

# COMPETITIVE RETAIL ELECTRIC SERVICE

(check all that apply):

- AGGREGATOR
- GOVERNMENTAL AGGREGATOR
- POWER MARKETER
- RETAIL ELECTRIC GENERATION PROVIDER
- POWER BROKER

## INTRASTATE ANNUAL REPORT

OF

**Constellation NewEnergy, Inc.**

*00-003*

(Exact legal name of respondent)

If name was changed during the year, show also the previous name and date of change.

550 W. Washington Blvd., Suite 300  
Chicago, Illinois 60661

(Address of principal business office at end of year)

**TO THE  
PUBLIC UTILITIES COMMISSION OF OHIO**



**FOR THE  
YEAR ENDED DECEMBER 31, 2007**

RECEIVED-DOCKETING DIV  
2008 APR 30 PM 1:25  
PUCO

Name, title address and telephone number (including area code) of the person to be contacted concerning this report.

**DAVID I. FEIN  
CONSTELLATION NEWENERGY, INC.  
550 W. WASHINGTON BLVD., SUITE 300  
CHICAGO, ILLINOIS 60661  
312-704-8499**

## TABLE OF CONTENTS

<b>Title</b>	<b>Page</b>
Identity of Respondent .....	1
Important Changes During the Year.....	2
Statement of Intrastate Gross Receipts and kWh Sales .....	3
Name, Address and Phone Number of the Company's Contact Persons and Invoice Recipient .....	4
Verification.....	5

## IDENTITY OF RESPONDENT

1. State whether respondent is a corporation, a joint stock association, a firm or partnership, or an individual.

Constellation NewEnergy, Inc. ("CNE") is a corporation.

2. Identify names of affiliate and subsidiary companies of the respondent.

CNE is a wholly-owned, indirect subsidiary of Constellation Energy Group, Inc. Affiliates include: Constellation Energy Generation Group, LLC, Constellation Energy Commodities Group, Inc., Constellation NewEnergy - Gas Division, LLC, Constellation Energy Projects & Services Group, LLC, and Fellon McCord & Associates, Inc. Subsidiaries of CNE include: CPS Synfuel, LLC, and Constellation NewEnergy Canada, Inc.

3. Date when respondent began operations in Ohio.

Initially licensed with Secretary of State of Ohio on September 18, 2000, with a certificate of amendment filed under CNE on September 12, 2002. CNE began supplying electricity to customers on January 2, 2001.

4. If a consolidated or merged company, give names of each such incident, date, and Commission authority. If a reorganized company, give name of original corporation.

Not applicable.

5. If incorporated specify (a) Date of filing articles of incorporation,  
(b) State in which incorporated,

(a) August 27, 1998, amended September 9, 2002

(b) Delaware

6. Ohio certificate number, case number granting authority and date issued.

Renewal Certificate Number 00-003(4), Case Number 00-1717-EL-CRS, issued on October 26, 2006.

7. State whether or not the respondent during the year conducted any part of its business under a name or names other than that shown on Title Page. If so, give full particulars.

None.

8. Description of Ohio service territory served by respondent.

During 2007, CNE provided services in Duke Energy Ohio's service territory.

## IMPORTANT CHANGES DURING THE YEAR

Report important changes of the types listed. Except as otherwise indicated, data furnished should apply to the same period the report covers. Answers should be numbered in accordance with the inquiries and if "none" states the fact, it should be used. If information, which answers an inquiry, is given elsewhere in the report, identification of the other answer will be sufficient.

1. Changes in ownership or control (shareholders holding 5% or more of outstanding stock).

None.

2. Other important changes: Give brief particulars of each other important change, which is not disclosed elsewhere in this report.

None.

\*Please note any material changes that occurred during the year are also required to be filed in the respective CRES case docket (EL-CRS, EL-AGG, EL-GAG) pursuant to CRES Rule 4901:1-24-20.

**STATEMENT OF INTRASTATE  
GROSS RECEIPTS AND KWH SALES**

<b>Customer Class</b>	<b>Sales (kWh)</b>	<b>Earnings(\$)</b>
Residential	0	0
Commercial	364,907,136	\$20,560,850.63
Industrial	22,880,033	\$1,657,878.48
Other	0	0
<b>Total</b>	387,787,169	\$22,218,729.11

Instructions:

This information is used for PUCO annual assessment purposes pursuant to Section 4905.10, Revised Code. The reporting company shall report its intrastate gross earnings for the provision of retail services (e.g. Retail Electric Generation, Broker, Marketer, Governmental Aggregator) for which it is subject to certification by the PUCO under Section 4928, Revised Code. In addition, power providers please provide all corresponding sales of kilowatt hours of electricity. Sales of kilowatt hours of electricity are deemed to occur at the meter of the retail customer.

The reporting company shall maintain supporting and/or subsidiary records to separately record receipts and sales of electricity derived from operations other than in Ohio. Information presented herein is subject to audit by the PUCO.

**COMPANY CONTACTS**

**IN ORDER TO ENSURE THAT PUCO CORRESPONDENCE IS DIRECTED TO THE APPROPRIATE PERSON AT THE CORRECT ADDRESS, PLEASE COMPLETE THE FOLLOWING.**

<b>Name, Title, Address, and Phone Number of the Company's Contact Persons To Receive Entries and Orders from the Docketing Division</b>
--

David I. Fein	Vice President, Energy Policy - Midwest
Name	Title
550 W. Washington Blvd., Suite 300, Chicago, IL 60661	
Address	
312-704-8499	
Phone Number (Including Area Code)	
david.fein@constellation.com	
E-Mail Address	

<b>Name, Title, Address, and Phone Number of Person to whom Invoice Should be directed</b>
--

David I. Fein	Vice President, Energy Policy - Midwest
Name	Title
550 W. Washington Blvd., Suite 300, Chicago, IL 60661	
Address	
312-704-8499	
Phone Number (Including Area Code)	

<b>Name and Address of the President</b>
--

Michael P. Kagan	President, Constellation NewEnergy, Inc.
Name	President
111 Market Place, 12 <sup>th</sup> Floor, Baltimore, MD 21202	
Address	

**VERIFICATION**

The President or Chief Officer of the company must verify the foregoing report. The oath required may be taken before any person authorized to administer an oath by the laws of the State in which the same is taken.

**OATH**

State of Maryland \_\_\_\_\_

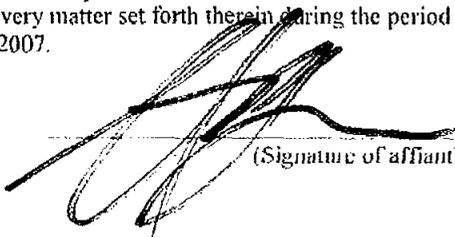
*City*  
County of *Baltimore* \_\_\_\_\_

Michael P. Kagan \_\_\_\_\_ makes oath and says that  
(Insert here the name of the affiant)

he is President \_\_\_\_\_  
(Insert here the official title of deponent)

of Constellation NewEnergy, Inc. \_\_\_\_\_  
(Insert here the exact legal title or name of the respondent)

that he has examined the foregoing report; that to the best of his knowledge, information, and belief, all statements of fact contained in the said report are true and the said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from and including January 1, 2007, to and including December 31, 2007.

  
\_\_\_\_\_  
(Signature of affiant)

**ELLEN E. TRIPPE**  
NOTARY PUBLIC  
BALTIMORE CITY  
MARYLAND  
MY COMMISSION EXPIRES JAN. 1, 2010