



THE BRIGHTER ENERGY CHOICE

5/10/2010

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
PO Box 3265 Harrisburg, PA 17015

RECEIVED

MAY 11 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Electric Supplier License Application

Dear Pennsylvania PUC,

The electric supply license application included is complete and originals are included. There is one copy of the application and a digital copy stored on a memory stick. This application was submitted in November 2009 with a couple items missing. The letter associated with the returned application is included for your records. Please note that some changes have been made the application from the original submission and all missing items are now included.

Thank you for your consideration on this application and North American Power looks forward to conducting business in Pennsylvania.

Sincerely,

Chris Sattler

Chief Operating Officer

11 North Main Street
Norwalk, CT 06854
p: 203.555.5555
f: 203.555.5555

napower.com

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of North American Power and Gas LLC, d/b/a North American Power and Gas LLC, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) [as specified in item #8 below] to the public in the Commonwealth of Pennsylvania.

To the Pennsylvania Public Utility Commission:

1. **IDENTITY OF THE APPLICANT:** The name, address, telephone number, and FAX number of the Applicant are:

**North American Power and Gas LLC
11 North Main St.
South Norwalk CT 06854
(888) 313-9086
(203) 643-2078 Fax**

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Please identify any predecessor(s) of the Applicant and provide other names under which the Applicant has operated within the preceding five (5) years, including name, address, and telephone number.

The company is a newly formed entity. There are no predecessors.

2. a. **CONTACT PERSON:** The name, title, address, telephone number, and FAX number of the person to whom questions about this Application should be addressed are:

**Chris Sattler
Chief Operating Officer
11 North Main St
South Norwalk CT 06854
(203) 500 9905
(203) 643-2078**

- b. **CONTACT PERSON-PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:** The name, title, address telephone number and FAX number of the person with whom contact should be made by PEMA:

**Chris Sattler
Chief Operating Officer
11 North Main St
South Norwalk CT 06854
(203) 500 9905
(203) 643-2078**

- 3.a. **ATTORNEY:** If applicable, the name, address, telephone number, and FAX number of the Applicant's attorney are:

Not Applicable

b. REGISTERED AGENT: If the Applicant does not maintain a principal office in the Commonwealth, the required name, address, telephone number and FAX number of the Applicant's Registered Agent in the Commonwealth are:

AAAgent Services LLC
300 N. 2nd St. Suite 630
Harrisburg PA 17101
(717) 232-5565 Phone
(717) 232-6248 Fax

4. **FICTITIOUS NAME:** (select and complete appropriate statement)

The Applicant will be using a fictitious name or doing business as ("d/b/a"):

Attach to the Application a copy of the Applicant's filing with the Commonwealth's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

OR

The Applicant will not be using a fictitious name.

5. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:** (select and complete appropriate statement)

The Applicant is a sole proprietor.

If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

OR

The Applicant is a:

- domestic general partnership (*)
- domestic limited partnership (15 Pa. C.S. §8511)
- foreign general or limited partnership (15 Pa. C.S. §4124)
- domestic limited liability partnership (15 Pa. C.S. §8201)
- foreign limited liability general partnership (15 Pa. C.S. §8211)
- foreign limited liability limited partnership (15 Pa. C.S. §8211)

Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.

- * If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

or

- The Applicant is a :
- domestic corporation (none)
 - foreign corporation (15 Pa. C.S. §4124)
 - domestic limited liability company (15 Pa. C.S. §8913)
 - foreign limited liability company (15 Pa. C.S. §8981)
 - Other _____

Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation. **Please see attached Exhibit 5**

Give name and address of officers.

Kerry Breitbart
President
11 North Main St.
South Norwalk CT 06854

Carey Turnbull
Managing Director
11 North Main St.
South Norwalk CT 06854

Chris Sattler
Chief Operating Officer
11 North Main St.
South Norwalk CT 06854

The Applicant is incorporated in the state of **Deleware**.

6. **AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:** (select and complete appropriate statement)

- Affiliate(s) of the Applicant doing business in Pennsylvania are:

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

- If the Applicant or an affiliate has a predecessor who has done business within Pennsylvania, give name and address of the predecessor(s) and state whether the predecessor(s) were jurisdictional public utilities.

or

- The Applicant has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania.

7. **APPLICANT'S PRESENT OPERATIONS:** (select and complete the appropriate statement)

- The Applicant is presently doing business in Pennsylvania as a
- vertically-integrated provider of generation, transmission, and distribution services.
 - municipal electric corporation providing service outside its municipal limits.
 - electric cooperative
 - local gas distribution company
 - nonintegrated provider of electric generation, transmission or distribution services.
 - Other. (Identify the nature of service being rendered.)

or

- The Applicant is not presently doing business in Pennsylvania.

8. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

- Generator and supplier of electric power.
- Municipal generator and supplier of electric power.
- Electric Cooperative and supplier of electric power
- Broker/Marketer engaged in the business of supplying electricity.
- Aggregator engaged in the business of supplying electricity
- Other (Describe):

9. **PROPOSED SERVICES:** Generally describe the electric services or the electric generation services which the Applicant proposes to offer.

North American Power and Gas will target primarily residential customers within the first 12 months. North American Power and Gas will have online enrollment for these customers and commission based brokers to assist with marketing. The product will be a variable rate electric supply that will offer savings to the customer compared to the host utility. There will be no long term contract with these variable rate residential customers. North American will also market to commercial, industrial, and municipal accounts but the core business will be residential.

10. **SERVICE AREA:** Generally describe the geographic area in which Applicant proposes to offer services.

North American Power and Gas will operate in all areas of Pennsylvania. The areas with the most focus will be the areas serviced by utility companies that have expired rate caps. In these areas North American Power and Gas will be able to provide the largest savings to the customer.

11. **CUSTOMERS:** Applicant proposes to initially provide services to:

- Residential Customers
- Commercial Customers - (25 kW and Under)
- Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above
- Other (Describe):

12. **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number _____.
- Not applicable

13. **START DATE:** The Applicant proposes to begin delivering services on **June 1st 2010** (approximate date).

14. **NOTICE:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, serve a copy of the signed and verified Application with attachments on the following:

Irwin A. Popowsky
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

Office of the Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

William R. Lloyd, Jr.
Commerce Building, Suite 1102
Small Business Advocate
300 North Second Street
Harrisburg, PA 17101

Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

Any of the following Electric Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

Gary A. Jack, Assistant General Counsel
Duquesne Light Company
411 Seventh Street, MD 16-4
Pittsburgh, PA 15219

John P. Litz, Division Controller
UGI Utilities, Inc.
Electric Division
400 Stewart Road
P.O. Box 3200
Hanover Industrial Estates
Wilkes-Barre, PA 18773-3200

(Metropolitan Edison Company or Pennsylvania Electric Company)
Blaine W. Uplinger, Jr., Director of Governmental and Regulatory Affairs
FirstEnergy
100 APC Building
800 North third Street
Harrisburg, PA 17102-2025

Paul E. Russell, Associate
General Counsel
PPL
Two North Ninth Street
Allentown, PA 18108-1179

Carlo L. Ciabattoni, Manage Energy Acquisition
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699
215.841.4210
carlo.ciabattoni@exeloncorp.com

Stephen L. Feld, Attorney
Pennsylvania Power Company
First Energy Corporation
76 South Main Street
Akron, OH 44308

John L. Munsch, Attorney
Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601-1689

Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, attach Proof of Service of the Application and attachments upon the above named parties. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14.

15. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.

16. **COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, by name, subject and citation, dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

North American Power and Gas is not owned or does not employ anyone who has been convicted of a crime involving fraud or similar activity.

17. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION:** Electricity should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

a. **Contacts for Consumer Service and Complaints:** Provide the name, title, address, telephone number and FAX number of the person and an alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission or other agencies.

Chris Sattler
Chief Operating Officer
11 North Main St.
South Norwalk CT 06854
(203)500 9905 cell
(203) 643 2078 fax
(888) 313-9086 Toll Free

Or

Kerry Breitbart
President
11 North Main St.
South Norwalk CT 06854

(203) 858 0055 cell
(203) 226 9580 fax
(888) 313-9086 Toll Free

b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers.

Please see attached Forms Exhibit 17B

c. If proposing to serve Residential and/or Small Commercial (under 25 kW) customers, provide a disclosure statement. A sample disclosure statement is provided as Appendix C to this Application.

18. **BONDING:** In accordance with 66 PA. C.S. Section 2809(C) (1)(I), the Applicant is:

Furnishing a copy of initial bond , letter of credit or proof of bonding to the Commission in the amount of \$250,000. **Letter of Credit has been secured and copy is included Addendum 18**

Furnishing proof of other initial security for Commission approval, to ensure financial responsibility.

Filing for a modification to the \$250,000 and furnishing a copy of an initial bond, letter of credit or proof of bonding to the Commission for the amount of \$_____. Applicant is required to provide information supporting an amount less than \$250,000.

At the conclusion of Applicant's first year of operation it is the intention of the Commission to tie security bonds to a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. The amount of the security bond will be reviewed and adjusted on an annual basis.

19. **FINANCIAL FITNESS:**

A. Applicant shall provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

North American Power and Gas is a newly formed entity with no financial statements available. The entity was formed on 10/08/09. North American Power and Gas has raised \$1,000,000 in capital to begin operations. Exhibit 19A shows the bank account to verify these funds. Additional capital will be raised as needed in the form of private investments or lines of credit. There is no documentation available at this time to verify additional capital and the working capital in place is more than sufficient to begin operations. North American Power and Gas will operate with low overhead and relatively small forecasted load for the initial 6 months.

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.

<p>North American Power and Gas LLC (No Affiliates and/or holding companies)</p>

- Published parent company financial and credit information. **None Available**
- Applicant's balance sheet and income statement for the most recent fiscal year. Published financial information such as 10K's and 10Q's may be provided, if available. **See Addendum 19**
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form or other independent financial service reports.

North American Power and Gas does have a recently acquired DUNS number - 832461086

- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.

North American Power and Gas carries a \$2 million general liability insurance policy in addition to any regulated Financial Assurance requirements put forth by the host ISO or state PUC.

- Audited financial statements **None Available**
- Such other information that demonstrates Applicant's financial fitness. **Please see attached bank statement**

B. Applicant must provide the following information:

- Identify Applicant's chief officers including names and their professional resumes.

Please see Exhibit 19B

- Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records.

Tara Ashmore
Chief Financial Officer
11 North Main St.

South Norwalk CT 06854
(340) 642-8066
tara@napower.com
(203) 643-2078

20. **TECHNICAL FITNESS:** To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- The identity of the Applicant's officers directly responsible for operations, including names and their professional resumes.

Kerry Breitbart
President
11 North Main St.
South Norwalk CT 06854

Carey Turnbull
Managing Director
11 North Main St.
South Norwalk CT 06854

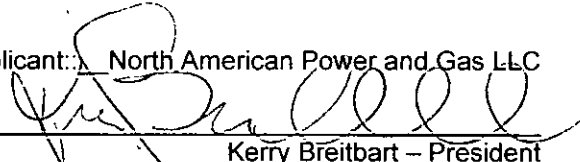
Resumes attached – Exhibit 20

- Proposed staffing and employee training commitments **North American Power and Gas will only have experienced energy experts on staff full time to handle the operations. There are two resumes attached to exemplify this philosophy. In addition any brokers who will be marketing for North American Power and Gas must attend a 2 day training session. This session will focus on regulatory issues. In addition there will be continued education and training sessions for anyone who is marketing for North American Power and Gas.**
- Business plans **(North American Power and Gas does not have a completed business plan to submit at this time.)**
- Documentation of membership in ECAR, MAAC or other regional reliability councils shall be submitted if applicable to the scope and nature of the applicant's proposed services. **Not Applicable**
- An affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. **All Affidavits attached**

21. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

22. **ASSESSMENT:** The Applicant acknowledges that Title 66, Chapter 5, Section 510 grants to the Commission the right to make assessments to recover regulatory expenses and that as a supplier of electricity or an electric generation supplier it will be assessed under that section of the Pennsylvania Code. The Applicant also acknowledges that the continuation of its license as a supplier of electricity or an electric generation supplier will be dependent upon the payment of all prior years assessments.

22. **ASSESSMENT:** The Applicant acknowledges that Title 66, Chapter 5, Section 510 grants to the Commission the right to make assessments to recover regulatory expenses and that as a supplier of electricity or an electric generation supplier it will be assessed under that section of the Pennsylvania Code. The Applicant also acknowledges that the continuation of its license as a supplier of electricity or an electric generation supplier will be dependent upon the payment of all prior years assessments.
23. **UNIFORM STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission.
24. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:
- a. Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
 - b. The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
 - c. Applicant shall report to the Commission the following information on an annual basis:
 - the percentages of total electricity supplied by each fuel source
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.**
25. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur in the information upon which the Commission relied in approving the original filing.
26. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.
27. **FEE:** The Applicant has enclosed the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

Applicant: North American Power and Gas LLC
By: 
Kerry Breitbart – President

AFFIDAVIT

[Commonwealth/State] of Connecticut :

ss. Weston

County of Fairfield :

Kerry Breitbart, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of North American Power and Gas (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]


That Kerry Breitbart, the Applicant herein certifies that it has caused the notice of the filing of its electric generation license application to be published in the following newspapers on

11/17/09
(date)

A copy of the notice as it appeared in each of the above newspapers is attached. Noted on each copy is the newspaper section (name, number or letter), if applicable, and the page number on which the notice appeared.

That Kerry Breitbart, the Applicant will submit to the Commission the proof of publication from each newspaper in which notice of the application filing was published as soon as it is available.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.


Signature of Affiant

Sworn and subscribed before me this 17 day of Nov, 2009

RECEIVED

MAY 11 2010


Signature of official administering oath

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

My commission expires _____

ELIZABETH LEE
Notary Public
My Commission Expires 09/30/2011

AFFIDAVIT

[Commonwealth/State] of Connecticut :

ss. Weston

County of Fairfield :

Kerry Breitbart, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:
[He/she is the President (Office of Affiant) of North American Power and Gas (NAP&G) (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

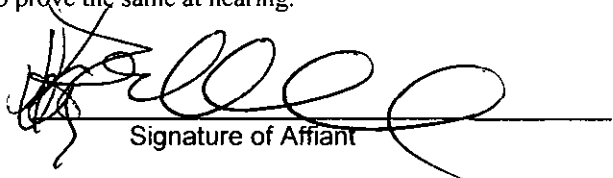
That the Applicant herein NAP&G has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein NAP&G has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein NAP&G acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein NAP&G acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.


Signature of Affiant

Sworn and subscribed before me this 17 day of NOV, 2009


Signature of official administering oath

My commission expires _____
ELIZABETH LEE
Notary Public
My Commission Expires 09/30/2011

RECEIVED
MAY 11 2010
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

AFFIDAVIT

[Commonwealth/State] of ~~Pennsylvania~~ Connecticut : ss. Weston

County of Fairfield :

Kerry Breitbart, Affiant, being duly [sworn/affirmed] according to law, deposes and so that:

[He/she is the President (Office of Affiant) of North American Power and Gas (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That NAP&G, the Applicant herein, acknowledges that [Applicant] may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That NAP&G, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That NAP&G, the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

That NAP&G, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA. Code Chapter 56.

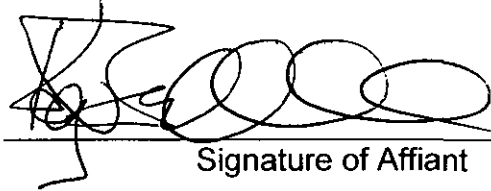
RECEIVED

MAY 11 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.



Signature of Affiant

Sworn and subscribed before me this 17 day of Nov., 192009



Signature of official administering oath

ELIZABETH LEE
Notary Public

My commission expires My Commission Expires 09/30/2011

APPENDIX B

RECEIVED

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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

TAX CERTIFICATION STATEMENT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

A completed Tax Certification Statement must accompany all applications for new licenses, renewals or transfers. Failure to provide the requested information and/or any outstanding state income, corporation, and sales (including failure to file or register) will cause your application to be rejected. If additional space is needed, please use white 8 1/2" x 11" paper. Type or print all information requested.

1. CORPORATE OR APPLICANT NAME North American Power and Gas LLC	2. BUSINESS PHONE NO. (888) 313-9086 CONTACT PERSON(S) FOR TAX ACCOUNTS: Kerry Breitbart
--	---

3. TRADE/FICTITIOUS NAME (IF ANY)

4. LICENSED ADDRESS (STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) STATE (ZIP)

14 White Oak Lane, Weston, CT 06883

5. TYPE OF ENTITY SOLE PROPRIETOR PARTNERSHIP CORPORATION

8. LIST OWNER(S), GENERAL PARTNERS, OR CORPORATE OFFICER(S)

NAME (PRINT) Kerry Breitbart	SOCIAL SECURITY NUMBER (OPTIONAL) _ _ _ - _ _ - _ _ _ _ _
NAME (PRINT) Carey Turnbull	SOCIAL SECURITY NUMBER (OPTIONAL) _ _ _ - _ _ - _ _ _ _ _
NAME (PRINT) Chris Sattler	SOCIAL SECURITY NUMBER (OPTIONAL) _ _ _ - _ _ - _ _ _ _ _
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL) _ _ _ - _ _ - _ _ _ _ _
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL) _ _ _ - _ _ - _ _ _ _ _

9. LIST THE FOLLOWING STATE TAX IDENTIFICATION NUMBERS. (ALL ITEMS: A, B, AND C MUST BE COMPLETED).

A. SALES TAX LICENSE (8 DIGITS)	APPLICATION PENDING <input type="checkbox"/> N/A <input type="checkbox"/>	C. CORPORATE BOX NUMBER (7 DIGITS)	APPLICATION PENDING <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
8 4 - 9 5 3 2 8 - 4		_ _ _ _ _ _	
B. EMPLOYER ID (EIN) (9 DIGITS)	APPLICATION PENDING <input type="checkbox"/> N/A <input type="checkbox"/>		
2 7 - 1 0 7 7 3 2 0			

10. Do you have PA employees either resident or non-resident? YES NO

11. Do you own any assets or have an office in PA? YES NO

NAME AND PHONE NUMBER OF PERSON(S) RESPONSIBLE FOR FILING TAX RETURNS

PA SALES AND USE TAX	EMPLOYER TAXES	CORPORATE TAXES
PHONE	PHONE	PHONE

Telephone inquiries about this form may be directed to the Pennsylvania Department of Revenue at the following numbers: (717) 772-2673, TDD# (717) 772-2252 (Hearing Impaired Only)

Disclosure Statement

This is an agreement for electric generation service, between North American Power and Gas LLC, and

Background

- We at North American Power and Gas LLC are licensed by the Pennsylvania Public Utility Commission to offer and supply electric generation services in Pennsylvania. Our PUC license number is A-110XXX.
- We set the generation prices and charges that you pay. The Public Utility Commission regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.
- Right of Recision - You may cancel this agreement at any time before midnight of the third business day after receiving this disclosure.

Definitions

- Generation Charge - Charge for production of electricity.
- Transmission Charge - Charge for moving high voltage electricity from a generation facility to the distribution lines of an electric distribution company.

Terms of Service

SERVICE: North American Power and Gas will supply all the electricity that the Customer needs for its home or business ("Supply Service"). North American Power and Gas is a retail marketer of electricity and not the Customer's Local Utility. The Local Utility will continue to deliver electricity to the Customer's home or business ("Distribution Service"), read the Customer's meter, bill the customer, and make repairs. The Local Utility will also respond to emergencies and they will remain the customer's point of contact in the case of power outage.

TERM: North American Power and Gas will begin providing Supply Service when the Local Utility switches the Customer's account to North American Power and Gas. Electric service will begin on the date that the utility successfully changes the customer's account to North American Power and Gas. The customer's service with North American Power and Gas will continue on a month to month basis until the customer chooses to switch to another supplier and the host utility successfully changes the service.

RATE: North American Power and Gas offers a variable rate for electricity which will adjust on a monthly basis. The rate may increase or decrease to reflect the changes in the wholesale power market. The customer agrees and understands that the potential savings can fluctuate month to month. The current rate will be posted on the website www.napower.com

TERMINATION: The customer shall be obligated to pay for the electricity provided to the customer according to this agreement prior to any termination becoming effective. A customer can terminate this agreement by written notification to North American Power and Gas at least 30 days prior to the intended cancellation date. The cancellation will not become effective until the customer's local utility successfully switches the customer to the new service provider or the customer's choice. Until that occurs, the customer is still obligated to the terms of this agreement.

9. Dispute Procedures

Contact us with any questions concerning our terms of service. You may call the PUC if you are not satisfied after discussing your terms with us.

10. Contact Information

**North American Power and Gas LLC
11 North Main St.
South Norwalk CT 06854**

**(888) 313-9086
(203) 643-2078 Fax**

Electric Distribution Company Name: _____

Provider of Last Resort Name: _____

Address: _____

Phone Number: _____

Public Utility Commission (PUC)

Address: P.O. Box 3265 Harrisburg, PA 17105-3265

Electric Competition Hotline Number: 1-888-782-3228

Exhibit 5

PA State Filing and Articles of Incorporation

Delaware

PAGE 1

The First State

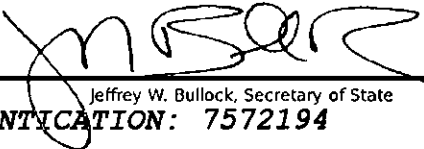
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "NORTH AMERICAN POWER AND GAS, LLC", FILED IN THIS OFFICE ON THE SEVENTH DAY OF OCTOBER, A.D. 2009, AT 5:41 O'CLOCK P.M.

4739634 8100

090918792



You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7572194

DATE: 10-08-09

CERTIFICATE OF FORMATION

OF

NORTH AMERICAN POWER AND GAS, LLC

1. The name of the limited liability company is NORTH AMERICAN POWER AND GAS, LLC

2. The address of its registered office in the State of Delaware is: Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

3. (Insert any other matters the members determine to include herein. For example, if the LLC is to have a specific effective date of dissolution, set forth as an additional item: "The latest date on which the limited liability company is to dissolve is _____".)

If a later effective date is desirable, set forth as an additional item: "This Certificate of Formation shall be effective on _____".)

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Formation of NORTH AMERICAN POWER AND GAS, LLC THIS 6th day of October, 2009.

Carey Turnbull, Member

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

MAY 10, 2010

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

NORTH AMERICAN POWER AND GAS LIMITED LIABILITY COMPANY

I, Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania

do hereby certify that the foregoing and annexed is a true and correct

copy of

Application for Registration filed on January 5, 2010

which appear of record in this department.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written.

Pedro A. Cortés

Secretary of the Commonwealth

Application For Registration - Foreign

Page 1 of 2

ST, PA04B

From: pao4b@state.pa.us
Sent: Thursday, November 19, 2009 4:14 PM
To: ST, PA04B
Subject: PA04B New Registration 274533

PENNSYLVANIA
CORPORATION
Approval

Attachment

- Registered Limited Liability Service Partnership
- Registered Limited Liability Limited Partnership (LLLP)
- Limited Partnership (LP)
- Limited Liability Company (LLC)

Document will be returned to the name and address you enter below.

Name
City
Address
14 White Oak Lane
Address

City
State
Zip
Code
ST 00000

Email: chris@worldamericanpower.com

Fax: 0000

In compliance with the requirements of the applicable provisions (pending to registration), the undersigned, desiring to register to do business in this Commonwealth, hereby states that:

1. The name to be registered is:
World American Power and Gas Limited Liability Company
2. If the name and date of formation is not available for use in this Commonwealth, complete the following:
The name under which the limited liability company/limited liability partnership proposes to register and do business in this Commonwealth is:
3. The name of the jurisdiction under the laws of which it was organized and the date of its formation:
Jurisdiction: DE Date of Formation: 11/19/09
4. The (a) address of this initial registered office in this Commonwealth or (b) name of its commercial registered office, and the county of venue is:

14 White Oak Lane	Weston	VT	05699	County
Address of Commercial Registered Office Provider	City	State	Zip	County
AAAged Services LLC				Douglas

5. Check and complete one of the following:
The address of the office selected to be maintained by it in the jurisdiction of its organization is the same as that set forth in:

14 White Oak Lane	Weston	VT	05699
Number and Street	City	State	Zip

If it is not provided for the name of the jurisdiction of organization to maintain an office therein and the address of its principal office is:

Number and Street City State Zip

CC#190

~~The above information is not to be used for any other purpose than the registration of the company in this Commonwealth.~~

11/20/2009

PA DEPT. OF STATE

JAN 05 2010

RECEIVED TIME JAN. 5. 3:58PM

PRINT TIME JAN. 5. 3:59PM

Signature Form For PA Open For Business Electronic Filing

Document must be dated, signed and mailed to the address listed below if a manual payment was selected. If an electronic payment was selected, you may fax this form to 717-785-6927. Please refer to the instructions below for filing out this form.

Department of State
Corporation Bureau
P.O. Box 8722
Harrisburg, PA 17105-8722
Inquiries: (717) 787-1057

1. The enterprise structure is:

Limited Liability Company (DE)

2. The enterprise legal name is:

North American Power and Gas LLC

3. The enterprise's fictitious name is (if applicable):

IN TESTIMONY WHEREOF, the undersigned have caused this application to be executed this

22 day of December, 2009.



Signature

Signature

Signature

Signature

INSTRUCTIONS:

- Fill in the form on the items: Enterprise structure, Enterprise legal name, and fictitious name (if applicable) – do so by clicking in each box and typing in the information.
- You can retrieve the Enterprise Legal Name in your confirmation email you received from paoffice@state.pa.us.
- If you are just filing a fictitious name, simply fill out the structure and the fictitious name sections.
- Print this form and have each owner sign on the signature lines and fill in the date.
- See above information where to mail or fax in this form.

PA DEPT. OF STATE

JAN 05 2010

RECEIVED TIME JAN. 5. 3:58PM

PRINT TIME JAN. 5. 3:59PM

Exhibit 17B
Contracts

NORTH AMERICAN POWER AND GAS
STANDARD SERVICE AGREEMENT

THIS STANDARD SERVICE AGREEMENT will authorize North American Power and Gas to change your electric supplier in the territories of Pennsylvania Power and Light (PPL). The services provided by North American Power and Gas are governed by the terms of this Agreement. This Agreement is governed by the Pennsylvania Public Utility Control ("PA PUC").

SERVICE: North American Power and Gas will supply all the electricity that the Customer needs for its home or business ("Supply Service"). North American Power and Gas is a retail marketer of electricity and not the Customer's Local Utility. The Local Utility will continue to deliver electricity to the Customer's home or business ("Distribution Service"), read the Customer's meter, bill the customer, and make repairs. The Local Utility will also respond to emergencies and they will remain the customers point of contact if the case of power outage.

TERM: North American Power and Gas will begin providing Supply Service when the Local Utility switches the Customer's account to North American Power and Gas. Electric service will begin on the date that the utility successfully changes the customers account to North American Power and Gas. This process may take up to ninety (90) days. The customer's service with North American Power and Gas will continue on a month to month basis until the customer chooses to switch to another supplier and the host utility successfully changes the service.

RATE: North American Power and Gas offers a variable rate for electricity which will adjust on a monthly basis. The rate may increase or decrease to reflect the changes in the wholesale power market. The customer's agrees and understands that the potential savings can fluctuate month to month. The current rate will be posted on the website www.napower.com

BILLING: The customer will still receive one monthly bill from the local utility for electricity supplier by North American Power and Gas. The customer will continue to pay the utility company directly. Any questions in regards to the bill can be directed to the local utility company.

EMERGENCY: In the event of an emergency such as a power outage the customer should call the local utility company: **PPL 1-800-342-5775**

ASSIGNMENT: North American Power and Gas reserves the right to assign the electric service and this contract at the discretion of North American Power and Gas at any time without notice.

CUSTOMER INFORMATION: The customer agrees to allow the local utility to release certain information to North American Power and Gas that will be needed to provide electric supply to the customer. This may include customer usage, payment history and credit information.

CUSTOMER COMPLAINTS: If the customer has any questions or concerns regarding this agreement or the electric supply provided by North American Power and Gas they can contact **(888) 313-9086**

TERMINATION: The customer shall be obligated to pay for the electricity provided to the customer according to this agreement prior to any termination becomes effective. A customer can terminate this agreement by written notification to North American Power and Gas at least 30 days prior to the intended cancellation date. The cancellation will not become effective until the customers local utility successfully switches the customer to the new service provider or the customer choice. Until that occurs the customer is still obligated to the terms of this agreement.

CUSTOMER SERVICE PLAN: Customer acknowledges that it has received and read the Customer Service Plan. The Customer Service Plan may be modified from time to time in accordance with PA PUC rules.

(Customer)

By:

_____ Date: _____

NORTH AMERICAN POWER AND GAS

Customer Service Plan

A: Security Deposit – North American Power and Gas does not require security deposits from any of its customers. If the customer has a security deposit with a previous supplier they may be entitled to a refund. The customer will have to deal with that previous supplier in order to receive a refund on the security deposit.

B: Customer Complaints – Customers will be able to contact North American Power and Gas by telephone, US Mail, or email. The contact information will be posted on any contract, terms and conditions, and company website. Customer Service Representatives will respond to inquiries or complaints during normal business hours. If the customer is not satisfied North American Power and Gas will attempt to resolve any issue. The company toll free number is 888-313-9086.

C: Customer Termination Procedures – North American Power and Gas will allow any customer to cancel service with a thirty (30) day prior written notice. The customer's termination will begin when the customer is successfully enrolled with a new supplier or the local utility. North American will observe all Connecticut statutes and regulations governing the termination of service to an electric customer. Customers will be informed of the termination procedures in writing through the mail upon successful enrollment.

D: Customer Rights and Responsibilities – North American Power and Gas will offer variable rate contracts that can be terminated by the customer at any time, for any reason upon 30 days written notice. Obligations of the customer are written into the Terms of Service. Customers will be responsible to pay for electricity consumed that is supplied by North American Power and Gas. North American Power and Gas will comply with all regulatory consumer protection requirements, disclosure requirements, PA PUC Regulations and any other applicable federal or state law.

E: Disclosure of Customer Information Procedures – North American Power and Gas will not disclose or sell confidential customer information to any third-parties. North American Power and Gas will comply with all state and federal laws and guidelines regarding disclosing customer information.

Exhibit 18

Letter of Credit

(original to be mailed directly to PA PUC from issuing bank)

Exhibit 19A

Please see attached balance sheet

Cash Position by Accounts (All) for '04/01/10' to '04/30/10'

Category	2000039440901 USD	2000039440914 USD	2000046048943 USD	3000082445046 USD
Opening Available Balance	7,135.52	365,607.90	23,375.84	110,008.89
Opening Ledger Balance	17,226.77	365,607.90	23,375.84	110,008.89
0 Day Float	150.00	0.00	0.00	0.00
Total Float	0.00	0.00	0.00	0.00
1 Day Float	0.00	0.00	0.00	0.00
2 Day Float	0.00	0.00	0.00	0.00
3+ Day Float	0.00	0.00	0.00	0.00
Total Credits	640,894.09	530,243.35	28,504.30	250,005.54
Account Transfer Credit	30,000.00	530,000.00		
ACH Credit	65,088.31			
ACH Return Credit				
ATM Credit				
Cash LTR Credit				
Check Deposit	44,162.00			
Concentration				
Cross Border Credit				
Deposits	30.00			
Interest Credit		243.35		5.54
Misc Credit				
Misc Transfer Credit				
Paper Returns Credit				
RDC Deposits				
Securities Credit				
Sweep Credit				
Trust Credit				
Wire Credit	501,613.78		28,504.30	250,000.00
Total Debits	621,173.55	440,107.90	51,435.21	0.00
Account Transfer Debit	530,000.00	30,000.00		
ACH Debit	2,052.74			
ACH Org Debit				
ACH Return Debit				
Analysis Fee	75.00		47.15	
ATM Debit				
Checks Paid	88,595.81			
Cross Border Debit				
Currency/Coin Debit				
EDI Transfer Debit				
First Presentment				
Interest Debit				
Misc Debit	420.00			
Misc Transfer Debit				
Paper Returns Debit	30.00			
Second Presentment				
Securities Debit				
Sweep Debit				
Wire Debit		410,107.90	51,388.06	
Net Flows	19,720.54	90,135.45	-22,930.91	250,005.54
Closing Available Balance	36,947.31	455,743.35	444.93	360,014.43
Closing Ledger Balance	36,947.31	455,743.35	444.93	360,014.43

RECEIVED

MAY 11 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

North American Power and Gas, LLC
Balance Sheet
As of April 30, 2010

	Total
ASSETS	
Current Assets	
Bank Accounts	
Wachovia Money Market	455,743.35
Wachovia NAP Power xx8943	444.93
Wachovia NAPAG xx0901	5,811.87
Total Bank Accounts	\$462,000.15
Accounts Receivable	
Accounts Receivable	1,681.30
Total Accounts Receivable	\$1,681.30
Other Current Assets	
Undeposited Funds	6,200.00
Total Other Current Assets	\$6,200.00
Total Current Assets	\$469,881.45
Fixed Assets	
Furniture and Equipment	1,362.61
Total Fixed Assets	\$1,362.61
Other Assets	
Restricted Cash ISO	166,008.96
Restricted Cash Rent Deposit	3,200.00
Restricted Cash Wachovia LOC	360,014.43
Start-Up Costs	
Direct Marketing Channel	37,500.00
Website and Development	49,791.80
Total Start-Up Costs	87,291.80
Total Other Assets	\$616,515.19
TOTAL ASSETS	\$1,087,759.25
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	78,307.08
Total Accounts Payable	\$78,307.08
Credit Cards	
American Express KMB	29,753.28
Total Credit Cards	\$29,753.28
Other Current Liabilities	
Loan Account	
CT Loan	233,948.31
KB Loan	235,270.98
Total Loan Account	469,219.29
Payroll Liabilities	6,278.55
Payroll Liabilities -- VI	315.00
Total Other Current Liabilities	\$475,812.84
Total Current Liabilities	\$583,873.20
Total Liabilities	\$583,873.20
Equity	
*Retained Earnings	(115,651.65)
Partners' Equity	
C. Turnbull	
CT Contributions	1,010,000.00
Total C. Turnbull	1,010,000.00
K. Breitbart	
KB Contributions	10,000.00
Total K. Breitbart	10,000.00
Total Partners' Equity	1,020,000.00
Net Income	(400,462.30)
Total Equity	\$503,886.05
TOTAL LIABILITIES AND EQUITY	\$1,087,759.25

Exhibit 19B and 20 Resumes

Kerry Breitbart – President – Kerry will manage the day to day activities of North American Power and Gas

Carey Turnbull – Chairman – Carey will assist the president with the day to day management decisions and also assist in managing the company finances.

Carey Turnbull

Careyt1@mac.com

EXPERIENCE:

Amerex Energy, LLP
Founding Partner
Houston, TX
1979-2006

- Mr. Turnbull's career has been in financial services. He was a founding partner in 1979 of an energy derivative brokerage, Amerex (www.amerexenergy.com).
- Amerex's business model facilitated price discovery and rapid dissemination of price information and hence was instrumental in the creation of greater efficiency and price transparency in energy markets. He was instrumental in the development of Amerex's regulated futures business on the International Petroleum Exchange in London, a business regulated by the UK Financial Services Authority.
- Mr. Turnbull also helped found Amerex's Asian petroleum brokerage business, and was involved in the firm's development of natural gas and electricity derivative instruments businesses in Houston in the 1990's, where he played a key role in those industries adoption of on line trade execution.
- Mr. Turnbull has an extensive background in management of energy commodity price risk, and he has done consulting in that field to various professional clients.
- In October of 2006 the shareholders of Amerex in North America and in Europe concluded a sale of those businesses to a publicly traded firm, GFI (www.gfigroup.com) and to an unrelated management group. Mr. Turnbull presently retains an ownership interest in only the Asian Amerex businesses.

EDUCATION:

Goddard College

Plainville, VT
1973

Miscellaneous:

- Mr. Turnbull is also a founding shareholder and board member of Lisco, an internet service provider that serves residential and commercial customers in southeast Iowa, and he is a member of the Executive Committee of the Board of Trustees at Goddard College, from which he graduated in 1973.
- Mr. Turnbull has been happily married for 30 years and has 2 children, a 29 year old son and a 26 year old daughter. He has homes in New York, in St Thomas USVI, and in Maine. He is an enthusiastic cruising sailor in the family's classic wood sailboat, and is a member of Devon Yacht Club in Amagansett NY, of St Thomas Yacht Club in USVI, and of Bar Harbor Yacht Club in Maine. He is a US citizen.

Kerry Breitbart

14 White Oak Lane

Weston, CT 06883

EXPERIENCE:

- Rofheart Energy Houston Texas 1981 to 1983

Brokered cargos of international crude oil with major oil companies and trading

Companies:

- Latina Trading inc. 1983 to 1985

Traded crude oil, domestic and foreign.

- Northville Industries inc. 1983 to 1986

Traded crude oil, domestic and foreign. Headed crude trading department for Northville. Developed unique trading strategy that allowed us to dominate the domestic trading industry. Created millions of dollars of profit over a short period of time.

- United Companies 1986 to 2005

Started as crude oil broker from 1986 to 1988.

Became VP of business development in 1988 Opened domestic crude division in Houston 1988. Opened futures division in 1988. Opened London office for crude and products 1988

Promoted to President, 1989.

Opened Singapore office for crude and products 1989.

Started first energy derivatives brokerage business in the world 1989. Opened natural gas options division 1990. Opened fuel oil derivatives desk 1992

Opened New Jersey office to broker petroleum feed stocks 1993

Made full partner 1994

Opened coal brokerage division 1998. Opened electricity desk 1998

Opened emissions credits brokerage division 2000

Noteworthy Achievements:

- Mr. Breitbart spent 20 years at the United Companies starting as an employee brokering crude oil and ending as President and CEO with 41% ownership.
- Mr. Breitbart, while at United for 20 years, was able to build the business from 4 divisions to 13.
- The national value of the energy products united brokered was in excess of 750 Billion dollars a year.
- United was the first broker of energy derivatives and did not have a competitor anywhere in the world for 2 years. When I sold the company in 2005 United was still the #1 broker of crude derivatives globally.

EDUCATION:

Carnegie-Mellon University

Pittsburgh, PA

From: Origin ID: BDRA (203) 939-1155
Chris Sattler

11 NORTH MAIN STREET
NORWALK, CT 06854



J1616166228224

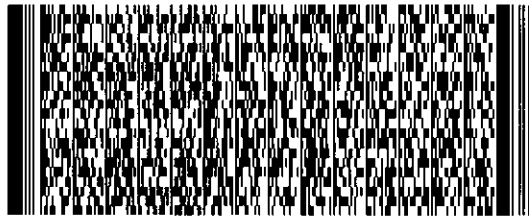
Ship Date: 11MAY10
ActWgt: 2.0 LB
CAD: 101652529/INET3010

Delivery Address Bar Code



Ref #
Invoice #
PO #
Dept #

SHIP TO: (203) 500-9095 **BILL SENDER**
James McNulty
PA PUC
2 KEYSTONE BUILDING RM N201
2 ND FL 2ND FL ROOM N201
HARRISBURG, PA 17120

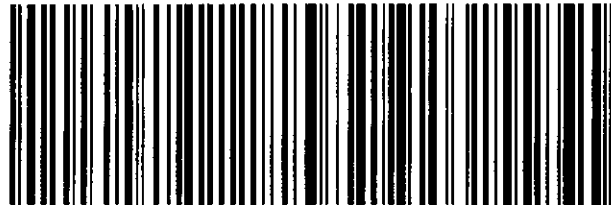


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PRIORITY OVERNIGHT

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PA-US
MDT

ZN MDTA



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3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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