



Three Empire State Plaza, Albany, NY 12223-1350
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Public Service Commission

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March 4, 2024

Mr. Huda Khuram
CEO
Clear Green Energy LLC
483 Murray Street
Pelham, NY 10803
info@cleargreenenergyus.com

NOTICE OF APPARENT VIOLATION

Dear Mr. Khuram:

The New York Public Service Commission's Uniform Business Practices (UBP), Section 2.D, requires each Energy Services Company (ESCO) to submit annually, by January 31st, a statement that the information and attachments in the ESCO's Retail Access Application Form (RAAF) are still current and accurate¹. Alternatively, the ESCO shall provide a description of revisions to its RAAF as well as a copy of the revised portions or, at the ESCO's option, a copy of the revised portions identifying the revisions by highlighting or other means.

As of today's date, the Department of Public Service Staff (DPS Staff) has not received a 2024 statement from Clear Green Energy LLC. (Clear Green, the Company) that the information and attachments in the Company's RAAF are current or require revisions, if any. As discussed below, DPS Staff is issuing this Notice of Apparent Violation (NOAV) and directing the Company to provide documentation to remedy the current non-compliance.

¹ UBP Section 2.D. states, "An ESCO shall submit by January 31 each year (January 31 Statement): a. a statement that the information and attachments in its Retail Access Eligibility Form and application package are current; or b. a description of revisions to the Retail Access Eligibility Form and application package and a copy of the revised portions or, at the ESCO's option, a copy of the revised portions identifying the revisions by highlighting or other means."

DPS Staff sent an e-mail to the Company on January 5, 2024, to remind it that its annual compliance filing was due January 31, 2024. DPS Staff subsequently sent an overdue notice to the Company on February 7, 2024. Finally, due to Clear Green's failure to respond, Staff is sending this NOAV on March 4, 2024.

If DPS Staff finds that the Company's reply to this NOAV is insufficient, or in any way evidences the Company's failure to comply with the UBP, DPS Staff will seek an Order to Show Cause from the Commission to commence an enforcement proceeding. If DPS Staff finds that the Company has in this, or any other manner, failed to abide by the UBP, DPS Staff will proceed with further remedies, including recommending to the Commission revocation of the Company's eligibility to operate as an ESCO in the State of New York.

In sum, by March 25, 2024, Clear Green Energy LLC. shall provide the following to the Secretary to the Public Service Commission by submitting it to our Document and Matter Management (DMM) system under Matter Number 24-00309:

1. A statement that the information and attachments in your RAAF are current and accurate; or,
2. A description of all revisions to your RAAF and a copy of the revised portions, or, at your option, a copy of the revised portion identifying the revisions by highlighting or other means; or
3. A letter from Clear Green Energy LLC, or on its behalf, withdrawing its eligibility to operate as an ESCO in New York State.

The response to this letter shall be submitted in DMM Matter Number 24-00309 within 15 business days. If you have specific questions, please contact Robin Taylor at robin.taylor@dps.ny.gov. DPS Staff requests that you acknowledge receipt of this letter within five business days by contacting Ms. Taylor listed above.

Regards,



Richard Berkley
Director
Office of Consumer Services

cc: Dennis DiBari, Chief, Investigations
Attachments