

July 15, 2014

MEMORANDUM

TO: The Chair and Members of the Commission

FROM: Malika Davis, Public Utility Analyst

SUBJECT: IN THE MATTER OF THE APPLICATION OF ACCENTURE LLP FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (FILED JUNE 2, 2014) - PSC DOCKET No. 14-194

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**Background**

On June 2, 2014, Accenture LLP (the "Company") filed an application (the "Application") with the Delaware Public Service Commission ("Commission") for an Electric Supplier Certificate ("ESC") to act as a Broker in the State of Delaware pursuant to §1012 of the Electric Utility Restructuring Act of 1999, 26 *Del. C.* §1001 - §1020 (the "Act") and 26 *Del. Admin. C.* §3001, the Commission's Rules for Certification and Regulation of Electric Suppliers (the "Supplier Rules").<sup>1</sup>

**Application**

The filing submitted on June 2, 2014 did not contain all the information that is required per the Supplier Rules. Staff requested the Company file additional documentation in a letter dated June 6, 2014. The letter requested that the company provide the following information: a) a notarized verification of the Application as required by Section 2.1.1.6 of the Supplier Rules and b) an affirmative statement consenting the Delaware jurisdiction as required by 2.1.1.7 of the Supplier Rules. The required information was received on July 2, 2014.

**Review and Analysis**

Authority to do Business in Delaware

The Company is a limited liability partnership formed under the laws of Illinois and has provided proof issued by the Delaware Secretary of State that it is legally authorized and qualified to do business in the State of Delaware. The Company submitted a Certificate of Good Standing issued on May 1, 2014 by the Delaware Secretary of State, as well as a Certificate of Good Standing issued by the Illinois Secretary of State dated February 7, 2014.

Resident Agent

The Company lists Corporate Creations Network, Inc. as its Registered Agent.

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<sup>1</sup> Unless otherwise noted, all references to capitalized terms are set forth in the Act and/or the Supplier Rules.

#### Compliance with Regional Requirements

The Company affirms in its Application that it will only present electricity supply contracts to its customers from Marketers/Electric Suppliers who are in compliance with all applicable PJM requirements.

#### Financial, Operational, Managerial and Technical Ability

The Company provided the a link to the consolidated financial statements from the most recent 10K filed by the Company's parent, Accenture PLC as indicia of financial capability under Section 2.1.1.5.1 of the Supplier Rules. The Company anticipates acting as a Broker serving commercial and industrial customers for the sale or purchase of electricity throughout the State of Delaware. The Company's application states that it is presently licensed in New Hampshire. Staff has confirmed that the Company is licensed in that state. The Application states that the Company's Affiliated Interests offer services in Illinois, Maine, Maryland, Massachusetts, New Jersey, Ohio, Pennsylvania, Rhode Island and the District of Columbia and that it intends to also seek approval to operate in these. Staff was able to confirm this. Staff also found that the Company received approval to operate in Maine and Ohio since the Application was filed. The application states that the Company has not been denied approval nor had its authority revoked by any state commission. The Application included a summary of the key operating personnel of the Company. Chad Gottesman, Global Lead, leads the Company's Global Energy Enterprise Management and Procurement team. His experience with the Company dates back to 1993. Mr. Gottesman has a MBA from Columbia University and a B.S. from the University of Albany. Raymond Culver, III is the Company's Category Management Senior Manager. Mr. Culver leads the Energy Supply Services business in both regulated and deregulated markets. He has over twenty-one years of experience in the energy services field, including positions with Constellation Energy, Summit Energy and Procurian, Inc. He has a MBA and B.S. from Christian Brothers University. Cobb Pearson is the De-Regulated Energy Market Sourcing Lead. His utility experience dates back to 2002 and includes positions with Southern Company and Gas South. Mr. Pearson has a degree in Industrial Engineering from Georgia Tech. Staff also performed an internet review and check of the Company and its key operating personnel. The search did not reveal any issues.

#### Surety Bond

The Company did not post a surety bond because it is a Broker only and there are no service agreements between the Company and any Delaware Electric Distribution Company. The Company will not collect any fees or deposits from any of its customers for any of its brokerage services.

#### Verification of Application

The Application was verified in a signed, sworn verification letter by Mr. Ronald Roberts, Secretary of Accenture Inc. Accenture Inc. is the Managing Partner of Accenture LLP. The Company provided the Partnership Agreement for Accenture LLP.

#### Consent to Jurisdiction

The Company consents to the jurisdiction of the Delaware courts.

#### Contracts

The Company also did not provide any sample contracts for Residential or Small Commercial Customers because it is a Broker only and does not and will not have contracts with Retail Electric Customers to provide Electric Supply Service.

#### Statement of Criminal Activity

Applicant has not been charged or convicted of any criminal activity nor have any of its principals or corporation offices. Applicant has no affiliated interests. An internet review of the Company and its principals did not reveal any issues.

**Legal Review**

On July 15, 2014, following Staff's completed review and analysis of the Application, Staff forwarded its final analysis to the assigned Attorney to confirm that all required documentation requested and received from the Company was in compliance with applicable provisions of Title 26 and the Supplier Rules. Staff also communicated with the attorney during the review and analysis process.

**Staff Recommendation**

Based on Staff's review and analysis of the Application, the Company has satisfied the requirements of the Act and the Supplier Rules. The Company resolved all outstanding issues with Staff and all documents filed as part of the Application support the Company's request for certification. Staff's review and analysis of the Application submitted by the company demonstrates substantial evidence of capability to render service based on the Company's financial, operational, managerial and technical abilities. Therefore, Staff recommends the Commission approve the Application.