

**ORDER NO. 86769**

IN THE MATTER OF THE INVESTIGATION INTO THE MARKETING, ADVERTISING, AND TRADE PRACTICES OF AMERICAN POWER PARTNERS, LLC; BLUE PILOT ENERGY, LLC; MAJOR ENERGY ELECTRIC SERVICES, LLC AND MAJOR ENERGY SERVICES, LLC; AND XOOM ENERGY MARYLAND, LLC	* * * * * * * * * * *	BEFORE THE PUBLIC SERVICE COMMISSION OF MARYLAND  _____ CASE NO. 9346 _____
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**Issue Date: December 17, 2014**

On April 1, 2014, the Public Service Commission of Maryland (“Commission”) issued to American Power Partners, LLC; Blue Pilot Energy, LLC; Major Energy Electric Services, LLC and Major Energy Services, LLC; and XOOM Energy Maryland, LLC (together, the “Companies”), an Order to Show Cause (“Order”) why the Commission should not find that the Companies violated certain statutes, regulations, or Commission orders in their customer marketing, advertising, or trade practices.<sup>1</sup> The Order also directed the Companies to answer specific questions and to provide individual responses to the Commission on or before April 22, 2014. American Power Partners, LLC (“APP”) filed its response to the Commission’s information request on April 22, 2014.<sup>2</sup>

Subsequently, on June 23, 2014, U.S. Gas & Electric, d/b/a Maryland Gas & Electric (“MDG&E”), filed with the Commission a notification of its acquisition of American Power Partners, LLC.<sup>3</sup> The filing noted that APP expected to no longer have

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<sup>1</sup> Order No. 86274 (April 1, 2014).

<sup>2</sup> ML#154448 (April 22, 2014).

<sup>3</sup> ML#154183 (June 23, 2014).

Maryland customers as of September 24, 2014, following a 45-day transition period during which time APP customers were notified of their option to either enroll with MDG&E or return to their utility's standard offer service.<sup>4</sup> Therefore, APP submitted a request to the Commission in which it proposes to cease providing competitive retail services in Maryland and also requests to surrender its electricity supplier license.<sup>5</sup>

Upon review of the record before us, including the responses to our information request as submitted by APP, the Commission finds that American Power Partners, LLC has demonstrated why the show cause levied against it should be dismissed. As to the surrender of its electricity supplier license, we find that this matter appropriately may be given consideration in the context of an Administrative Meeting.

**IT IS, THEREFORE,** this 17th day of December, in the year Two Thousand and Fourteen, by the Public Service Commission of Maryland

**ORDERED:** That the April 1, 2014 Order to Show Cause against American Power Partners, LLC, is hereby dismissed.

/s/ W. Kevin Hughes

/s/ Lawrence Brenner

/s/ Kelly Speakes-Backman

/s/ Anne E. Hoskins  
Commissioners\*

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<sup>4</sup> ML#158151 (Sept. 3, 2014).

<sup>5</sup> *Id.*

\*Commissioner Harold D. Williams did not participate in this decision.