



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE
A-2016-2558553

October 7, 2016

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of Fair View Energy, Inc. for Approval to Offer to Supply Electricity or Electric Generation Services as a Broker/Marketer to the Public in the Commonwealth of Pennsylvania
Docket No. A-2016-2558553

Dear Secretary Chiavetta:

On July 25, 2016, Fair View Energy, Inc. ("Fair View") filed an application with the Pennsylvania Public Utility Commission ("Commission") for an electric generation supplier ("EGS") license at the above-referenced docket. The application was protested by Front Line Power Solutions, LLC ("Front Line Power") and the proceeding was assigned to the Commission's Office of Administrative Law Judge.

On August 26, 2016, Fair View filed a letter requesting expedited treatment of this matter. Shortly thereafter, an Initial Hearing was scheduled for September 26, 2016 regarding Fair View's EGS application.

In its Prehearing Memorandum submitted on September 19, 2016, Fair View reiterated its request that this matter be treated expeditiously and proposed an accelerated litigation schedule. Also on September 19, 2016, Front Line Power advised by letter of the same date that it "declines the opportunity to attend, participate in, and present evidence" in the above matter.

Given that Front Line Power no longer contested the application, the Initial Hearing scheduled for September 26, 2016 was cancelled and the presiding Administrative Law Judge issued an Order referring the matter to the Commission's Bureau of Technical Utility Services.

On October 3, 2016, Fair View filed a letter requesting that the Commission "adjudicate the application at the public meeting scheduled for October 27, 2016."

The Bureau of Investigation and Enforcement (“I&E”) supports the expedited treatment of the instant EGS application matter as proposed by Fair View.¹ I&E did not formally intervene in the proceeding and, as such, does not take a position with regard to the merits of the application.

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Stephanie M. Wimer
Prosecutor
PA Attorney ID No. 207522

Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

cc: As per Certificate of Service

¹ On May 25, 2016, I&E filed a Formal Complaint (“Complaint”) against Fair View at Docket No. C-2016-2547502 alleging that Fair View violated 66 Pa.C.S. § 2809 and 52 Pa. Code § 54.32(a) by brokering electric energy to commercial customers in Pennsylvania without a license. I&E and Fair View amicably resolved all issues related to I&E’s Complaint proceeding and filed a Joint Settlement Petition on October 7, 2016. I&E hereby submits the instant letter pursuant to a specific provision of the Settlement. *See* ¶ 40(c) of the Joint Settlement Petition.

APPLICATION OF FAIR VIEW ENERGY, INC. :
FOR APPROVAL TO OFFER TO SUPPLY :
ELECTRICITY OR ELECTRIC GENERATION :
SERVICES AS A BROKER/MARKETER TO :
THE PUBLIC IN THE COMMONWEALTH :
OF PENNSYLVANIA :

DOCKET NO. A-2016-2558553

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by First Class Mail and Email:

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Dated: October 7, 2016