

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION)
OF UNITED POWER CONSULTANTS,)
INC. FOR A CERTIFICATE TO)
PROVIDE ELECTRIC SUPPLY SERVICES) PSC DOCKET NO. 13-286
WITHIN THE STATE OF DELAWARE)
(FILED JULY 12, 2013))

ORDER NO. 8456

ELECTRIC SUPPLIER CERTIFICATE

This 10th day of September 2013, the Delaware Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on July 12, 2013, pursuant to 26 *Del. C.* §1001 - §1020, the Electric Utility Restructuring Act (the "Act"), and 26 *Del. Admin. C.* §3001, the Commission's Rules for Certification and Regulation of Electric Suppliers (the "Supplier Rules"), United Power Consultants, Inc. (the "Company") filed an application (the "Application") seeking certification as a retail electric supplier in order to broker the sale or purchase of Electric Supply Service;¹ and

WHEREAS, in its Application, the Company states that it is seeking certification as a Broker² that will utilize appropriate

¹ Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

² Pursuant to §1001(3) of the Act, "Broker" is defined as a person or entity that acts as an agent or intermediary in the sale or purchase of, but that does not take title to, electricity for sale to retail electric customers." Although a Broker never takes "title" to any electric supply product, §1001(14)(c) of the Act deems a broker an "Electric Supplier."

energy procurement strategies to meet the needs of residential, commercial, and industrial customers in Delaware; and

WHEREAS, Staff reports that the Company's Application fulfills all of the requirements for an Electric Supplier Certificate to act as a Broker as set forth in the Act and the Supplier Rules. In particular, Staff reports that the Company appears to possess the financial, operational, managerial, and technical capabilities to operate as a Broker of Electric Supply Service. Therefore, Staff recommends that the Commission issue an Electric Supplier Certificate authorizing the Company to broker sales and customer purchases of Electric Supply Services in the State of Delaware;

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. United Power is hereby granted a certificate to do business and operate as an "Electric Supplier" (Broker) within the State of Delaware. Under this Electric Supplier Certificate, United Power is authorized to broker Electric Supply Service within the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. United Power shall at all times provide its brokerage of Electric Supply Service in accordance with the requirements imposed by the Act and the Supplier Rules as presently adopted, or as may be hereafter amended or supplemented. United Power is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be

enforced by the sanctions permitted by §§1012(a) and 1019 of the Act and §3001-10.2 of the Supplier Rules.

3. United Power shall file such reports and pay such fees and assessments as may be required or imposed by §§114, 115, and 1012(c)(2) of the Act and §§3001-3.9 and 3.10 of the Supplier Rules.

4. United Power consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Service within this State.

5. United Power is hereby placed on notice that the costs of the proceedings will be charged to it pursuant to §114(b)(1) of the Act.

6. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

/s/ Dallas Winslow_____
Chair

/s/ Joann T. Conaway_____
Commissioner

/s/ Jaymes B. Lester_____
Commissioner

/s/ Jeffrey J. Clark_____
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary