



**COMMONWEALTH OF PENNSYLVANIA**  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120

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- General Information, including how to file and definitions

### Definitions

- Suppliers / Aggregators / Brokers / Marketers

All natural gas supplier (NGS) applicants must complete ALL parts of the NGS application. Pennsylvania Consolidated Statutes, Title 66 Pa. C.S. Section 2202 defines the licensing categories at the following link:

<https://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&tli=66&div=0&chpt=22&sctn=2&subsctn=0> Commission Orders or Secretarial Letters issued in response to applications seeking to provide such services will reflect appropriate language.

- Nontraditional Marketers

A nontraditional marketer is not required to obtain an NGS license. Per 52 Pa. Code § 62.101, a nontraditional marketer is defined as a community-based organization, civic, fraternal or business association, or common interest group that works with a licensed NGS as an agent to market natural gas service to its members or constituents. A nontraditional marketer may not require its members or constituents to obtain its natural gas service through a specific licensed NGS.

- Non-selling Marketer

A non-selling marketer is not required to obtain an NGS license. Per 52 Pa. Code § 62.101, a non-selling marketer is an individual or commercial entity, such as a telemarketing firm, door-to-door salesman or company, or auction-type website, **under contract to a single licensed NGS**, that provides marketing services to retail customers for natural gas supply services. However, any individual or commercial entity under contract to multiple NGS entities must obtain an NGS license.

Q. Is information disclosed in the NGS Application considered public information?

A. Yes. All information disclosed within the Application is considered public information unless specifically labeled confidential.

Q. What is Efiling?

A. The Commission uses an Efiling system that accepts all public documents and **strongly** recommends applicants open an Efiling account through the Commission's website at <http://www.puc.pa.gov/efiling/default.aspx> and follow the instructions. Use of the Efiling system

will ensure that submissions by the Applicant are received timely and receipt can be verified. Also, see 52 Pa. Code Chapters 1 and 5.

Q. Can I Efile my Application if it contains confidential information?

A. The Applicant can Efile the **public** part of the Application but is required to separately file the confidential portion by overnight delivery and mark the information as “CONFIDENTIAL” and reference the Applicant’s name and the e-filing confirmation page or submit any confidential information to the Secretary’s SharePoint File system (applicants should contact the Secretary’s Bureau in advance to gain access to the SharePoint File system.)

Q. What is the mailing address for the Secretary’s Bureau?

A. Pennsylvania Public Utility Commission  
Secretary’s Bureau  
400 North Street, Keystone Building  
Harrisburg, PA 17120

Q. How accurate does the applicant’s name need to be when written throughout the Application?

A. The applicant’s name **must** match the Pennsylvania Department of State’s listing **EXACTLY**, including punctuation, capitalization, spacing, etc. For example, for Application purposes, ABC, LLC is not the same as ABC LLC or Abc, LLC.

Q. Will an Application be rejected if it is not filled out completely?

A. If the Application is missing information (see Section 14 Checklist), it may be held for processing by the Public Utility Commission until the missing information is received.

If some of the information provided is incomplete or unclear, the Public Utility Commission’s staff may issue deficiency letters or data requests with a due date. If the applicant does not adequately and timely respond, the Commission may reject or deny the Application.

Q. Are NGS Broker/Marketers required to completely fill out the Application?

A. NGS Broker/Marketers must complete all applicable sections of the Application. Any NGS Supplier only or NGS Broker/Marketer only questions will be clearly marked.

Q. Is there an NGS Application filing fee?

A. All applicants are required to provide a \$350 filing fee with each Application. The \$350 filing fee must be in the form of a certified check or money order payable to the “Commonwealth of PA”.

- Q. What is the typical NGS Application processing timeframe?
- A. The length of time is dependent on the level of completeness of the Application and the applicant's adequate and timely responses to Commission deficiency letters and data request(s). Applications are **usually** approved within 90 – 120 days.

- Identification and Contact Information (Section 1)

- Q. In Section 1.d, the Application requests attorney information. What if the applicant does not have an attorney?
- A. Applicants are not required to utilize an attorney. If the applicant utilizes an attorney, please list their name, title, physical address, telephone number, and email address.
- Q. In Section 1.e, the Application requests the contact information for a person and an alternate person. Do I have to provide this? What if the applicant is the only person in the entity?
- A. All applicants must provide a primary and an alternate contact, including their complete name, title, physical address, telephone number, and email address.

- Business Entity Filings and Registration (Section 2)

- Q. How do I determine if my company is a domestic or a foreign entity?
- A. A domestic entity is an entity created in the Commonwealth of Pennsylvania. A foreign entity is an entity created outside of the Commonwealth of Pennsylvania.
- Q. Do I have to list the names and addresses of my entity's officers even though they are mentioned in several locations in the Application?
- A. Yes. The applicant must fill out the Application in its entirety.

- Affiliates and Predecessors (Section 3)

Q. What constitutes an Affiliate?

A. For Application purposes, any parent companies, all subsidiaries, and all companies with common ownership to the applicant are considered affiliates.

Q. What if I don't have any Affiliates or Predecessors?

A. Applicant should write "None" in these sections.

- Operations (Section 4)

Q. What if, in addition to Natural Gas Supplier services, I am doing additional business in PA?

A. Applicant must identify the nature of all services being rendered in the Commonwealth of Pennsylvania. If the applicant has an Electric Generation Supplier license in the Commonwealth of PA, they should include that information in this section along with the Docket Number.

- Compliance (Section 5)

Q. In Section 5, the Application requests criminal or regulatory proceedings or actions. What if I do not have any?

A. If the applicant does not have any criminal or regulatory proceeding or actions, please indicate that neither the applicant nor any people named in the Application have any criminal or civil/regulatory proceedings to list for the past five years. Please note, Not Applicable (N/A) is not an acceptable response.

Q. What if I had an NGS or EGS license previously cancelled in Pennsylvania, do I have to state it here?

A. The applicant must include this information in this section. If the applicant does not answer each question truthfully, the Application may be denied.

- Proof of Service (Section 6)

Q. In Section 6, the Application requests Proof of Service. What does that mean?

A. Providing service simply means the applicant must send a copy of the Application (not including Confidential documentation) to each of the entities listed in this section. Once sent, the applicant must complete the Certificate of Service (Appendix C) demonstrating the requirement has been met.

Q. What happens if I do not want to send my non-confidential information to the entities listed in this section?

A. The Application may be denied.

- Financial Fitness (Section 7)

- a. Bonding

Q. What are the bonding requirements for an NGS applicant?

A. The PUC requires NGS brokers and suppliers to provide bonding letters for each Pennsylvania Natural Gas Distribution Company (NGDC) for which the applicant proposes to provide service in. The NGDC determines the amount and form of such bond or other security required from the applicant to ensure the financial responsibility of the NGS. The NGDC, not the PUC, is responsible for maintaining NGS bonding requirements.

Q. How is proof of compliance with the bonding requirement provided?

A. The applicant must provide the PUC a bonding letter from each NGDC stating what bond amount, if any, is required from the applicant.

Q. What amount of financial security is required?

A. The criteria used to determine the amount and form of the bond or other security shall be set and maintained by each NGDC.

Q. Where is the contact information located for each NGDC?

A. The contact information for each NGDC can be found in Section 6.b of the NGS Application.

b. Financial Records, Statements, and Ratings

- Q. In Section 7.b, the Application lists several types of financial fitness documentation. Do I need to provide all the listed items?
- A. The applicant must provide enough financial fitness documentation for Commission staff to make a determination that the applicant is financially fit to operate in the Commonwealth of Pennsylvania.
- Q. In Section 7.b, the Application lists several types of financial fitness documentation. If my company does not have financial information, may I submit financial information for my parent company?
- A. If the applicant does not have its own financial information, it may submit financial information for its parent. In this instance, the applicant must submit a notarized letter from its parent company in which the parent company takes full financial responsibility for the applicant.

• Technical Fitness (Section 8)

- Q. In Section 8.a, the Application lists several types of technical fitness documentation. Do I need to provide all the listed items?
- A. The applicant must provide enough technical fitness documentation for Commission staff to make a determination that the applicant is technically fit to operate in Pennsylvania.
- Q. In Section 8.a, the Application lists several types of technical fitness documentation. What types of technical information do successful applicants typically provide?
- A. Successful applicants typically provide at least the applicant's experience in the energy industry, a business plan, supplier licenses from other states or commonwealths, and detailed résumés (see Section 8.e Officers).
- Q. In Section 8.a, the Application lists several types of technical fitness documentation. If my company does not have the requisite technical fitness, may I use a subcontractor to meet the technical fitness standards?
- A. If the applicant does not have its own technical fitness information, it may utilize a subcontractor to establish its technical fitness. In this instance, the applicant must submit enough technical fitness information for the subcontractor (résumés, company information, company history, etc.) to demonstrate the subcontractor's ability to provide these services. The applicant must also submit an executed contract between itself and the subcontractor.
- Q. What if I do not have any of the items listed in Section 8.a?
- A. If the applicant does not have any of the items listed in Section 8.a, explicitly state as such.

- Disclosure Statements (Section 9)

Q. In Section 9, the Application requires a Disclosure Statement for suppliers proposing to serve Residential and/or Small Commercial customers. Can I file this document as “Confidential”?

A. Disclosure Statements may not be submitted in their entirety as Confidential. However, market sensitive information such as price can be marked Confidential.

Q. Who do I need to contact to get my Disclosure Statement approved?

A. The Disclosure Statement should be submitted along with the Application. It will be provided internally to the Commission’s Bureau of Consumer Services (BCS). BCS may contact the applicant to request revisions. Once the Disclosure Statement is approved by BCS, the applicant must submit a final approved version of the Disclosure Statement to the Secretary’s Bureau before the Application may be approved.

- Verifications, Acknowledgements, and Agreements (Section 10)

Q. What happens if I don’t agree with some of these statements?

A. The Application may be denied.

Q. What happens if I change the wording to some of these statements, for any reason?

A. The Application may be denied.

- Affidavits (Section 11)

Q. What should be entered for the Commonwealth/State, the state where I am when signing the affidavits or the Commonwealth/State my company was formed in?

A. The applicant should list the Commonwealth/State in which the affidavit is signed and notarized.

Q. What is an Affiant?

A. The Affiant is the person authorized to sign the Affidavits and legally bind the company. The space for Affiant should include the name of the entity’s officer, and the space for Office of Affiant should include the person’s position at the company.



- Q. What do I put in the “Name of Applicant” blank?
- A. The “Name of Applicant” blank should list the applicant’s company name. The applicant should ensure that it uses the proper legal name registered with the PA Department of State (see [General and Important Notes](#) section, above).
- Q. As a broker/marketer, may I change these to remove the parts that seem applicable to suppliers only?
- A. The provided Affidavits may not be edited or changed.
- Newspaper Publications (Section 12)
- Q. In Section 12, the Application requests ads be published in certain newspaper publications. Should I run the ads before or after I submit my Application to the Commission?
- A. Newspaper publications should be submitted **AFTER** the Application is submitted to the Commission because the publications **MUST** include a Commission issued Docket Number. Docket numbers are issued to new applicants when an application is submitted to the PUC’s Secretary’s Bureau. Newspaper publications published without a Commission issued Docket No. **will be rejected.**
- Q. In Section 12, the Application requests that I run ads in certain newspaper publications. Can I run my ads in different newspapers?
- A. Applicants may only publish in newspapers listed in Section 12 of the Application. No other newspaper publications will be accepted.
- Q. In Section 12, the Application requests that I run ads in certain newspaper publications. Can I run my ads for these newspapers online?
- A. Applicants must publish in these newspapers as hard-copy.
- Q. How do I provide notarized proof of the newspaper publications?
- A. Applicant should request Notarized Proofs of Publication from the newspapers when they place the ads.
- Q. Can applicants combine the newspaper publications if an applicant is applying for both an NGS and an EGS license?
- A. Yes. Newspaper publication templates for combined NGS and EGS applicants are provided in Appendix G in the NGS Application.

Q. Can an applicant change or shorten the wording in the newspaper publication template?

A. Applicants must follow the templates for newspaper publication to ensure compliance with the regulations or the Application may be denied.