Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500). If you have difficulty understanding English, please call us at 1-800-342-3377 for free language assistance services regarding this press release.