

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on October 15, 2026

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
James S. Alesi
David J. Valesky
John B. Maggiore
Uchenna S. Bright
Denise M. Sheehan
Radina R. Valova

CASE 26-M-0519 - Proceeding on Motion of the Commission to Seek
Consequences against PTM Marketing & Consulting
Inc. for Violations of the Uniform Business
Practices.

ORDER TO REVOKE ELIGIBILITY

(Issued and Effective October 16, 2026)

BY THE COMMISSION:

INTRODUCTION

On July 20, 2026, the New York State Public Service Commission (Commission) issued an Order to Show Cause (OTSC) after New York State Department of Public Service staff (Staff) investigated PTM Marketing & Consulting Inc. (PTM), a registered Energy Consultant, and identified sufficient credible evidence indicating that PTM had apparently failed to comply with the Uniform Business Practices (UBP) and two Commission orders. In the OTSC, the Commission ordered PTM to show cause within 28 days why its eligibility to act as an Energy Consultant in the State of New York should not be revoked or, alternatively, why

other consequences set forth in the UBP should not be imposed. The 28-day response period expired on August 17, 2026.

PTM did not respond to the OTSC and has therefore defaulted. Accordingly, by this Order, the Commission revokes PTM's eligibility to serve as an Energy Consultant in the State of New York.

LEGAL AUTHORITY

Public Service Law (PSL) §66-t governs the acts of Energy Brokers and Energy Consultants. Following the enactment of PSL §66-t, the Commission adopted UBP Section 11 to regulate Energy Brokers and Energy Consultants. As relevant here, UBP Section 11.H.2.b provides that, upon identifying one or more instances of non-compliance, the Commission may impose one or more restrictions on an Energy Broker or Energy Consultant's opportunity to do business in New York State, including "[r]evocation of an Energy Broker or Energy Consultant's registration and ability to operate in New York State."¹

THE DEPARTMENT'S INVESTIGATION AND FINDINGS

On April 9, 2026, Staff issued a Notice of Apparent Violation (NOAV) to PTM. The NOAV alleged that, based on several complaints that the Department had received, PTM apparently violated UBP Section 11.E.1.e.i, which prohibits Energy Brokers and Energy Consultants from "engag[ing] in misleading or deceptive conduct as defined by State or federal law, or by Commission rule, regulation, or Order." As summarized in the OTSC, in PTM's April 22, 2026 response to the NOAV, PTM largely denied responsibility for these complaints or

¹ UBP Section 11.H.2.b.vi.

else attributed responsibility for these complaints to its independent contractors.

On July 20, 2026, the Commission issued the OTSC, ordering PTM to show cause within 28 days why its eligibility to act as an Energy Consultant should not be revoked or, alternatively, why other consequences set forth in the UBP should not be imposed. In the OTSC, Staff alleged that PTM: (1) apparently violated UBP Section 11.E.1.e.i by enrolling customers on energy service with two Energy Services Companies - All Choice Energy, LLC (All Choice) and Verde Energy USA New York, LLC (Verde) - without those customers' authorization, or "slamming"; (2) apparently violated UBP Section 5.K.1. by "slamming" customers; (3) apparently violated the June 23, 2023 Order Adopting Energy Broker and Energy Consultant Registration Requirements in Case 23-M-0106 by using unregistered independent contractors to "slam" customers; (4) apparently violated the April 18, 2024 Declaratory Ruling and Order on Rehearing in Case 23-M-0106 by using unregistered independent contractors to "slam" customers; (5) is apparently subject to enforcement consequences pursuant to UBP Section 11.H.1.c by "fail[ing] to comply with required customer protections"; and (6) is apparently subject to enforcement consequences pursuant to UBP Section 11.H.1.g by "fail[ing] to comply with ... Commission Orders, Rules, or Regulations."

PTM did not respond to the OTSC within the required 28 days (i.e., no later than August 17, 2026) and did not request an extension of time to respond to the OTSC.

DISCUSSION AND CONCLUSION

Every Energy Consultant in New York State must comply with the UBP and with all applicable Commission Orders to maintain eligibility to operate. The OTSC identified

sufficiently credible information reflecting apparent violations of the UBP and Commission orders. The OTSC also directed PTM to respond to those contentions within 28 days. The 28-day response period expired on August 17.

The Commission finds that PTM has defaulted. PTM did not respond to - and therefore did not dispute the allegations contained in - the OTSC. The Commission has determined that the appropriate consequence for PTM's failure to respond is revocation of its eligibility to act as an Energy Consultant, consistent with UBP Section 11.H.2.b.vi. Accordingly, the Commission hereby revokes PTM's eligibility to serve as an Energy Consultant in New York State.

The Commission orders:

1. The eligibility of PTM Marketing & Consulting Inc. to operate as an Energy Consultant in the State of New York is hereby revoked.
2. This proceeding is closed.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS
Secretary