

FOR IMMEDIATE RELEASE

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Electric Complaints and Violation Rates Increase in 2008

Austin, Texas, March 10, 2009 –The total volume of electric complaints filed by consumers with the Public Utility Commission of Texas (PUCT) in Calendar Year 2008 increased by 43% from 2007 volumes. Summarized by Regulatory Compliance Services, an Austin, Texas based consulting firm, the 2008 Year End Scorecard also reveals that the PUCT investigated 12,049 electric complaints in calendar year 2008 compared to 8,673 in 2007. Investigations related to Retail Electric Providers (REPs) accounted for 9,975 of the 12,049 complaints. Although this year's increase is dramatic, the volume is still down from 2003 levels when more than 12,000 REP complaints were investigated at the PUCT. In 2008, the PUCT staff determined that REPs violated commission rules on approximately 19% of the complaints investigated in 2008 which is up from 12% for 2007. In 2006 the violation rate was 10%, while the 2005 rate was 6%.

Billing issues accounted for almost 6,356 of the REP complaints received related to retail electric service which is an increase of over 46% from the 2007 volume. Of the 6,356 billing complaints received by the Commission, 4,355 were investigated. Of those billing complaints that were investigated, nearly 25% were closed with the informal finding that a rule violation had occurred.

A listing of Retail Electric Providers with PUCT complaint activity in 2008 and their complaint violation rates for 2008 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 2008 will not be listed in this table. The tables have been segregated to rank companies based on the volume of complaints investigated.

REPs with 20 or More Complaints Investigated by the PUCT during 2008		
REP Name	# of Investigations Closed	2008 Violation Rate
ELECTRIC NOW, LP	23	65.22%
VEGA RESOURCES, LLC	673	62.41%
HWY 3 MPH, LLC	95	50.53%
LIBERTY POWER TEXAS LLC	31	45.16%
SURE ELECTRIC, LLC	165	44.24%
DPI ENERGY, LLC	62	38.71%
MXENERGY ELECTRIC, INC.	46	30.43%
TEXAS POWER, L.P.	103	25.24%
CHAMPION ENERGY SERVICES, LLC.	24	25.00%
PRE-BUY ELECTRIC, LLC	158	24.68%
STREAM SPE, LTD	936	23.82%
FREEDOM GROUP, LLC	184	21.74%
TEXPO POWER, LP	107	21.50%
JUST ENERGY TEXAS, LP	85	18.82%
ACCENT ENERGY TEXAS, L.P.	224	18.30%
COMMERCE ENERGY, INC.	285	18.25%
HUDSON ENERGY SERVICES, LLC	34	17.65%
TARA ENERGY, INC.	52	17.31%
Direct Energy	866	17.21%
First Choice Power	927	16.40%
NATIONAL POWER COMPANY, INC.	759	15.02%
STAR ELECTRICITY LLC	155	14.19%
GEXA ENERGY, LP	287	12.20%
TXU	2,174	11.32%
SPARK ENERGY HOLDINGS, LLC	71	11.27%
AMBIT ENERGY, L.P.	285	9.47%
CIRRO GROUP, INC.	167	7.19%
Reliant	664	4.37%
GREEN MOUNTAIN ENERGY COMPANY	175	2.29%
Subtotal	9,817	19.22%

REPs with Fewer than 20 Complaints Investigated by the PUCT during 2008		
REP Name	# of Investigations Closed	2008 Violation Rate
BLU POWER OF TEXAS, LLC.	4	100.00%
AMBRIDGE ENERGY, LLC	1	100.00%
TEXREP1 LLC	1	100.00%
UTILITY CHOICE, LP	1	100.00%
REACH ENERGY, LLC	9	88.89%
CLEARVIEW ELECTRIC, INC.	7	85.71%
YOUNG ENERGY, LLC	8	50.00%
BRILLIANT ENERGY, LLC	2	50.00%
MEGA ENERGY, LP	3	33.33%
VANTAGE POWER SERVICES, LP	3	33.33%
APNA HOLDINGS, LLC	8	25.00%
Suez Energy	11	18.18%
IW POWER AND LIGHT, LLC	6	16.67%
AFFORDABLE POWER L.P.	14	14.29%
CHAIN LAKES POWER, L.P.	14	14.29%
NUECES ELECTRIC COOPERATIVE RETAIL DIVISION	15	13.33%
SPS	13	7.69%
AEP	14	7.14%
AES NEWENERGY, INC.	5	0.00%
TRIEAGLE ENERGY, L.P.	4	0.00%
GATEWAY ENERGY SERVICES CORPORATION	4	0.00%
CONSTELLATION NEWENERGY, INC.	3	0.00%
AMERIPOWER, LLC	3	0.00%
PEGASUS ALLIANCE CORPORATION	2	0.00%
USAVE ENERGY SERVICES, INC.	1	0.00%
ANDELER CORPORATION	1	0.00%
SEMPRA ENERGY SOLUTIONS LLC	1	0.00%
LUMINANT ET SERVICES COMPANY	0	0.00%
ALLIANCE POWER COMPANY, LLC.	0	0.00%
AP ELECTRIC, LLC	0	0.00%
INTEGRITY ENERGY SERVICES OF TEXAS, LP	0	0.00%
Subtotal	158	25.95%
Total	9,975	19.33%

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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