

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSISSIPPI

MISSISSIPPI PUBLIC SERVICE COMMISSION

DOCKET NO: 2018-AD-141

IN RE: MISSISSIPPI PUBLIC SERVICE COMMISSION
OMNIBUS DOCKET: AGGREGATORS OF RETAIL
CUSTOMERS

ORDER

The Mississippi Public Service Commission (“Commission”), issues this Order, *sua sponte*, prompted by information that at least one third-party Aggregator of Retail Customers (“ARC”) has engaged in soliciting one or more customers of a Mississippi Public Service Commission (“MPSC”)-jurisdictional utility to enter into agreements with the ARC, whereby the ARC could combine customers into a group for the purpose of participating directly in the wholesale markets of the Midcontinent Independent System Operator, Inc. (“MISO”) as a demand resource. To date, the Commission is aware that Entergy Mississippi, LLC (“EML”) received a request on or about February 15, 2019, for an ARC to register in EML’s service territory.

ARCs are in the business of entering into agreements with and combining the abilities of multiple retail customers to represent them as demand response resources in wholesale electric markets. Pursuant to Order Nos. 719 and 719-A, the Federal Regulatory Commission (“FERC”) has recognized that it is up to state regulators to determine whether third-party ARCs within their state should be eligible to represent customers in wholesale markets and whether, and under what conditions, ARCs may do business under state law. These are issues of first impression for the Commission.

The Commission requires time to study this issue and to decide whether (and if so, under what conditions) third-party ARCs that register retail customers of Mississippi utilities, subject to

the Commission's jurisdiction, should be allowed to aggregate such retail customers and participate in wholesale markets. Accordingly, the Commission issues this Order, ruling that third-party ARCs are **not** allowed to register MPSC-jurisdictional retail customers or participate in wholesale markets on such retail customers' behalves, pending resolution of this issue with the Commission. This prohibition shall remain in effect for a period of 120 days while the Commission studies this issue.

IT IS, THEREFORE, ORDERED that third-party ARCs are **not** allowed to register MPSC-jurisdictional retail customers or participate in wholesale markets on such retail customers' behalves, pending resolution of this issue by the Commission through a final Order. It is further ordered that this prohibition shall remain in effect for 120 days from the date of this Order.

Chairman Brandon Presley voted yea; Vice-Chairman Cecil Brown voted aye; Commissioner Sam Britton voted aye.

SO ORDERED, this the 5th day of March 2019.



MISSISSIPPI PUBLIC SERVICE COMMISSION

Brandon Presley
BRANDON PRESLEY

Cecil Brown
CECIL BROWN

Sam Britton
SAM BRITTON

ATTEST: A True Copy

Katherine Collier
Katherine Collier

Executive Secretary

Effective the 5th day of March, 2019