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COMMISSION RULE 515-7-3-.03
APPLICATION FOR NATURAL GAS CERTIFICATE OF AUTHORITY

INSTRUCTIONS

As part of the application process, the Applicant must file the entire completed application with the Georgia Public Service Commission ("Commission") in the following.

1. The Applicant must respond to all items in the application consistent with Commission Rule 515-7-3-.03 and reference all attachments, exhibits, and other documents or spreadsheets.

2. The Applicant can provide the full filing as an electronic filing on the Commission's eFile found on the Commission website, www.psc.ga.gov. **The Applicant is required to provide electronic files as provided in 515-3-1.11, which shall be made electronically on CD, DVD, or jump drive using Microsoft Word® or PDF for text documents, and/or Excel® files for spreadsheets.** The application can mailed filings with the Executive Secretary of the Commission using USPS, UPS, and/or FedEx. If the Applicant mails files, one original paper copy must be provided for all documents.

Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, S.W.
Atlanta, Georgia 30334

3. An applicant shall submit to the Executive Secretary of the Commission the number of copies indicated on the application form. The original, **signed by the applicant**, must accompany the copies. Failure to provide the appropriate number of copies or the signed original will result in the rejection and return of the application.

I. 515-7-3-.03(2)(a)-(d): APPLICANT ADDRESS

(a) Name of Company: **Green Mountain Energy Company**

Doing Business As: _____

Address: Street: **3711 Market Street, Suite 1000**

City: **Philadelphia** State: **PA** Zip Code **19104**

Phone No. **866-785-4668** Fax No.: **267-295-5537**

Email address: greenmountaincomplaints@nrg.com

(b) Name(s) and current business address(es) of the applicant's principal corporate officers;

Please see the below officer list of Green Mountain Energy Company ("Applicant" or "GMEC").

Name	Title	Business Address:
Elizabeth Killinger	President; Director	910 Louisiana Street, Houston, TX 77002 (P): 713-537-3000 (e-mail): Elizabeth.Killinger@nrg.com
Kevin Cole	Treasurer	804 Carnegie Center, Princeton, NJ 08540 (P): 609-524-4500 (e-mail) Kevin.Cole@nrg.com
Mark Parsons	Vice President	910 Louisiana Street, Houston, TX 77002 (P): 713-537-3000 (e-mail): Mark.Parsons@nrg.com
A. Louis Teuscher	Vice President	910 Louisiana Street, Houston, TX 77002 (P): 713-537-3000 (e-mail): Louis.Teuscher@nrg.com
S. Meigs Jones	Vice President; Secretary	1005 Congress Avenue, Austin, TX 78701 (P): 713-537-3000 (e-mail): Meigs.Jones@nrg.com
Deborah Fry	Assistant Secretary	804 Carnegie Center, Princeton, NJ 08540 (P): 609-524-4500 (email): Deborah.Fry@nrg.com
Judith Tompkins	Assistant Secretary	804 Carnegie Center, Princeton, NJ 08540 (P): 609-524-4500 (email): Judy.Tompkins@nrg.com

(c) The name(s) and current business address(es) of the applicant's principal and corporate officer(s) in Georgia, if different from those identified in subparagraph (b) above;

None.

(d) Name, address and telephone number of employees designated to receive and respond to Commission requests and who will notify the Commission of any changes to the information provided in this application while pending:

Name: **John Holtz** Tel. No.: **609-209-7701**

Title: **Senior Director, Market Development & Regulatory Affairs**

Fax No.: **609-524-4505**

Email address: **John.Holtz@nrg.com**

Address: (if different from above)

Street: **804 Carnegie Center Drive**

City: **Princeton** State: **NJ** Zip Code: **08540**

II. 515-7-3-.03(2)(e): REGISTERED AGENT

(e) If applicant is a non-resident of Georgia, give name and address of an agent or attorney in fact in this state upon whom process may be served in any suit against applicant.

Name of Agent: **CT Corporation System**

Name of Firm: _____

Address: Street: **289 S. Culver Street**

City: **Lawrenceville** State: **Georgia** Zip Code: **30046**

Name: _____

Tel. No. **1-800-925-7562** Fax No. _____

Email address.: _____

III. 515-7-3-.03(2)(f) – (j): ORGANIZATION

(f) a description of the applicant's business, ownership structure, affiliates, date of formation, tax identification number, Georgia Secretary of State's charter or identification number and Georgia revenue sales tax number;

Type of Organization: (Check One)

[ ] Limited Liability Company
[ ] Individual
[ ] Partnership
[X] Corporation
[ ] Mutual or Cooperative (Incorporated/Unincorporated)
[ ] Other

Give a description of applicant's business.

The Applicant, Green Mountain Energy Company, principally markets and sells retail carbon neutral natural gas products and renewable electricity products to residential and commercial customers in the states of Illinois, Massachusetts, Maryland, New York, New Jersey, Pennsylvania, and Texas. Green Mountain Energy Company has been serving customers since 1997 and operates as a subsidiary of NRG Energy, Inc., a Fortune 500 company.

A copy of the Applicant's qualification documents from the Georgia Secretary of State is attached hereto as Attachment 1.

A copy of the Applicant's Corporate Structure is attached as Attachment 2.

The Georgia Secretary of State's seven (7) digit charter or file identification number. **23030458**

Federal Tax Identification Number: **03-0360441**

Georgia Revenue Sales Tax Number: **175-879450**

(g) Attach a list of principle officers, whether the applicant is a corporation or other legal entity. If a corporation, attach copy of charter, marked as **Exhibit A**. Also attach a list of all directors and principal stockholders with the number of shares held by each, marked as **Exhibit B**, and give name and addresses of the President, Vice President, Treasurer, and Secretary;

Please see Exhibit A for a copy of the Applicant's corporate charter document. See also response to Question I (b) for the officers of Green Mountain Energy Company

and Exhibit B for a description of the key operating personnel of Green Mountain Energy Company.

State and Date of Incorporation:

State: **Delaware** Date: **March 3, 1999**

Date of formation for non-corporations:

State: _____ Date: _____

(h) State and date of incorporation for corporate entities and formation for non-corporate entities;

Green Mountain Energy Company was incorporated in the state of Delaware on March 3, 1999 (please see Exhibit A for the Third Amended and Restated Certificate of Incorporation of Green Mountain Energy Company dated March 3, 1999).

(i) If applicable, provide the name(s) and business address(es) of the applicant's principle and corporate officers in Georgia, if different from those above;

Not applicable.

(j) If applicant is a partnership or cooperative, give names and addresses of partners, officers and/or members;

Are any directors, partners, officers, or members affiliated with any other natural gas or energy-related company doing business in Georgia? If so, name company and affiliation.

List the natural gas or energy-related companies doing business in Georgia with whom the applicant has affiliated relationships, including joint ventures and partnerships.

The Applicant's ultimate parent company, NRG Energy, Inc., has two retail subsidiaries that operate as gas marketers in the state of Georgia; Stream Georgia Gas SPE, LLC (which holds a natural gas marketer Certificate of Authority No. GM-38 under Docket. No. 24849), and XOOM Energy Georgia, LLC (which holds a natural gas marketer Certificate of Authority No. GM-45 under Docket. No. 40797).

IV. 515-7-3-.03(2)(k)(1-14): FINANCIAL CAPABILITY

(k) the financial information shall include, but is not limited to:

1. demonstration that the applicant's capital base or other financial resources are sufficient to withstand the business risk, financial risk and absorb losses that might be incurred in providing primarily firm gas service to retail customers. Such demonstration should

include lines of credit, letters of credit, or other financial instruments, as well as loans from financial institutions, a parent corporation or affiliate, a subsidiary, or other entity. In the event that start-up costs and expected losses projected during the initial period of operations may require working capital, detailed and comprehensive documentation of the sources of such anticipated working capital shall be provided in hard copy and electronic format (Excel format with all formulas unlocked). Any and all documentation required by an applicant's lender, line of credit or surety provider shall be included as part of the application;

Please include all that applies:

i. Credit facilities / Credit Agreements
ii. Loans / Loan Agreements
iii. Parental Guarantees / Terms of Guarantees
iv. Cash Balances / Bank Statements
v. Other Liquid Assets / List of Assets

[REDACTED]

2. An explanation of how the applicant's financial backing, plans and resources provide the requisite support for the implementation of the business/marketing plans for providing primarily firm gas service to retail customers, including a 36-month breakeven analysis in electronic format (Excel format with all formulas unlocked) demonstrating projected customer growth, gas volumes in therms, revenues, costs, expenses, and net income. Any and all documentation required by an applicant's lender, line of credit or surety provider shall be included.

Green Mountain Energy Company markets its pollution-free and carbon-neutral energy products through various channels. The Company utilizes employees and channel partners to market its services. Green Mountain Energy Company has been serving residential and commercial customers since 1997. The Company pioneered the market for retail renewable and carbon neutral energy products as states opened to energy competition in the late 1990s. Green Mountain Energy Company currently serves [REDACTED]customers in Texas, Pennsylvania, Maryland, New York, Illinois, New Jersey, and Massachusetts. For its Georgia marketing plan, see Attachment 6(a).

Green Mountain Energy Company is backed by its parent NRG Energy, Inc. a Fortune 500 integrated energy company.

[REDACTED]

The breakeven analysis is contained within Attachment 6b [including the Pro Forma Income Statement and Pro Forma Balance sheet].

3. Applicant's credit rating and/or bond rating made by a national rating agency. If such rating is not available, or is not equivalent to or greater than a rating of BBB- (Standard

and Poor's scale) or a rating of Baa3 (Moody's scale), the applicant shall submit any financial support agreements between the applicant and its parent or other affiliate, documentation of the applicant's access to lines of credit, or agreements between the applicant and other parties to provide financial support;

Green Mountain Energy Company does not have a credit rating, but its ultimate parent, NRG Energy, Inc.'s credit ratings from Moody's and Standard & Poor's are attached hereto as Attachment 3a.

Green Mountain Energy Company is an indirect wholly owned subsidiary of NRG Energy, Inc. NRG Energy, Inc.'s 10Q and 10K filings can be found at https://investors.nrg.com/financial-information/sec-filings.

(A) Demonstrate that the applicant's credit rating is currently equivalent to `BBB-` from Standard and Poor's or `Baa3` from Moody's; or

(B) Provide documentation that access to lines of credit, or agreements with other parties to provide financial support exist.

(A) Is a parent company or other entity providing support for the applicant's contractual obligations?

(B) If so, provide documentation verifying such support, and setting forth the degree to which such support exists.

4. The audited financial statements (balance sheets, income statements, and cash flow statements) of the applicant for the last three (3) years; if audited financial statements are unavailable, then unaudited financial statements supported by the sworn certification of an officer, general partner, or managing agent will be accepted. If a parent corporation, applicant affiliate or other entity will support the applicant, the parent corporation, affiliate or other entity's audited financial statements for the last three (3) years should be provided.

   T**he Applicant does not prepare stand-alone audited financial statements but is included in the financial statements of NRG Energy, Inc., its ultimate parent company. However, see Attachment 4a, for three-year financial information of the Applicant. In addition, NRG Energy, Inc.'s most recent 10-K/8-K Filings can be found here: https://investors.nrg.com/financial-information/sec-filings.**

   The Applicant is not currently, nor has the Applicant in the past, engaged in any operations in the state of Georgia.

5. The most recent annual reports filed with the stockholders and the Securities and Exchange Commission (Form 10K/Form 10Q) if applicant and/or parent corporation is a publicly held company.

Green Mountain Energy Company does not prepare stand-alone audited financial statements but is included in the financial statements of NRG Energy, Inc., its ultimate parent company. NRG Energy, Inc.'s most recent 10-K/8-K Filings can be found here: https://investors.nrg.com/financial-information/sec-filings

6. Detailed pro forma balance sheets, income statements and statements of cash flow for the next three (3) years for the applicant as well as the applicant's business and marketing plans for the certificated area of service in Georgia.

   Applicant has attached this information in Attachments 4a, 6a and 6b.

7. The details of any unconditional purchase obligations that require payments by the applicant in future periods;

   [REDACTED]

8. A schedule of the applicant's non-cancelable operating lease commitments;

   [REDACTED]

9. The schedules detailing the applicant's long-term debt and available credit facilities, including installments due on long-term debt; for five (5) years following the date of this application and include encumbered and unencumbered balances on the credit facilities;

   Please see Attachment 9a. Also, see a description of line of credit facilities available to the Applicant in Attachment 9b.

10. The details of any joint ventures or general partnership agreements between the applicant and other parties;

    [REDACTED]

11. The information as to whether an estimated claim from a loss contingency has been accrued by a charge to income as it relates to any pending or known litigation or actual claims;

    [REDACTED]

12. The management's plan for dealing with matters relating to an applicant's ability to continue as a going concern;

    [REDACTED]

13. The applicant's plan to provide for funds to be held in escrow by an independent third party in the event that prepaid services are to be offered or deposits are required; and

[REDACTED]

14. Any other information that the applicant believe is relevant to the evaluation of its financial capability.

[REDACTED]

If the Applicant has any of the following conditions or events or anticipates any of the following conditions or events within the next twelve months, please provide the Applicant's plans (with respect to the Applicant's ability to continue as a going concern) for dealing with any of the following conditions or events.

a. Recurring operating losses.
b. Working capital deficiencies
c. Negative cash flows from operating activities.
d. Denial of credit from suppliers.
e. Restructuring of debt.
f. Need to dispose of substantial assets.
g. Substantial dependence on the success of a particular project.
h. Uneconomic long-term commitments.
i. Need to significantly revise operations
j. Legal proceedings, legislation or similar matters that might jeopardize the Applicant's ability to continue operations.
k. Loss of a key franchise
l. Loss of a certificate of authority to provide natural gas or electricity in another jurisdiction.
m. Loss of a principal or key customer or supplier.
n. Loss of principal or key management or technical personnel.

V. 515-7-3-.03(2)(l)(1-20): TECHNICAL CAPABILITY

1. The names, current business address(es), and principal place(s) of business of employees that will direct the Georgia operations, including an employee of the applicant that will serve as a contact person for the Commission;

   Name, Business Address and Principal Place of Business:
   Green Mountain Energy Company
   910 Louisiana Street
   Houston, TX 77002

   Below are the names of Employees that will direct Georgia Operations:

   - **Mark Parsons, Vice President and General Manager, Green Mountain Energy Company**
   - **Jordon McConnell, Vice President, Channel Sales – East Region**
   - **Jeff Wilkinson, Vice President, Sales and Marketing Execution**
   - **Brian Grant, Senior Director, Operations**
   - **Steven Haugenes, Vice President, Gas Trading**
   - **Victoria Benoit, Director - Performance Management & Analytics, Green Mountain Energy Company**
   - **Rebecca Emrick, Senior Director of Marketing, Green Mountain Energy Company**
   - **William "Bill" Clayton, Vice-President – Customer Care & Retention Sales**
   - **Alyssa Rubin -Director, Regional Natural Gas Operations, NRG Energy, Inc.**
   - **Chris Conner, Director – Acquisition Strategy & Digital Management, Green Mountain Energy Company**

   Please see Exhibit B for a summary of qualifications for each employee.

   The designated contact person for the Commission:
   John Holtz, Senior Director Market Development & Regulatory Affairs
   804 Carnegie Center Drive
   Princeton, NJ 08540
   John.Holtz@nrg.com
   609-209-7701

2. The information as to whether certificates of authority for the sale of natural gas have ever been issued by any other state(s) and whether such certificates are current. An applicant shall also disclose to the Commission whether any application for certification has ever been denied and whether any certificate of authority issued to it or an affiliate has ever

been suspended, revoked, modified, or sanctioned;

Green Mountain Energy Company does not have any certificates of authority for the sale of natural gas; however, Green Mountain Energy Company is licensed and in good standing with gas retailer licenses in the below-mentioned states:

The states are as follows:

a. **Green Mountain Energy Company was granted ESCO eligibility for its gas license in the state of New York on August 3, 2011.**

b. **Green Mountain Energy Company was granted a certificate as an alternative natural gas supplier in the state of Illinois on July 20, 2016.**

c. **Green Mountain Energy Company was granted a certificate as an alternative natural gas supplier in the state of Maryland on November 30, 2016.**

d. **Green Mountain Energy Company was granted a license as a natural gas supplier in the state of Pennsylvania on April 6, 2017.**

3. A list of the applicant's comparable gas marketing activities by jurisdiction with quantification of annual sales, volumes or other measures of activity;

[REDACTED]

4. The delivery group(s) that the applicant seeks to serve;

[X] All Pools
[ ] Atlanta
[ ] Ex-Atl. SNG
[ ] Ex-Atl. Transco
[ ] Augusta
[ ] Brunswick
[ ] Macon
[ ] Rome
[ ] Savannah
[ ] Valdosta

The customer classes the applicant seeks to serve;

[**X**] Residential
[**X**] Commercial
[ ] Industrial

5. The applicant's forecast of estimated or anticipated gas supply and capacity needed to serve the Georgia market based upon the applicant's marketing strategy to acquire customers, as well as limitations, on gas supply. This may include providing Staff and Consumers' Utility Counsel access to applicable supply and capacity contracts. If applicable, these items may be filed pursuant to Commission Rule 515-3-1-.11 as trade secret material;

   Gas supply requirements are based on customer and load growth as depicted in Attachment 6a. We expect no limitations on gas supply [REDACTED]

6. A list of all current contracts with interstate pipelines that the applicant may use in conjunction with or in lieu of those provided by the EDC upon acquisition of market share in the respective delivery groups. If applicable, these items may be filed pursuant to Commission Rule 515-3-1-.11 as trade secret material;

   Applicant, Green Mountain Energy Company has an agreement in place to be supplied by [REDACTED]

7. A detailed description of the tools, strategy, and/or other information that the applicant will utilize to mitigate natural gas price volatility.

   Applicant is provided firm supply with make-whole provisions for non-delivery. Applicant will endeavor to replace gas by all means possible, as listed in its answer in Question V.10 below related to procedures. [REDACTED]

8. A detailed description of the applicant's natural gas purchasing strategy for the various customer classes (fixed, variable, commercial, etc.).

   [REDACTED]

9. A projection of the percentage of base load, seasonal, and spot gas supply contract the applicant plans to utilize in its operations. Please provide an explanation for the projected amounts.

   [REDACTED]

10. A detailed description of the applicant's contingency plan to provide gas to firm customers in the event that a supply disruption occurs;

    We expect no adverse limitations on gas supply, currently or in the future, due primarily to the term supply and credit agreement in place with many third-party suppliers, as well as the operational experience of our gas supply team. [REDACTED]

11. The detailed procedures that will be employed by the applicant in a gas-related emergency (i.e., force majeure, interstate capacity limitation);

    [REDACTED]

12. Sworn documentation that the applicant has met or has the ability to meet the creditworthiness standards of the interstate pipelines serving the State of Georgia and the Commission-approved creditworthiness standards of the applicable electing distribution company (EDC). This documentation may include evidence that the applicant has been or is in discussions with the EDC and/or interstate pipeline regarding the applicant's creditworthiness;

    Please see Attachment 12 for the sworn documentation of Mark Parsons, Vice President and General Manager of Green Mountain Energy Company.

13. A statement disclosing any existing, pending or past adverse rulings, judgments, litigation, contingent liabilities, revocations of authority, administrative regulatory investigations (i.e., FERC, SEC), and any other matters relating to the financial or operational status for the past three (3) years that materially affect current financial or operational status;

    Please see Attachment 13.

14. A detailed description of the applicant's operating experience and qualifications of principal management employees involved in the day-to-day activities of the entity's operation in Georgia;

    Please see Exhibit B for a summary of qualifications for the individuals directing Georgia operations. These individuals have a wide range of experience and expertise that allow the Applicant to excel within the Georgia market.

15. The proposed terms of service as required by Chapter 515-7-9 of the Commission Utility Rules;

    Please see Attachment 15, which includes fixed and variable rate draft terms of service. We will work with the Commission Gas Staff to ensure that these documents conform to Chapter 515-7-9 of the Commission Utility Rules.

16. The rules for contracting with firm customers as referenced in O.C.G.A. §§46-4-153(a)(2)(C), 46-4-158.2, 46-4-158.3, 46-4-160(a), 46-4-160(h), 46-4-160(i), 46-4-160(j),and 46-4-160(k), and Commission Utility Rules Chapter 515-7-6;

    (i) The rules for contracting with firm customers shall include, but are not limited to:

        (I) The bills and contracts must be written in clear and plain language.

(II) The bills must contain sufficient information to allow customers to verify the accuracy of their bills.

(III) The pricing structure must be clearly explained, including any late fees or interest charges.

(IV) The contract term must be specified along with any termination rights.

I. The firm customers must be allowed to cancel their contract without penalty within 72 hours of signing it.

II. The firm customers must be given the right to cancel their contracts if they relocate out of their delivery group.

(V) The bill must include the Electing Distribution Company's 24-hour emergency telephone number.

(VI) The electing distribution company's active customer account number must be placed on each bill.

(VII) The bill must comply with all requirements of Commission Rules that specifically address marketer billing practices and marketer bills.

(ii) The applicant acknowledges that it must comply with federal telemarketing rules and Georgia consumer protection laws.

Please see Attachment 16, which includes a draft bill for Georgia customers.

The Applicant acknowledges that it will comply with federal telemarketing rules and Georgia consumer protection laws, including on the protection of customer information. [REDACTED] See also response to item V.3 above.

17. The applicant's plan to provide for funds to be held in escrow by an independent third party in the event that prepaid services are to be offered or deposits are required;

[REDACTED]

18. A statement as to whether day-to-day operations such as gas procurement, nominations and planning will be provided by in house personnel or will be contracted for by a third party;

Please see Exhibit B for a list of the individuals directing Georgia operations. Each has a summary of qualifications for the individual's area of expertise. These individuals have a wide range of experience and expertise that allow the Applicant to excel within the Georgia market.

19. Any other information that the applicant believes is relevant to the evaluation of its technical capability.

All day-to-day operations such as gas procurement, nominations and planning will be provided by highly experienced in-house personnel. The Carbon Conscious gas product will be promoted through Web enrollment channels using the marketing materials cited below.

Carbon Conscious Gas Landing Page (to be updated to include Georgia):
https://www.greenmountainenergy.com/home-energy-solutions/carbon-conscious

Carbon Conscious Gas FAQs:
https://www.greenmountainenergy.com/customer-service-center/energy-questions-faq/natural-gas

Based on the Commission Rule 515-7-3-.07 and O.C.G.A. 46-4-153(f), the Applicant shall provide a statement that it understands and agrees to comply with providing all requested information.

(7) The Commission may issue a certificate of authority to an applicant based upon conditions that include, but are not limited to, an applicant agreeing to provide the Commission annually with updated audited financial data within ninety (90) days of the close of its fiscal year as well as information within ten (10) business days of any event or occurrence that may materially affect its financial or operational status. The Commission and the Consumers' Utility Counsel of the Governor's Office of Consumer Affairs shall also have access to the books and records of all marketers as may be deemed necessary to ensure compliance with the Act and the Commission's rules and regulations that are issued there under. In accordance with O.C.G.A. §46-4-153(f)on a quarterly basis, the marketers must file the following: First, a detailed monthly income statement, balance sheet, and cash flow statement information. Second, each marketer will file with the Commission the number of therms used for each customer class and the number of customers for each customer class based on the EDC's market share timeframe. The filings will be made with the Commission between 45 days and 75 days after the end of each fiscal quarter for their Georgia natural gas market.

The Applicant understands and agrees to provide the Georgia Public Service Commission the information required by Georgia law (including as requested in the above-stated rule).

VI. 515-7-3-.03(3): EMC GAS AFFILIATES

515-7-3-.03(3): In addition to providing the information set forth in its Utility Rule 515-7-3-.03(2), an applicant that is an EMC gas affiliate shall include with its application for a certificate of authority proposed terms and conditions to govern the relationship between the electric membership corporation and its EMC gas affiliate as contemplated in O.C.G.A. § 46-4-153.1. As proposed, these terms and conditions shall be designed to prevent cross-subsidization between

the provision of electricity and the provision of natural gas services, to encourage and promote fair competition in the overall retail natural gas market, and to protect the privacy of both electric and natural gas consumers.

515-7-3-.03(3)(a): The order subsequently issued by the Commission in response to the EMC gas affiliate's application shall meet the objectives set forth in O.C.G.A. § 46-4-153.1, as well as such other requirements the Commission shall determine are necessary to protect electric and natural gas consumers and promote competition

515-7-3-.03(3)(b)(1-3): To ensure that cross-subsidizations do not occur between the electricity services of an electric membership corporation and the gas activities of its gas affiliate, the terms and conditions ordered by the Commission shall provide that each electric membership corporation having a gas affiliate shall:

1. Fully allocate all electricity activities costs and gas activities costs, including costs for any shared services, between the electric membership corporation's electricity activities and the gas activities of its gas affiliate, in accordance with the applicable uniform system of accounts and generally accepted accounting principles, as applicable;

2. Develop and maintain a cost allocation manual, approved by the Commission, describing the electric membership corporation's methods of cost allocation and such other information and policies reasonably required by the Commission to ensure compliance with Article 5 of Chapter 4 of Title 46 of the Official Code of Georgia Annotated and the terms and conditions ordered by the Commission. Such manual shall:

   (i) Establish rules for the pricing of transactions between an electric membership corporation and its gas affiliate, including the transfer of assets between the two, which rules shall provide that any transfer of assets shall be the greater between market rates or book value;

   (ii) Provide that any loans from the electric membership corporation to its gas affiliate shall be at market rates, shall not reflect rates which are generally available through the use of any tax-exempt financing, and may not be tied to any loans from the federal or state government;

   (iii) Require the electric membership corporation and its gas affiliate to maintain separate books of accounts and records which shall, subject to the Commission's rules for treatment of trade secrets, be subject to production and inspection by the Commission for the sole purpose of confirming compliance with this article, the cost allocation manual, and the terms and conditions of the gas affiliate's certificate; and

   (iv) Require the annual filing of a statement with the Commission certifying the compliance by the electric membership corporation and its gas affiliate with the approved cost allocation manual, which annual filing shall itemize financial

summary information in the form of Federal Energy Regulatory Commission (FERC) account codes as requested by the Commission Staff.

3. Not charge any costs of the gas affiliate to the electricity customers of the electric membership corporation.

515-7-3-.03(3)(c-g)

(c) To protect customer privacy and prevent the misuse of customer information, the terms and conditions ordered by the Commission shall provide that no electric membership corporation shall release any proprietary customer information to its gas affiliate without obtaining prior verifiable authorization from the customer, as determined in accordance with rules established by the Commission.

(d) The Commission may require that any customer service that an electric membership corporation provides to its gas affiliate be offered to all marketers at the same rate and on the same terms and conditions as provided to the gas affiliate. Any such services provided to the gas affiliate or marketers must be on a strictly confidential basis, such that the electric membership corporation does not share information regarding one marketer with any other marketer, including an EMC gas affiliate.

(e) The terms and conditions shall accommodate the organizational structures of electric membership corporations.

(f) To assure separate but coordinating governance of an electric membership corporation and its gas affiliate, the terms and conditions shall prohibit more than one half of the persons serving as members of the board of directors of a gas affiliate from at the same time serving on the board of directors of an electric membership corporation.

(g) The Commission shall make accommodation for the specific legal requirements imposed by state or federal laws applicable to electric membership corporations and other cooperatives.

VII. 515-7-3-.03(4)-(8) ADMINISTRATIVE INFORMATION

515-7-3-.03(4) Any information that the applicant deems to be proprietary or confidential may be filed pursuant to Commission Rule Chapter 515-3-1-.11, Trade Secrets.

515-7-3-.03(5) An applicant shall submit to the Executive Secretary of the Commission the number of copies indicated on the application form. The original, signed by the applicant, must accompany the copies. Failure to provide the appropriate number of copies or the signed original will result in the rejection and return of the application.

515-7-3-.03(6) Any application that is deemed to be incomplete after it is filed with the Commission shall not be considered until such time as all of the information requested

therein has been furnished. The sixty (60) day time frame during which the Commission is charged with conducting a public hearing or hearings on an application shall not commence unless and until a completed application has been submitted by the applicant. The Commission shall provide the applicant with a notification within fifteen (15) days after filing whether said application is deemed to be complete, or, if incomplete, what information is lacking. The Commission shall notify the applicant no later than fifteen (15) days following its receipt of any additional information whether such information is sufficient to regard the application as complete. If the additional information is not sufficient, the notification sent to the applicant by the Commission shall include a specific statement detailing the information that must be clarified or which otherwise does not adequately respond to the original request.

515-7-3-.03(7) The Commission shall deem an application to be withdrawn if the applicant fails to furnish any information requested in a notice of incompleteness within fifteen (15) business days after the date on which the request for additional information was issued.

515-7-3-.03(8) A certificate of authority may not be transferred, assigned, or leased except upon application to and approval by the Commission.

VIII. DISPOSITIONS

1. A. Has the applicant, any of its officers and/or its directors declared bankruptcy or had a civil judgment rendered against it/him/her?

   Neither the Applicant nor any of its officers and/or directors have declared bankruptcy or had a civil judgment rendered against them.

   B. Has the applicant, any of its officers and/or its directors been convicted of or pleaded guilty or nolo contendere to any misdemeanor, felony or crime of moral turpitude?

   Neither the Applicant nor any of its officers and/or directors have been convicted of or plead guilty or nolo contendere to any misdemeanor, felony or crime of moral turpitude.

   If either question is answered affirmatively, please provide certified copies of the legal disposition papers.

2. Provide a statement disclosing any existing, pending, or past adverse rulings, judgments, litigations, contingent liabilities, revocations of authority, administrative regulatory investigation (i.e., FERC, SEC) and other matters relating to financial or operational status for the past three (3) years that materially affect the financial or operational status.

   Please see Attachment 13.

IX. AGREEMENT

This applicant agrees to abide by all applicable laws, including those set forth in the Official Code of Georgia Annotated, all applicable rules and regulations of the Georgia Public Service Commission and findings, conclusions, terms and conditions set forth in pertinent Commission orders.

Officer or Attorney/Agent

Name Mark Parsons, Vice President

Address: 910 Louisiana Street

City: Houston State: TX Zip 77002

Tel. No. (713) 537-2825

Signature: 

Date: 05/22/2023

X. ATTESTATION

Under penalties of perjury, I declare and affirm that the statements made in the foregoing application, including accompanying statements and attachments are true, complete and correct. I understand that any false or misleading information within, or provided in connection with, my application may be cause for denial or loss of certificate.

Printed Name Mark Parsons

Position Vice President, Green Mountain Energy Company

Signature _____

Date 05/22/2023

Subscribed and sworn before me this 22 Day

of May, 20 23.

Signature Tiffany Bertrand

My commission expires 04/14/2025

