

FOR IMMEDIATE RELEASE

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Electric Complaints and Violation Rates Decrease in 2009

Austin, Texas, March 31, 2010 –The total volume of electric complaints filed by consumers with the Public Utility Commission of Texas (PUCT) in Calendar Year 2009 decreased by 4% from 2008 volumes. Summarized by Regulatory Compliance Services, an Austin, Texas based consulting firm, the 2009 Year End Scorecard also reveals that the PUCT investigated 12,518 electric complaints of the 14,524 complaints it received in calendar year 2008 compared to 12,049 in 2008. Investigations related to Retail Electric Providers (REPs) accounted for 9,543 of the 12,518 complaints. While a decrease, these levels remain high, although not as high as the 2003 volumes. In 2009, the PUCT staff informally determined that REPs violated commission rules on approximately 17% of the complaints investigated in 2009 which is down from 19% for 2008. In 2007 the violation rate was 13%, while in 2006 the violation rate was 10%. The 2005 rate was 6% for REPs.

Billing issues accounted for 5,535 of the REP complaints received related to retail electric service which is a decrease of over 14% from the 2008 volume. Of the 5,535 billing complaints received by the Commission, 4,196 were investigated. Of those billing complaints that were investigated, nearly 18% were closed with the informal finding that a rule violation had occurred.

A listing of Retail Electric Providers with PUCT complaint activity in 2009 and their complaint violation rates for 2009 is presented below. Violation rates are calculated on the number of PUCT complaints investigated and closed, not on the sheer number of complaints received by the PUCT. Retailers with no complaint activity in 2009 will not be listed in this table. The tables have been segregated to rank companies based on the volume of complaints investigated.

REPs with More Than 20 Investigated Complaints in 2009

REP Name	# of Investigations Closed	Violation Rate
JUST ENERGY TEXAS, LP	228	38.16%
DPI ENERGY, LLC	176	35.80%
BOUNCE ENERGY INC	87	32.18%
PENSTAR POWER, LLC	144	23.61%
TEXPO POWER, LP	40	22.50%
TXU	3,913	20.39%
STREAM SPE, LTD	786	19.34%
AFFORDABLE POWER L.P.	42	19.05%
CHAMPION ENERGY SERVICES, LLC.	71	18.31%
FULCRUM RETAIL ENERGY, LLC	307	18.24%
Direct Energy	829	17.37%
MXENERGY ELECTRIC, INC.	37	16.22%
ACCENT ENERGY TEXAS, L.P.	141	11.35%
CIRRO GROUP, INC.	95	10.53%
AMBIT TEXAS LLC	361	9.14%
TEXAS POWER, L.P.	48	8.33%
First Choice Power	545	8.26%
HUDSON ENERGY	38	7.89%
GEXA ENERGY, LP	220	7.27%
GREEN MOUNTAIN ENERGY COMPANY	203	4.93%
STAR ELECTRICITY LLC	174	4.60%
Reliant	858	3.85%
SPARK ENERGY LP	66	3.03%
Subtotal	9,409	15.67%

REPs with Less Than 20 Investigated Complaints in 2009

REP Name	# of Investigations Closed	Violation Rate
NATIONAL POWER COMPANY, INC.	3	100.00%
SURE ELECTRIC, LLC	2	100.00%
BLU POWER OF TEXAS, LLC.	1	100.00%
FRONTIER UTILITIES, INC.	1	100.00%
MEGA ENERGY, LP	1	100.00%
REACH ENERGY, LLC	1	100.00%
GLACIAL ENERGY OF TEXAS, INC.	3	66.67%
TEXREP1 LLC	5	60.00%
TRUE ELECTRIC, LLC	6	50.00%
CLEARVIEW ELECTRIC, INC.	4	50.00%
INTEGRYS ENERGY SERVICES OF TEXAS, LP	2	50.00%
CHAIN LAKES POWER, L.P.	13	30.77%
LIBERTY POWER	19	26.32%
WEIR INVESTMENTS FUND LLC	8	25.00%
GATEWAY ENERGY SERVICES CORPORATION	4	25.00%
AMERIPOWER, LLC	5	20.00%
SUEZ ENERGY MARKETING NA, INC.	13	7.69%
NUECES ELECTRIC COOPERATIVE RETAIL DIVISION	19	5.26%
CONSTELLATION NEWENERGY, INC.	8	0.00%
MUTUAL ENERGY SWEPCO, LP	5	0.00%
BRILLIANT ENERGY, LLC	4	0.00%
AEP	1	0.00%
APNA HOLDINGS, LLC	1	0.00%
CONSOLIDATED EDISON SOLUTIONS, INC.	1	0.00%
ELECTRIC NOW, LP		0.00%
KINETIC ENERGY, LLC	1	0.00%
OUR ENERGY LLC		0.00%
PEGASUS ALLIANCE CORPORATION	1	0.00%
TEXAS ENERGY TRANSFER POWER LLC		0.00%
TRIEANGLE ENERGY, L.P.	1	0.00%
W POWER AND LIGHT, LLC	1	0.00%
Subtotal	134	32.80%
Total	9,543	16.90%

Companies found to be violating commission rules are subject to formal enforcement actions which could result in the imposition of administrative penalties.

A copy of the full report may be obtained from Regulatory Compliance Services at <http://www.your-rcs.com/YearEnd.htm>

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