

Gas Division

9960 Corporate Campus Drive Suite 2000 Louisville, Kentucky 40223 502-426-4500

September 1, 2004

DOCKETE!

Mr. James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Keystone Building
400 North Street
2<sup>nd</sup> Floor, Room N201
Harrisburg, PA 17120

SEP 1 2004
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

# DOCUMENT FOLDER

Re: Request by Constellation NewEnergy-Gas Division to Amend Natural Gas Supplier License No. A-125095

Dear Secretary McNulty:

Constellation NewEnergy-Gas Division, LLC (CNE-Gas) is a licensed Natural Gas Supplier in the Commonwealth of Pennsylvania. CNE-Gas is authorized by the Pennsylvania Public Utility Commission (Commission) to provide natural gas services to the public within the service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, and UGI Utilities, Inc. CNE-Gas presently provides gas services only to industrial customers located in the service territories of these three utilities.

CNE-Gas respectfully requests that the Commission amend CNE-Gas' existing license to include Dominion Peoples. If approved, in addition to its present business activities CNE-Gas will solicit natural gas-related business only from industrial customers in Dominion Peoples' service territory. CNE-Gas does not presently offer such service to customers behind Dominion Peoples.

<sup>&</sup>lt;sup>1</sup> The initial license was granted in the name Alliance Energy Services Partnership (Alliance Energy) on April 5, 2001 for providing services in the service territories of the three utilities referenced herein. On April 28, 2004 the Commission approved the request by Alliance Energy to change the name on its license to Constellation NewEnergy-Gas Division, LLC.



Based upon discussion with Commission Staff, CNE-Gas understands that the following information is required to support our request:

- 1. Evidence that CNE-Gas has met the creditworthiness standards of Dominion Peoples. Enclosed is an electronic transmission (email) from Joseph Gregorini, Dominion Peoples, stating "Constellation NewEnergy Gas Division, LLC, has satisfied the creditworthiness requirements set forth under Paragraphs 6 and 7 of the Rules and Regulations of Dominion Peoples' Supplier Tariff." CNE-Gas is advised by Commission Staff that evidence in the form of an email is acceptable to the Commission.
- 2. Proof of publication in the newspapers distributed in the geographic area served by Dominion Peoples of notice of intent to provide natural gas and related services in the Dominion Peoples' service territory. Enclosed are copies of our initial newspaper notices in January 2001, including proof of notices published in the *Erie Daily Times* and *Pittsburgh Post-Gazette* (which are the two newspapers designated by the Commission as covering the territory of Dominion Peoples). Please note that the notice states our intent to "sell natural gas and related services throughout all of Pennsylvania." CNE-Gas is advised by Commission Staff that if the initial newspaper notice indicated intent to provide service statewide then a notice at this time to support the request herein is not required.

CNE-Gas respectfully requests that the Commission approve the request herein to amend the existing license of CNE-Gas to include Dominion Peoples as a utility service territory in which CNE-Gas is authorized to provide natural gas supply services.

Please contact Ralph Dennis at (502) 214-6378 if you have any questions.

Sincerely,

Ralph E. Dennis

Director, Regulatory Affairs

Kalph Dounis

Enclosures

### Ralph Dennis

From:

Joseph\_A.\_Gregorini@dom.com

Sent:

Wednesday, September 01, 2004 10:14 AM

To: Subject: rdennis@knowledgeinenergy.com Credit - Constellation NewEnergy

Dear Mr. Dennis:

This email serves as notification that Constellation NewEnergy - Gas Division, LLC, has satisfied the creditworthiness requirements set forth under Paragraphs 6 and 7 of the Rules and Regulations of Dominion Peoples' Supplier Tariff.

If you have any questions feel free to contact me.

Sincerely,

Joseph Gregorini Manager, Pricing and Regulatory Affairs Dominion Peoples Interoffice - 8-600-6851 412-497-6851

#### OATH of PUBLICATION In THE ERIE TIMES-NEWS

#### COMBINATION EDITION

ALLIANCE ENERGY SERVICES 9300 SHELBYVILLE RD LOUISVILLE KY 40222-5145

REFERENCE: L001869 Cherry Burch

0000178921 PENNSYLVANIAPUBLICUT

STATE OF PENNSYLVANIA)
COUNTY OF ERIE ) SS:

Michael Mead being duly sworn, deposes and says that he is the Publisher of the Times Publishing Company, which publishes: the Erie TImes-News, established October 2,2000, a daily newspaper of general circulation, successor, by consolidation, of the Morning News, established January 1957, and the Erie Daily Times, established April 1888, daily newspapers of general circulation, and published at Erie, Erie County, Pennsylvania, and that the notice of which the attached is a copy cut from said newspaper, was printed and published, in the regular editions of said newspaper of the dates referred to below. Affiant further deposes that he is duly authorized by the TIMES PUBLISHING COMPANY, publisher of The Erie Times-News to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 01/19



TOTAL COST: FILED ON:

146.44

01/19/01

AD SPACE: 67 LINE

Sworn to and subscribed before me this

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7 OF MINANTE 2

2001 Affiant:

NOTARY: /

DOCUMENT

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE PENNSYLVANIA FUBEIT
UTILITY COMMISSION
NOTICE
Application of Alliance Energy Services
(dDya
'Alliance Energy Services') For Approval To Ofter, Render, Furnish Natural Gas Supply Services
(os.a Marketer/Broker enegaged in The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-125095.
On October 26, 2000, Alliance Energy Services
(filed an application with the Pennsylvania Public Utility Tommission)
(PEUC!) For a license to provide indural gas supply services of Supply in an artural gas, and (3) on aggregator engaged in the business of supply in an artural gas and (3) on aggregator engaged in the business of supply in a supply gravice of providing natural gas supply in graving supply in graving supply services.
Alliance Energy Services aggregator engage in the business of providing natjural, gas supply services.
Alliance Energy Services of proposes to sell natural, gas and related services throughout all of Pennsylvania under the provisionstof the new Natural gas Choice and Competition Act.
The PUC amay consider this application without a hearing. Protests directed to the technical or financial fitness of Alliance Energy. Services may be directed to this notice with the Secretary of the PUC, Pio. Box 3265, Harrisburg, PA 17105-3265, You should send copies of any burg, PA 17103-3265. You should send capies of any protest in Alliance Energy. Services lattorney of the address-listed below. Please linclude the PUC's dacket number on any correspondence; which is A-1250955.

By and through Counsel: W. Thomas Harbiselb, Jr. Stites & Harbison 400 West Market Street. Suite 1800

Louisville IKY-40202. Phone: (502) 587-3400

Fax: (502) 587-3401

(178921-NT-19)

NOTAPIAL SEAL
MARYBETH SWOGEN, NOTARY PUBLIC
ERIE, ERIE COUNTY, PENNA.
MY COMMISSION EXPIRES OCT. 8, 2883

Proof of Publication of Notice in Post-Gazette Under Act No. 587. Approved May 16, 1939. P.L. 1784. as last amended by Act No. 409 of September 29, 1951 Commonwealth of Pennsylvania. Compro of Allegheny, ss. A. Blanchard and says that the Post-Gazette. a newspaper of general circulation published in the City of Pirisburgh. County and Commonwealth aforesaid, was established in 1927 by the merging of the Pirisburgh Dazette established in 1960 and the Pirisburgh Post-Gazette was established in 1927 by the merging of the Pirisburgh Gazette established in 1986 and the Pirisburgh Gazette established in 1987 as printed and published in the Gazette a newspaper of general circulation on the following dates. viz.  January 18, 2001  Affian further deposes that he/she is an agent for the PG Publishing Company. a corporation and publisher of the Post-Gazette; that, as such agent, affiant is duly authorized to verify the foregoing statement under oath the afforesaid notice or publication is attached hereto exactly as the foregoing statement as to time, place and character of publication are true.  COPY OF NOTICE OR PUBLICATION  The property of the published of Notation of the Post-Gazette; that, as such agent, affiant is duly authorized to verify the foregoing statement under oath: a foregoing statement as to time, place and character of publication are true.  COPY OF NOTICE OR PUBLICATION  The published of the published of the published of Notation of the published of the	•		No	Term. 19
Commonwealth of Pennsylvania. County of Allegheny ss: A. Blanchard heing duly sworn, deposes and says that the Post-Gazette. a newspaper of general circulation published in the City of Pittsburgh. County and Commonwealth aforesaid, was established in 1930 and the Post-Gazette was established in 1936 and the Pittsburgh Post-Gazette was established in 1936 and the Pittsburgh Post-Gazette was established in 1937 by the merging of the Pittsburgh Gazette established in 1936 and the Pittsburgh Post-Gazette was established in 1937 by the merging of the Pittsburgh Gazette established in 1937 by the merging of the Pittsburgh Gazette established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established in 1937 by the merging of the Pittsburgh Gazette was established by the G	Proof	of Publication	of Notice in	Post-Gazette
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Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Post-Gazette: that, as such agent, affiant is duly authorized to verify the foregoing statement under oath; that affiant is not interested in the subject matter of the aforesaid notice or publication; and that all allegations in the foregoing statement as to time, place and character of publication are true.  COPY OF NOTICE OR PUBLICATION  COMMISSIONIDATE TO THE PUBLICATION  Sworm to and subscribed before me this day of: February 16, 2001  Many E. Wezonegoper, Notary Publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.  COPY OF NOTICE OR PUBLICATION  Sworm to and subscribed before me this day of: February 16, 2001  Many E. Wezonegoper, Notary Publication, and the property of the propert	and says that the Post-Gaze and Commonwealth aforesa in 1960 and the Pittsburgh lished in 1786 and the Pit regularly issued in said Cou the same was printed and put Gazette a newspaper of gene	ette, a newspaper of ger aid, was established in 19 Post-Gazette was establi- itsburgh Post, established anty and that a copy of s	neral circulation publication publications and the Post-Gazet shed in 1927 by the model in 1842, since which aid printed notice or p	shed in the City of Pittsburgh. County the and Sun-Telegraph was established erging of the Pittsburgh Gazette established the the said Post-Gazette has been ublication is attached hereto exactly as
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Attorney for

# PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

ee.

COUNTY OF LYCON	IING 55.	
John A. Fusco _	Publisher of the Sun-Gazette Company, publishers of the Williamsport,	
Sun-Gazette, successor to	the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of gened at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn,	
deposes and says that the	e Williamsport Sun was established in 1870 and the Gazette & Bulletin was established the Gazette williamsport Sun-Gazette has been regularly issued	
and published in the Cou	nty of Lycoming aforesaid, and that a copy of the printed notice is attached hereto	
exactly as the same was p	printed and published in the regular editions and issues of said Williamsport Sun-	
Gazette on the following	lates, viz:	
	Janeary 19, 2001	
Affiant further	deposes that he is an officer duly authorized by the Sun-Gazette Company, pub-	
lisher of the Williamspor	t Sun-Gazette, to verify the foregoing statement under oath and also declares that n the subject matter of the aforesaid notice of publication, and that all the allega-	
tions in the foregoing star	tement as to time, place and character of publication are true.	
PENNSYLVANIA PUBLIC	· Charles	
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Aggregator Engaged In The Business of Supplying Natural Gas Supply Samuel	Courty le truerreure	
Business of Supplying Natural Business of Supplying Natural Gas Supply Services To The Public (In The Commonwealth) Of Sensylvania, Docker Number A 12995	Notary Public	
Number A-125095	NOTARIAL SEAL	
On October 26, 2000, Alliance Energy Services filed an appli- cation with the Pennsylvania	CATHY A. LIVERADRE, Notery Public Williamsport, Lycoming County	
Public Utility: Commission ("PUC") for a license to pro-	My Commission Expires May 12, 2009	
vide natural gas supply services (as (1) a supplier, of natural gas)		
(2) atbroker/marketer, engaged in the business of supplying natural gas, and (3) an aggregation	STATEMENT OF ADVERTISING COSTS	
Providing natural age of the		
vices. Alliance Energy Services proposes to sell individual gas and related services throughout all	·	
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Choice and Competition Act	To the Sun-Gazette Company, Dr.	
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dence, which is A-125095. By and through Counsel: W. Thomas Halblcib, Jr.	- ACLINENT	
STITES & HARBISON 4	DOCOMETA.	
Louisville, KY 40202	DOCUMENT FOLDER	
(502)587-3400 (502)587-6391		



" whe Scranton wimes

PENN AVENUE AT SPRUCE STREET • P.O. BOX n • SCRANTON, PA 18505-3311

PHONE (570) 348-9100

7 BILLED/ACCOUNT NO:

186862

5 GB PERIOD: 5 3 BILLING DATE

# BILLED/ACCOUNT

ALLIANCE ENERGY SERVICES ATTN CHERRI 9300 SHELBYVILLE RD STE 810 LOUISVILLE KY 40222

6 TERMS OF PAYMENT SEE OTHER SIDE

/18/01 DEGAL BILL 13 10 REFERENCE NUMBER: TIMES BILLED GROSS CHARGES OR/CREDITS SAU/
DESCRIPTION/PRODUCT CODE DIMENSIONS NET AMOUNT 198.83 2.7 PA UTILITY COMM NOT 1 71.00 1064278 ICE 5.00 1064278 AFF. 1/18/01 1 8 UNDER ACT P.L. 877 NO. 160, JULY 9,1976) THE SCRANTON TIMES COUNTY OF LACKAWANNA COMMONWEALTH OF PENNSYLVANIA BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS CARÒLYN TIMLIN , OWNER AND PUBLISHER OF THAT SHE IS ACCOUNTING CLERK FOR THE SCRANTON TIME\$ , A NEWSPAPER OF GENERAL CIRCULATION, ESTABLISHED IN 1870, THE SCRANTON TIMES COUNTY AND STATE AFORESAID, AND THAT PUBLISHED IN THE CITY OF SCRANTON IS EXACTLY AS PRINTED IN THE THE PRINTED NOTICE OR PUBLICATION HERETO ATTACHED on the following dates, REGULAR EDITIONS OF THE SAID NEWSPAPER VIZ : 1/18/01 THAT NEITHER THE AFFIANT NOR AFFIANT FURTHER DEPOSES AND SAYS IS INTERESTED IN THE SUBJECT MATTER OF THE AFORESAID THE SCRANTON TIMES NOTICE OR ADVERTISEMENT AND THAT ALL ALLEGATIONS IN THE FOREGOING STATEMENT, AS TIME, PLACE AND CHARACTER OF PUBLICATION ARE TRUE A M/D/ SUBSCRIBED TO BEFORE SWORN ΜE LEGAL NOTICE APPENDSYLVANIA PUBLIC UTILITY THIS 19 DAY JAN. 001 B mar (NOTARY PUBLIC) COMMISSION Notarial Seal Application of Alliance
Energy Services (Id/b/a)
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REMITTANCE ADVICE

DETACH AND RETER

Alliance Williance Willian

PENN AVENUE AT SPRUCE STREET • P.O. BOX 3 The PUC may consider this application without a period period period consider this application without a hearing: Protests directed to the technical or financial fitness of Alliance Energy Services may be filled within 15 days of the

186862

H YOUR PAYMENT

18505-3311

ural: gas supply services Alliance & Energy

### Proof of Publication in The Philadelphia Inquirer Under Act. No 160, P.L. 877, July 9, 1976

STATE OF PENNSYLVANIA **COUNTY OF PHILADELPHIA** 

Anna Dickerson being duly sworn, deposes and says that The Philadelphia Inquirer is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates:

January 19th, 2001.

Affiant further deposes and says that he is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that he is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

annadickerson

Sworn to and subscribed before me this 19<sup>th</sup> day of January, 2001.

My Commission Expires:

NOTARIAL SEAL Margaret C. Ruchalski, Notary Public City of Philadelphia, Phila. County My Commission Expires May 27, 2002 Copy of Notice of Publication

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE
Opilication of (Alllanco Energy Services (d/b/a
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g Natural Gas Supply Services; 10 the Camonowalth of Pennsylvania; Docket No: A 1 October 26; 2000; Alliance Energy Service location with the Pennsylvania Public Utility ((PUC)) for a license to provide natural gicestas (1) a supplier of natural gas. (2) a

s of any protestic American the address listed below. Please include the ket number," on any correspondence, which

Stites & Harbison 3400 West Market Street Suite 1800

## THE PATRIOT NEWS SUNDAY PATRIOT NEWS THE

#### Proof of Publication

Under Act No. 587, Approved May 16, 1929

Commonwealth of Pennsylvania, County of Dauphin) ss

Michael Morrow being duly sworn according to law, deposes and says:

That he is the Asst. Controller of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 812 to 818 Market Street, in the City of Harrisburg, County of Dauphin, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 812 to 818 Market Street, in the City, County and State aforesaid; that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since:

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/ Metro editions which appeared on the 19th day(s) of January 2001. That neither he nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

That he has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

#### PUBLICATION COPY

Miscellaneous Notices :

PENNSYLVANIA PUBLIC UTILITY

Phone: (502) 587-3400% Fax: (502) 587-6391

Sworn to and subscribed before me this 19th day of January 2001 A.D.

Notarial Seal Terry L. Russell, Notary Public

Notarial Seal
Terry L. Russell, Notary Public
Harrisburg, Dauphin County
My commission expires June 6, 2002

Member, Pennsylvania Association of Notaries
Suspily Services as a Marketer / Broker, enServices of Marketer / B

