For Immediate Release: 11/18/21

Rory M. Christian, Chair

Contact:
James Denn | James.Denn@dps.ny.gov | (518) 474-7080
http://www.dps.ny.gov
http://twitter.com/NYSDPS

21116/12-M-0476; 21-M-0491; 21-E-0490

PSC Rules Against 6 ESCOs, OKs 2 ESCOs to Serve Low-Income Customers

4 ESCOs Prohibited from Doing Business in New York, 2 ESCOs Under Review

ALBANY — The New York State Public Service Commission (Commission) today announced steps related to eight energy service companies, or ESCOs, operating in New York. The actions range from prohibiting an ESCO from further marketing and enrolling new customers in New York to allowing an ESCO to serve low-income customers after demonstrating its ability to provide guaranteed savings to customers.

“Our ongoing efforts to improve the ESCO market remains a priority,” **said Commission Chair Rory M. Christian.** “When an ESCO proves they are fair to customers, we allow them to continue their activities in New York to bring choice and energy services to customers. In instances where an ESCO chooses not to play by the rules, we prohibit their ability to enroll new customers and require them to cease operations in New York.”

The Commission took the following ESCO-related actions today:

- Denied SunSea Energy LLC, Starion Energy NY, Inc., Smart One Energy, LLC, and Josco Energy Corp.’s application for eligibility to serve mass-market customers in New York State after Commission staff found that each of the four ESCOs knowingly made false and misleading statements in its application to do business in New York State. The effect of these denials will require each of these ESCOs to cease any and all service to mass market customers in New York State. These ESCOs operated in Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., The Brooklyn Union Gas Company d/b/a National Grid NY, KeySpan Gas East Corp. d/b/a National Grid, Orange and Rockland Utilities, Inc., Rochester Gas & Electric Corporation, New York State Electric & Gas Corporation, National Grid, and National Fuel Gas Distribution Corporation service territories.

- Ordered that Got Gas?, LLC and Graystone Technologies, Inc. each show cause within 30 days why its eligibility to act as an ESCO in New York should not be revoked for allegedly violating the Commission’s Uniform Business Practices rules. Neither company has customers in New York.

- Approved NOCO Electric, LLC and NOCO Natural Gas, LLC’s request to serve low-income customers after Commission staff reviewed the documents and calculations and accepted NOCO’s claimed ability to provide low-cost electric and natural gas service to low-income customers. NOCO will operate in National Fuel Gas Distribution Corporation, National Grid, New York State Electric & Gas Corporation, and Rochester Gas & Electric Corporation service territories.

In 2019, the Commission made significant reforms to the retail energy market to strengthen customer protections and to enhance price and operational transparency. The resetting of the retail energy market in New York will impact the day-to-day business of energy service companies, or ESCOs, doing business in New York State and the two million residential and small commercial customers in New York State who they serve. The Commission prohibits most ESCOs from serving low-income customers unless they demonstrate that they can guarantee savings. That decision has been upheld in the courts and has been effectively enforced across the State with tens of thousands of low-income customers returned to direct service by their local utility.

Today's decisions may be obtained by going to the Commission Documents section of the Commission's Web site at www.dps.ny.gov and entering Case Numbers 12-M-0476 (SunSea, Starion, Smart One Energy, Josco and NOCO), 21-M-0491 (Got Gas), and 21-E-0490 (Graystone) in the input box labeled "Search for Case/Matter Number". Many libraries offer free Internet access. Commission documents may also be obtained from the Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500). If you have difficulty understanding English, please call us at 1-800-342-3377 for free language assistance services regarding this press release.

-30-