

# NEBRASKA PUBLIC SERVICE COMMISSION

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P.O. Box 94927, Lincoln, NE 68509-4927  
Website: [www.psc.nebraska.gov](http://www.psc.nebraska.gov)  
Phone: 402-471-3101  
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## EXECUTIVE DIRECTOR:

JEFFREY L. PURSLEY

## NEBRASKA CONSUMER HOTLINE:

1-800-526-0017

## COMPETITIVE NATURAL GAS PROVIDER APPLICATION

The Nebraska Public Service Commission shall certify all competitive natural gas providers (CNGPs) and aggregators providing natural gas services in Nebraska. See Neb. Rev. Stat. § 66-1849(1). Applicants seeking a certificate as a CNGP or aggregator must reasonably demonstrate managerial, technical, and financial capability sufficient to obtain and deliver the services the Applicant proposes to offer. See Neb. Rev. Stat. § 66-1849(1).

Filing requirements and the application process for a certificate to provide CNGP services are set forth in the Natural Gas and Pipeline Rules and Regulations at Neb. Admin. Code Title 291, Ch. 9 §§ 011.02. The Natural Gas and Pipeline Rules and Regulations can be found at <http://www.psc.nebraska.gov/rules/rules.html> or by contacting the Commission.

The following is for informational purposes only, and intended only to assist Applicants in the completion of their application for authority. If any difference exists between this form and any law, regulation or case law, then such law, regulation or case law shall control.

Applicants seeking a certificate as a competitive natural gas provider or aggregator in Nebraska shall submit ***an original and eight (8) copies of the attached application form and a \$200 application fee*** to:

Executive Director  
Nebraska Public Service Commission  
300 The Atrium, 1200 N Street  
P.O. Box 94927  
Lincoln, NE 68509-4927

The application fee is required to cover the administrative costs of accepting and processing a filing. In addition, each Applicant may be assessed additional costs and expenses reasonably attributable to certification and dispute resolution consistent with Neb. Rev. Stat. § 66-1849.

Applicants ***must notify*** the Commission during the pendency of the certification request of any material change in the representations and commitments required by this subsection ***within 14 days*** of such change. Any new legal actions or formal complaints are considered material changes in the request. Once certified, CNGPs must notify the Commission of any material change in the representations and commitments required for certification ***within 14 days*** of such change.

Questions should be directed to the Director of the Natural Gas Department of the Nebraska Public Service Commission at (402) 471-0255.



## Competitive Natural Gas Provider Application Form (Rev. 08/2016)

Pursuant to Section 011 of the Nebraska Public Service Commission's Natural Gas and Pipeline Rules and Regulations, a person must not provide competitive natural gas service to a Nebraska retail end-user, including a high volume ratepayer, without a certificate approved by the Commission pursuant to Neb. Rev. Stat. § 66-1849.

Applications for a Competitive Natural Gas Provider (CNGP) certificate to provide competitive natural gas services in the State of Nebraska must provide the following information:

<b>011.02A Legal Entity Requirements</b>	
List the legal name under which the applicant will operate:	
List the applicant's state of incorporation:	
<input type="checkbox"/> Attach a description of the business structure of the applicant	
<input type="checkbox"/> Attach evidence of authority to do business in Nebraska	
<input type="checkbox"/> Attach certificates of registration by the Nebraska Secretary of State for all trade names under which the applicant will operate	

<b>011.02B Applicant's Principal Officer(s) Contact Information</b>
<input type="checkbox"/> Attach a list of the names, business addresses, and business telephone numbers of the principal officers of the applicant who can be contacted regarding its operations in Nebraska and telephone number(s) at which the CNGP can be contacted 24 hours a day

<b>011.02C Affiliate Information</b>
<input type="checkbox"/> (Y/N) Applicant has affiliates that are certified under Section 011 of the Nebraska Natural Gas and Pipeline Rules and Regulations
<input type="checkbox"/> If above answer is Y, attach a list of the names and addresses of all the applicant's affiliates engaged in the provisions of competitive natural gas services in Nebraska

- Attach a list of the names and addresses of all the applicant's affiliates engaged in the provision of competitive natural gas services in any other state

**011.02D Applicant/Affiliate Legal and Complaint Information**

- (Y/N) Applicant has had legal action or a formal complaint(s) pertaining to the provisions of competitive natural gas service filed against the applicant or its affiliates at a public utility regulatory body other than the Nebraska Public Service Commission that were pending in the 12 months prior to this request for certificate

- If above answer is Y, attach a listing that identifies the title of such action or complaint(s), the number of applicable proceedings, and a copy of the final orders in such proceedings or the citation to the website where the text of the orders can be found

**011.02E Applicant/Affiliate Certificate Suspension Information**

- (Y/N) Applicant or an affiliate has had a license or certificate to supply competitive natural gas services suspended, revoked, or denied

- If above answer is Y, attach a listing of the states and jurisdictions in which a license or certificate was suspended, revoked, or denied, with identification of the title and number of applicable proceedings or the citation to the website where the text of the orders can be found

- (Y/N) Applicant or an affiliate has voluntarily withdrawn from providing competitive natural gas service due to financial or operational reasons

- If above answer is Y, attach a listing of the states and jurisdictions in which the applicant or an affiliate has voluntarily withdrawn from providing service

**011.02F Applicant Demonstration of Financial Abilities**

- Attach balance sheet

- Attach statement of income

- Attach statement of cash flow

- If applicable, attach statement of shareholder's equity

- If applicable, attach description of applicant's debt structure, including bond rating

### 011.02F Applicant Demonstration of Operational Abilities

- Attach roster of officers and directors
- Attach description of the professional backgrounds of the applicant's principal managerial and technical personnel
- Attach an operational flow chart
- Attach a description of the applicant's facilities and the services it intends to render

A request for confidential treatment for this information may be filed with the Commission, pursuant to Nebraska Administrative Code, Title 291, Chapter 9, Rule 006

[http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Public\\_Service\\_Commission/Title-291/Chapter-09.pdf](http://www.sos.ne.gov/rules-and-regs/regsearch/Rules/Public_Service_Commission/Title-291/Chapter-09.pdf)

### 011.02G Filing Requirements

- An original and eight (8) copies of this form and the required attachments are to be filed with the Commission
- The natural gas application fee of \$200 must be included with the application, or submitted online (see link below for credit card payment option), to cover the administrative cost of accepting and processing a filing

<https://otc.cdc.nicusa.com/Public2.aspx?portal=nebraska&organization=Public%20Service%20Commission%20-%20Natural%20Gas>

*Along with the application fee, an applicant will be billed cost and expenses reasonably attributable to certification and dispute resolution to applicants and participants to the proceeding, including Commission time, billed on an hourly basis, spent reviewing, analyzing, and considering the application*

### 011.02H Notification Requirements

Applicant must notify the Commission during the pendency of the certification request of any material change in the representation and commitments required by Section 011 within 14 days of such change. Any new legal actions or formal complaints are considered material changes in the request.

Once certified, the CNGP must notify the Commission of any material change in the representations and commitments required for certification with 14 days of such change.

**Application Certification**

I, the undersigned, being duly sworn under oath, certify that the forgoing statements are true and correct to the best of my knowledge.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

SWORN TO AND SUBSCRIBED Before Me, the Undersigned Authority on this \_\_\_\_\_  
Day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Notary Public: \_\_\_\_\_

State of: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Stamp:

**Forward this application form and all required attachments to:**

**Executive Director  
Nebraska Public Service Commission  
300 The Atrium 1200 N Street  
PO Box 94927  
Lincoln, Nebraska 68509**