

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

§25.105. Registration and Reporting by Power Marketers.

- (a) **Purpose.** This section contains the registration and reporting requirements for a person intending to do business in Texas as a power marketer.
- (b) **Applicability.**
 - (1) A power marketer becomes subject to this section on the date that it first buys or sells electric energy at wholesale in Texas.
 - (2) No later than 30 days after the date it becomes subject to this section, a power marketer shall register with the commission or provide proof that it has registered with the Federal Energy Regulatory Commission (FERC) or been authorized by the FERC to sell electric energy at market-based rates.
- (c) **Initial information.** Regardless of whether it has registered with the FERC, a power marketer shall:
 - (1) Provide its address and the name, address, telephone number, facsimile transmission number, and e-mail address of the person to whom communications should be addressed; and the names and types of businesses of the owners (with percentages of ownership).
 - (2) Identify each affiliate that buys or sells electricity at wholesale in Texas; sells electricity at retail in Texas; or is an electric or municipally owned utility in Texas.
 - (3) Describe the location of any facility in Texas used to provide service.
 - (4) Provide a description of the type of service provided.
 - (5) Submit copies of all of its FERC registration information, filed with FERC subsequent to the effective date of this section.
 - (6) Submit an affidavit by an authorized person that the registrant is a power marketer.
- (d) **Material change in information.** Each power marketer shall report any material change in the information provided pursuant to this section within 30 days of the change.
- (e) **Commission list of power marketers.** The commission will maintain a list of power marketers registered in Texas.