



**Department
of Public Service**

KATHY HOCHUL
Governor

RORY M. CHRISTIAN
Chief Executive Officer

November 13, 2024

Kevin Gooden
Onyx Power & Gas Consulting LLC
Three Galleria Tower - 13155 Noel Rd Ste. 900
Dallas, TX 75240

Re: Onyx Power & Gas Consulting LLC

Dear Sir/Madam,

Thank you for your recent submittal pursuant to §11.B of the New York State Department of Public Service's Uniform Business Practices (UBP) and §4.B of the Uniform Business Practices for Distributed Energy Resource Suppliers (UBP-DERS), which were adopted by the Commission in Case 23-M-0106. This letter is to inform you that the documentation submitted has been reviewed by DPS Staff and determined to be in compliance with the UBP and UBP-DERS.

YOUR COMPANY HAS RECEIVED ELIGIBILITY TO BE A
Consultant
IN THE STATE OF NEW YORK.

Be advised that to maintain your Energy Broker and/or Energy Consultant eligibility, and per the UBP and UBP-DERS, you must notify Staff of any contact changes and material legal, financial or business-related changes to your company as they occur. If your business plan changes, you must immediately submit the appropriate documentation for Staff review and determination of if and how it may affect your current registration.

Additional requirements to maintain your registration include the annual fee and reporting requirements. More specifically, by August 31st of every year, you must provide a statement that the information and attachments in your registration form and registration package are current, or a description of revisions to the registration form and registration package and a copy of the revised portions. The \$500 non-refundable fee must be sent by August 31, 2025, to the following address:

Department of Public Service
Attn: Finance and Budget Section
New York State Department of Public Service
3 Empire State Plaza, 16th Floor
Albany, NY 12223-1350



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Please note, at this time, the requirement that Energy Brokers and Energy Consultants provide a method of financial accountability is extended indefinitely for all entities in accordance with a preliminary injunction issued on September 12, 2024, by the New York State Supreme Court, Albany County. Energy Brokers and Energy Consultants should monitor the administrative docket in Case 23-M-0106 to receive updates on any changes regarding the financial accountability requirement that are related to this ongoing litigation.

You can obtain copies of the Order Adopting Energy Broker and Energy Consultant Registration Requirements in Case 23-M-0106 as well as the Uniform Business Practices and Uniform Business Practices for Distributed Energy Resource Suppliers at the following link: <https://dps.ny.gov/energy-broker-and-energy-consultant-registration>.

If you have any questions, please contact us at brokerconsultantquestions@dps.ny.gov.

Regards,

The Retail Access Unit
Office of Consumer Services