

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of ONEOK Energy) Application No. NG-0017
Marketing Company, Topeka,)
Kansas, seeking authority as a) CHANGE IN OWNERSHIP
competitive natural gas provider) RECOGNIZED
in the State of Nebraska.)
) Entered: March 27, 2012

BY THE COMMISSION:

On March 20, 2012, the Commission was notified by letter from Constellation NewEnergy-Gas Division Midcontinent, Inc., (CNEGM) that effective March 12, 2012, CNEGM's ultimate parent, Constellation Energy Group, LLC (CEG), merged with Exelon Corporation (Exelon). The effect of the merger is that CNEGM has been established as a wholly-owned subsidiary of Exelon.

Constellation NewEnergy-Gas Division, LLC (Constellation) was granted authority as a competitive natural gas provider (CNGP) on May 8, 2007, in Application No. NG-0043.¹ Constellation acquired ONEOK Energy Marketing Company (ONEOK) on February 1, 2012,² and changed ONEOK's name to Constellation NewEnergy-Gas Division Midcontinent, Inc. ONEOK was granted authority as a CNGP on April 27, 2004, in Application No. NG-0017.³

O P I N I O N A N D F I N D I N G S

Commission regulations provide in part:

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.

Title 291, Neb. Admin. Code, Ch. 9 Sec. 011.02H.

¹ *In the Matter of Constellation NewEnergy-Gas Division, LLC (Constellation), Louisville, Kentucky, seeking authority for a Competitive Natural Gas Provider Certificate in the State of Nebraska, Authority Granted (May 8, 2007).*

² *See NG-0017, In the matter of ONEOK Energy Marketing Company, Topeka, Kansas, seeking authority as a competitive natural gas provider in the State of Nebraska, Change in Ownership Recognized (February 22, 2012).*

³ *In the Matter of ONEOK Energy Marketing Company, Topeka, Kansas, seeking authority as a competitive natural gas provider in the State of Nebraska, Application Granted (April 27, 2004).*

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CNEGM's notification was timely submitted, and the Commission should recognize the acquisition of CNEGM by Exelon.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the acquisition of Constellation Energy Group, LLC and its subsidiary, Constellation NewEnergy-Gas Division Midcontinent, Inc., by Exelon Corporation is hereby recognized.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of March, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s// Rod Johnson
//s// Frank Landis

Chairman



ATTEST:



Executive Director