

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Kevin Smith, d/b/a Winstar Solutions, 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:

Winstar Solutions, LLC  
6009 Mendota Drive  
Plano, Texas 75024  
972-365-8030  
Fax 469-366-1984

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.

Kevin Smith, President  
6009 Mendota Drive  
Plano, Texas 75024  
972-365-8030  
Fax 469-366-1984

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:

Kevin Smith, President  
6009 Mendota Drive  
Plano, Texas 75024  
972-365-8030  
Fax 469-366-1984

- 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:

Kevin Smith, President  
6009 Mendota Drive  
Plano, Texas 75024  
972-365-8030  
Fax 469-366-1984

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

Bill Bailey, PLLC  
101 W Renner Road  
Suite 220  
Richardson, Texas 75082

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- 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:

001 Northwest Registered Agent, LLC  
2021 Arch Street  
Philadelphia, PA 19103

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.

Give name and address of officers.

Kevin Smith, President  
6009 Mendota Drive  
Plano, Texas 75024  
972-365-8030  
Fax 469-366-1984

The Applicant is incorporated in the state of Texas

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): Energy Consultant

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

Winstar Solutions, LLC provides consultant services through third party energy suppliers. We do not, and never plan to provide energy directly to end users. Winstar's customer base is comprised of retail, residential, commercial, and industrial businesses.

10. **SERVICE AREA:** Generally describe the geographic area in which Applicant proposes to offer services.  
All deregulated areas of Pennsylvania.

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 11/1/2010  
(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:

Frank M. Nadolny, General  
Manager of Regulatory Affairs Unit  
**Duquesne Light Company**  
411 Seventh Street  
P.O. Box 1930  
Pittsburgh, PA 15230-1930

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](mailto:carlo.ciabattoni@exeloncorp.com)

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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.

Winstar Solutions, LLC mailed a copy of its Pennsylvania PUC Application by first class mail to all of the entities listed above.

9/27/2010  
Date

  
Kevin Smith, President

7010 0290 0002 2264 7905

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**OFFICIAL USE**  
 HARRISBURG PA 17120

Postage	\$ 1.56	0252 03 Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 4.36	

Sent To: *Bureau of*  
 Office of Atty General Protection  
 Strawberry Square 14th Floor  
 Harrisburg, PA 17120

PS Form 3800, August 2006 See Reverse for Instructions

7010 0290 0002 2264 5017

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Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 4.53	

Sent To: Commonwealth of PA Dept of Revenue  
 Bureau of Commerce  
 Harrisburg, PA 17128-0946

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7010 0290 0002 2264 7899

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Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 4.36	

Sent To: William Loyd JR Small Business Adv  
 300 North 2nd Commerce Bld Ste 102  
 Harrisburg, PA 17101

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Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 4.53	

Sent To: Irwin A. Powsky Off Cons Advocate  
 5th Floor Forum Place 555 Walnut St  
 Harrisburg, PA 17120

PS Form 3800, August 2006 See Reverse for Instructions

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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.  
Kevin Smith of Winstar Solutions, LLC has never been convicted in 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.
- Kevin Smith, President  
6009 Mendota Drive  
Plano, Texas 75024  
972-365-8030  
Fax 469-366-1984
- b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers. We only used forms supplied to us by licensed energy providers. We do not use any of our own forms.
- 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.  
N/A (We only broker for licensed energy providers.)
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.
- 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 \$ \$10,000 . Applicant is required to provide information supporting an amount less than \$250,000.

Winstar Solutions, LLC is a broker that has been in business for over 2 years without any complaints on file with any PUC in any state we do business. We do not take title to power at any time. Our business will be conducted only with electricity suppliers licensed by the State of Pennsylvania.

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:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published parent company financial and credit information.
- 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.
- 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.

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.

Kevin Smith  
President  
6009 Mendota Drive  
Plano, Texas 75024  
Phone (972)365-8030  
Fax (469) 366-1984

- |           |  |
|-----------|--|
| 1988-1993 | <b>Stephen F. Austin State University</b> – Nacogdoches, Texas<br>Bachelor of Science in Marketing   |
| 1993-2005 | Sales Representative in the copier/business machines industry. Represented Canon and Ricoh.  |
| 2005-2008 | Co-founded <b>Poem Solutions, LLC</b> – Energy Consultant Firm<br>Operated successful energy consultant firm in Texas. Sold to business partner who relocated the company to Houston, Texas. |
| 2008-2010 | Founded <b>Winstar Solutions, LLC</b> – Energy Consultant Firm<br>Winstar has been operating in Texas for the past 2 years serving residential and commercial customers.                     |

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

Shelburne Fischer Sheeley CPAs PC  
Robert J (Bob) Sheeley CPA  
14465 Webb Chapel Road, Suite 100  
Dallas, Texas 75234  
(214) 363-5303 Office  
(214) 696-0341

- Proposed staffing and employee training commitments

Winstar Solutions provides extensive education and training to employees. Training is focused on the various energy products and how to provide the customer with the best options and best way to save them money.

- Business plans

Winstar Solutions intends to expand into the Pennsylvania market by educating customers on their energy choices and providing savings to their bottom line.

- 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.
- 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.

Winstar Solutions believes that this section is not applicable because we do not schedule power, provide energy generation, or directly supply retail electric services.

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.
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:
- 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.
  - 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.
  - 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: Winstar Solutions LLC  
By: Kevin R. Smith  
Title: President

**AFFIDAVIT**

[Commonwealth/State] of Texas :

ss.

County of Collin :

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

[He/she is the President (Office of Affiant) of Winstar Solutions LLC (Name of Applicant);]

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

That the Applicant herein Winstar Solutions LLC 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 Winstar Solutions LLC has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

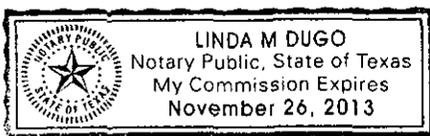
That the Applicant herein Winstar Solutions LLC acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein Winstar Solutions LLC 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.

Kevin R. Smith  
Signature of Affiant

Sworn and subscribed before me this 27 day of September 2010



Linda M. Dugo  
Signature of official administering oath

My commission expires 11/26/13

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SECRETARY'S BUREAU

**AFFIDAVIT**

[Commonwealth/State] of Texas :

ss.

County of Collin :

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

[He/she is the President (Office of Affiant) of Winstar Solutions LLC (Name of Applicant);]

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

That Winstar Solutions LLC 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 Winstar Solutions LLC 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 Winstar Solutions LLC 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 Winstar Solutions LLC 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.

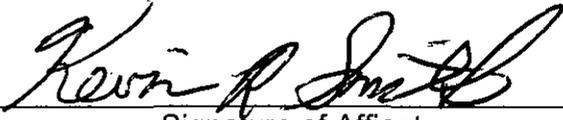
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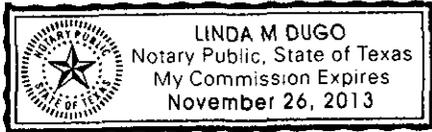
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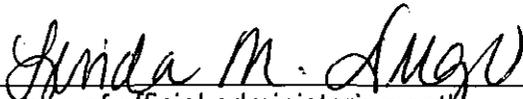
That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the 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 27 day of September, 2010



  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 11/26/13

**APPENDIX B**

**COMMONWEALTH OF  
PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**TAX CERTIFICATION  
STATEMENT**

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 <b>Winstar Solutions, LLC</b>	2. BUSINESS PHONE NO. ( ) <b>972-365-8030</b> CONTACT PERSON(S) FOR TAX ACCOUNTS:
---	--

3. TRADE/FICTITIOUS NAME (IF ANY)

4. LICENSED ADDRESS	(STREET, RURAL ROUTE, P.O. BOX NO.)	(POST OFFICE)	STATE)	(ZIP)
<b>6009 Mendota Drive, Plano Texas 75024</b>				

5. TYPE OF ENTITY     SOLE PROPRIETOR                       PARTNERSHIP                       CORPORATION

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

NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
<b>Kevin Ray Smith</b>	_ _ _  -  _ _  -  _ _ _ _ _
NAME (PRINT)	_ _ _  -  _ _  -  _ _ _ _ _
NAME (PRINT)	_ _ _  -  _ _  -  _ _ _ _ _
NAME (PRINT)	_ _ _  -  _ _  -  _ _ _ _ _
NAME (PRINT)	_ _ _  -  _ _  -  _ _ _ _ _

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

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

10. Do you have PA employes 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) **RECEIVED**

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5. **Penalties, Fees and Exceptions** - List any that apply including a late payment charge. The print size for this section must be larger than the print in the rest of the agreement.

6. **Cancellation Provisions** - This category may consist of both customer initiated cancellation provisions and supplier initiated cancellation provisions.

7. **Renewal Provision** - If this is a fixed term agreement with automatic renewal, explain the procedure here.

8. **Agreement Expiration/Change in Terms**

If you have a fixed term agreement with us and it is approaching the expiration date or if we propose to change our terms of service, we will send you written notice in each of our last three bills or in separate mailings before either the expiration date or the effective date of the changes. We will explain your options in these three advance notices.

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**

Generation Supplier Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Internet Address: \_\_\_\_\_

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

Universal Service Program Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**5. BUSINESS ENTITY AND DEPARTMENT STATE FILINGS**  
**Articles of Incorporation**

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**PA PUBLIC UTILITY COMMISSION**  
**SECRETARY'S BUREAU**

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Hope Andrade  
Secretary of State

**Office of the Secretary of State**

**CERTIFICATE OF FILING  
OF**

**WINSTAR SOLUTIONS, LLC**  
File Number: 801034488

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 09/30/2008

Effective: 09/30/2008

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



Hope Andrade  
Secretary of State

Phone: (512) 463-5555  
Prepared by: Stephanie Webb

Come visit us on the internet at <http://www.sos.state.tx.us/>

Fax: (512) 463 5709  
TDD: 10306

Dial: 7-1-1 for Relay Services  
Document: 231333550002

Taxable Entity Search Results

## Franchise Tax Certification of Account Status

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### This Certification Not Sufficient for Filings with Secretary of State

Do **not** include a certificate from this Web site as part of a filing with the Secretary of State for dissolution, merger, withdrawal, or conversion. The Secretary of State will reject a filing that uses the certification from this site.

To obtain a certificate that is sufficient for dissolution, merger, or conversion, see Publication 98-336d, Requirements to Dissolve, Merge or Convert a Texas Entity.

Certification of Account Status	Officers And Directors Information
<b>Entity Information:</b>	<b>WINSTAR SOLUTIONS, LLC</b> <b>6009 MENDOTA DR</b> <b>PLANO, TX 75024-6010</b>
<b>Status:</b>	<b>IN GOOD STANDING NOT FOR</b> <b>DISSOLUTION OR WITHDRAWAL through</b> <b>May 16, 2011</b>
<b>Registered Agent:</b>	<b>KEVIN SMITH</b> <b>6009 MENDOTA DRIVE</b> <b>PLANO, TX 75024</b>
<b>Registered Agent Resignation Date:</b>	
<b>State of Formation:</b>	<b>TX</b>
<b>File Number:</b>	<b>0801034488</b>
<b>SOS Registration Date:</b>	<b>September 30, 2008</b>
<b>Taxpayer Number:</b>	<b>32038049493</b>

[texas.gov](http://texas.gov) | [Statewide Search from the Texas State Library](#) | [State Link Policy](#) | [Texas Homeland Security](#)

[Susan Combs, Texas Comptroller](#) • [Window on State Government](#) • [Contact Us](#)  
[Privacy and Security Policy](#) | [Accessibility Policy](#) | [Link Policy](#) | [Public Information Act](#) | [Compact with Texans](#)

**18. BONDING**

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**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

**19. FINANCIAL FITNESS**

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

WINSTAR SOLUTIONS LLC  
PROFIT & LOSS  
AS OF AUGUST, 31, 2010

GROSS REVENUE	\$ 92,211.92
<b>TOTAL REVENUE</b>	<u><u>\$ 92,211.92</u></u>
OPERATING EXPENSES	\$ 23,226.92
<b>TOTAL EXPENSES</b>	<u><u>\$ 23,226.92</u></u>
<b>NET INCOME</b>	<u><u>\$ 68,985.00</u></u>

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

WINSTAR SOLUTIONS LLC  
BALANCE SHEET  
AS OF AUGUST, 31, 2010

ASSETS

CASH \$ 15,866.00

**TOTAL ASSETS** \$ 15,866.00

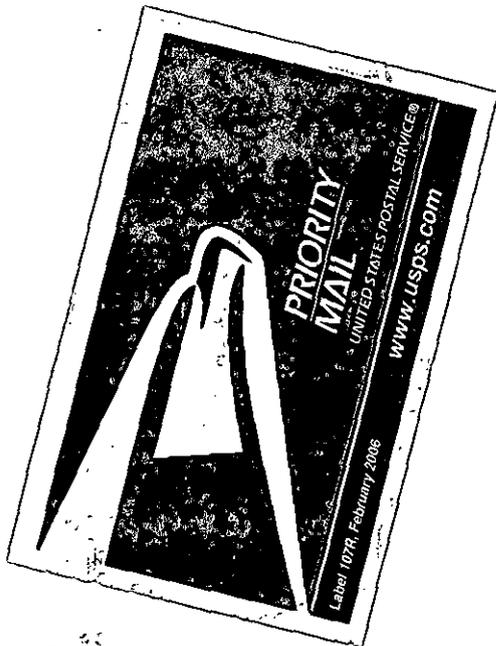
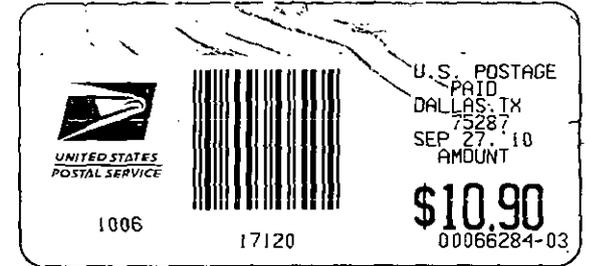
LIABILITIES & EQUITIES

NET INCOME \$ 68,985.00

OWNERS DRAWS \$ (53,119.00)

**TOTAL LIABILITIES & EQUITIES** \$ 15,866.00

WinStar Solutions LLC  
6009 Mendota  
Plano, TX 75024



James J. McNulty, Secretary  
Keystone Bldg. 2nd Floor Room N201  
Harrisburg, PA 17120