

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Patch Energy Services, LLC, d/b/a Patch Energy Services, LLC, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Broker/Marketer to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

## 1. IDENTIFICATION AND CONTACT INFORMATION

- a. **IDENTITY OF THE APPLICANT:** Provide name (*including any fictitious name or d/b/a*), primary address, web address, and telephone number of Applicant:

**Patch Energy Services, LLC**  
**11030 Martha Ann Court**  
**Fairfax Station, Virginia 22039**  
**202-236-0630**  
**Buddy.patch@verizon.net**

- b. **PENNSYLVANIA ADDRESS / REGISTERED AGENT:** If the Applicant maintains a primary address outside of Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's secondary office within Pennsylvania. If the Applicant does not maintain a physical location within Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's Registered Agent within Pennsylvania.

**CT Corporation System**  
**116 Pine Street #320**  
**Harrisburg, PA 17101-1250**

- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application should be addressed.

**Don Patch**  
**Managing Member**  
**11030 Martha Ann Court**  
**Fairfax Station, Virginia 22039**  
**Tel: 202-236-0630**  
**Fax: 703-543-7035**  
**Buddy.patch@verizon.net**

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

**Chelsey L. Moscati, Esq.**  
**233 E. Redwood Street**  
**Baltimore, Maryland 21202**  
**Tel: 410-576-4222**  
**Fax: 410-576-4196**  
**cmoscatti@gfrlaw.com**

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- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, FAX number, and e-mail 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 the Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

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**Managing Member**  
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## 2. BUSINESS ENTITY FILINGS AND REGISTRATION

- a. **FICTITIOUS NAME:** *(Select appropriate statement and provide supporting documentation as listed.)*

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

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

**OR**

The Applicant will not be using a fictitious name.

- b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**  
*(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)*

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**

**X** The Applicant is a:

- domestic corporation (15 Pa. C.S. §1308)
- 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 (Describe):

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above. **See Attachment A**
- Provide the state in which the business is incorporated and provide a copy of the Applicant's Articles of Incorporation. **See Attachment B**
- Give name and address of officers.

**Don Patch  
Managing Member  
11030 Martha Ann Court  
Fairfax Station, Virginia 22039**

### **3. AFFILIATES AND PREDECESSORS**

*(both in state and out of state)*

- a. AFFILIATES:** Give name and address of any affiliate(s) currently doing business and state whether the affiliate(s) are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are currently applying to do business in Pennsylvania.

**N/A**

- b. PREDECESSORS:** Identify the predecessor(s) of the Applicant and provide the name(s) under which the Applicant has operated within the preceding five (5) years, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

**The Applicant does not have any predecessors**

#### 4. OPERATIONS

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

- The Applicant is presently doing business in Pennsylvania as a
- municipal electric corporation
  - electric cooperative
  - local gas distribution company
  - 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.

b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple):*

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

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

**Patch Energy Services, LLC intends to provide energy consulting and electric brokering services to commercial, industrial, and government customers.**

d. **PROPOSED SERVICE AREA:** Provide a list of each Electric Distribution Company for which the Applicant proposes to provide service.

- 1. PECO
- 2. PPL

e. **CUSTOMERS:** Applicant proposes to provide services to:

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

f. **PROPOSED MARKETING METHOD** *(check all that apply)*

- Internal – Applicant will use its own internal resources/employees for marketing
- External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- Other (Describe):

g. **DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes
- No

If yes, will the Applicant be using a Third Party Verification procedure?

**N/A**

- Yes
- No

If yes, describe the Applicant's Third Party Verification procedures.

**N/A**

- h. START DATE:** Provide the approximate date the Applicant proposes to begin services within the Commonwealth.

**The Applicant will begin services within the Commonwealth upon issuance of the appropriate license from the Pennsylvania Public Utility Commission – approximately December, 2010.**

## **5. COMPLIANCE**

- a. CRIMINAL/CIVIL PROCEEDINGS:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

Identify all such proceedings (active or closed), by name, subject and citation; whether before an administrative body or in a judicial forum. If the Applicant has no proceedings to list, explicitly state such.

**The Applicant has not been nor is it currently the defendant of a criminal or civil proceeding within the last five (5) years. The Applicant has no affiliates or predecessors.**

- b. SUMMARY:** If applicable; provide a statement as to the resolution or present status of any such proceedings listed above.

**N/A**

- c. CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. If the Applicant has no actions or complaints to list, explicitly state such.

**No such actions or complaints have been filed against the Applicant or person identified in this Application for the prior five (5) years. The Applicant has no affiliates or predecessors**

- d. SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above.

**N/A**

## 6. PROOF OF SERVICE

*(Example Certificate of Service is attached at Appendix C)*

- a.) **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

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

Office of the Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

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

- b.) **EDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Electric Distribution Companies the Applicant proposed to provide service in. 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. Contact information for each EDC is as follows.

**Allegheny Power:**

Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

**PECO:**

Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

**Duquesne Light:**

Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

**PPL:**

Legal Department  
Attn: Paul Russell  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179

**Met-Ed, Penelec, and Penn Power:**

**UGI:**

Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

**Citizens' Electric Company:**  
Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

**Wellsboro Electric Company:**  
Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P. O. Box 138  
Wellsboro, PA 16901

UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12th Street, Suite 360  
Post Office Box 12677  
Reading, Pa 19612-2677

**Pike County Light & Power Company:**  
Director of Customer Energy Services  
Orange and Rockland Company  
390 West Route 59  
Spring Valley, NY 10977-5300

## 7. FINANCIAL FITNESS

a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

- Furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- Furnishing the **original** (along with copies) of another initial security for Commission approval, to ensure financial responsibility.
- Filing for a modification to the \$250,000 requirement and furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

### **See Attachment C**

- *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.*
- *Example version of a bond and letter of credit are attached at Appendix D & E, Applicant's security must follow language from these examples.*
- *Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.*

b. **FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must 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 Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)

- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.

**See Attachment D**

- 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, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- 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.

**See Attachment E**

- Audited financial statements exhibiting accounts over a minimum two year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

- c. **ACCOUNTING RECORDS CUSTODIAN:** Provide the name, title, address, telephone number, FAX number, and e-mail address of Applicant's custodian for its accounting records.

**Don Patch**  
**Managing Member**  
**11030 Martha Ann Court**  
**Fairfax Station, Virginia 22039**  
**Tel: 202-236-0630**  
**Fax: 703-543-7035**  
**Buddy.patch@verizon.net**

- d. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix F to this application.

*All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identifications numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.*

*Items 7A and 7C on the Tax Certification Statement are designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.*

**8. 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.

- a.) **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

- Applicant's previous experience in the electricity industry.

**See Attachments F & G**

- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.

**The Applicant is licensed as an Electric Broker in Maryland. See Attachment H. An application for a license to conduct electric broker activity in the District of Columbia is currently pending.**

- Type of customers and number of customers Applicant currently serves in other jurisdictions.

**The Applicant serves approximately 100 customers in Maryland and will serve approximately 50 in the District of Columbia after issuance of a license in the District. The Applicant serves commercial, industrial, and government customers.**

- Staffing structure and numbers as well as employee training commitments.

**Don Patch is the sole member and employee of Patch Energy Services, LLC.**

- Business plans for operations within the Commonwealth.
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.

**N/A**

- Any other information appropriate to ensure the technical capabilities of the Applicant.

**b.) OFFICERS:** Identify Applicant's chief officers including names and their professional resumes.

**Don Patch, Managing Member  
See Attachment G**

**c.) 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

**9. DISCLOSURE STATEMENT:**

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

- 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.

**The Applicant is not proposing to serve Residential and/or Small Commercial customers.**

## **10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS**

**a. PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:

- proof of registration as a PJM Load Serving Entity (LSE), or
- proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

*(Select only one of the following)*

- AGREED** - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- AGREED** - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED** - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

**b. 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. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43.

**AGREED**

**c. REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- **Retail Electricity Choice Activity Reports:** The regulations at 52 Pa. Code §§ 54.201--54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- **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 percentages of total electricity supplied by each fuel source on an annual basis:
- 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.

     AGREED

- d. **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.

     AGREED

- e. **ASSESSMENT:** The Commission does not presently assess Electric Generation Suppliers for the purposes of recovery of regulatory expenses; see *PPL Energyplus, LLC v. Commonwealth*, 800 A.2d 360 (Pa. Cmwlth. 2002).

     ACKNOWLEDGED

- f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

     AGREED

- g. **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.

     AGREED

- h. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania.

See 52 Pa. Code § 54.34.

AGREED

- i. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

AGREED

- j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at appendix J.

AGREED

- k. **FEE:** The Applicant has enclosed or paid the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

PAYMENT ENCLOSED

## 11. AFFIDAVITS

- a.) **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A. **See Appendix A**
- b.) **OPERATIONS AFFIDAVIT:** Provide an officially notarized 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. An example copy of this Affidavit can be found at Appendix B. **See Appendix B**

## 12. NEWSPAPER PUBLICATIONS

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. Below is a list of newspapers which cover the publication requirements for Electric Generation Suppliers looking to do business in Pennsylvania.

The newspapers in which proof of publication is required is dependent on the service territories the applicant is proposing to serve. The chart below dictates which newspapers are necessary for each EDC. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

Please file with the Commission the Certification of Publication, along with a photostatic copy of the notice to complete the notice requirements.

Proof of newspaper publications must be filed with the initial application. Applicants **do not** need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see

below) are satisfied.

	<u>Duquesne</u>	<u>Met</u> <u>Ed</u>	<u>PEC</u> <u>O</u>	<u>Penele</u> <u>c</u>	<u>Penn</u> <u>Power</u>	<u>PP</u> <u>L</u>	<u>UG</u> <u>I</u>	<u>We</u> <u>st</u>	<u>Entire</u> <u>Commonwealth</u>
Philadelphia Daily		X	X			X			X
Harrisburg Patriot-		X		X		X		X	X
Scranton Times		X		X		X	X		X
Williamsport Sun				X		X		X	X
Johnstown				X				X	X
Erie Times-News				X	X				X
Pittsburgh Post-	X				X			X	X

*(Example Publication is provided at Appendix H)*

**13. SIGNATURE**

*Don Patch* 1/11/2011

Applicant: Patch Energy Services, LLC

By: Don Patch

Title: Managing Member

**14. CHECKLIST**

For the applicant's convenience, please use the following checklist to ensure all relevant sections are complete. The Commission Secretary's Bureau will not accept an application unless each of the following sections are complete.

**Applicant: Patch Energy Services, LLC**

Applicant's Use	Signature	
	Filing Fee	
	Application Affidavit	
	Operations Affidavit	
	Proof of Publication	
	Bond or Letter of Credit	
	Tax Certification Statement	
	Commonwealth Department of State Verification	
	Certificate of Service	
	PUC Secretary's Bureau Use	

**PATCH ENERGY SERVICES, LLC**

**ATTACHMENT/APPENDIX INDEX – ELECTRIC BROKER/MARKETER  
LICENSE APPLICATION**

- Attachment A – PA Department of State Corporation Bureau Limited Liability Company Registration Application Filing
- Attachment B – Patch Energy Services, LLC – Articles of Organization
- Attachment C – \$10,000 Bond (original and 2 copies)
- Attachment D – Patch Energy Services, LLC Financials
- Attachment E – Description of Insurance Coverage
- Attachment F – Resume – Don Patch
- Attachment G – Biography – Don Patch
- Attachment H – Maryland Public Service Commission Letter Order Granting Patch Energy Services a license to provide electric supplier services in Maryland
- Attachment I – Proof of Publication – Philadelphia Daily News (PECO & PPL)
- Attachment J – Proof of Publication – Harrisburg Patriot News (PPL)
- Attachment K – Proof of Publication – Scranton Times Tribune (PPL)
- Attachment L – Proof of Publication – Williamsport Sun Gazette (PPL)
- Appendix A – Application Affidavit
- Appendix B – Operations Affidavit
- Appendix C – Certificate of Service
- Appendix F – Tax Certification Statement

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU

Application for Registration - Foreign  
(15 Pa.C.S.)

- Registered Limited Liability General Partnership (§ 8211)
- Registered Limited Liability Limited Partnership (§ 8211)
- Limited Partnership (§ 8582)
- Limited Liability Company (§ 8981)

~~ST CORP COUNTER~~  
ADDRESS ~~ST CORP COUNTER~~  
City 796 7690-SCPA State SCPA Zip Code

Commonwealth of Pennsylvania  
APPLICATION FOR REGISTRATION 3 Page(s)



Fee: \$250

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

1. The name to be registered is:  
Patch Energy Services, LLC

2. (If the name set forth in paragraph 1 is not available for use in this Commonwealth, complete the following):  
The name under which the limited liability company/limited liability partnership/limited 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: VA Date of Formation: 1/25/10

4. The (a) address of its initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider <u>CT Corporation System</u>				County <u>Dauphin</u>

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5. Check and complete one of the following:

The address of the office required to be maintained by it in the jurisdiction of its organization by the laws of that jurisdiction is:

11030 Martha Ann Court	Fairfax Station	VA	22039
Number and street	City	State	Zip

It is not required by the laws of its jurisdiction of organization to maintain an office therein and the address of its principal office is:

Number and street	City	State	Zip
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6. ~~For Restricted Professional Limited Liability Company Only. Strike out if inapplicable.~~ The company is a ~~restricted professional company organized to render the following professional service(s):~~

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**Limited Liability Partnership and Limited Partnership: Complete paragraphs 7 and 8**

7. The name and business address of each general partner.

Name	Business Address

8. The address of the office at which is kept a list of the names and addresses of the limited partners and their capital contribution is:

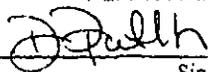
Number and street	City	State	Zip	County
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The registered partnership hereby undertakes to keep those records until its registration to do business in the Commonwealth is canceled or withdrawn.

IN TESTIMONY WHEREOF, the undersigned has caused this Application for Registration to be signed by a duly authorized officer/member or manager thereof this

11<sup>th</sup> day of October, 2010.

Patch Energy Services, LLC  
Name of Partnership/Company

  
Signature

Member  
Title

October 14, 2010

Lisa Mohan  
Gordon Feinblatt Rothman Hoffberger &  
Hollander LLC  
The Garrett Building  
233 East Redwood Street  
Baltimore MD 21202

Re: Order #: 7967690 SO  
Customer Reference 1: None Given  
Customer Reference 2: None Given

Dear Lisa Mohan:

In response to your request regarding the above referenced order, your filing(s) has been completed as indicated below:

Patch Energy Services, LLC (VA)  
Registration  
Pennsylvania  
Filing Date: October 12, 2010  
Filing Number: 3984941

If you have any questions concerning this order, please contact:

Bonnie A Schuman  
Wilmington Corporate Team 1  
Phone: (800) 716-0507  
Email: [Bonnie.Schuman@wolterskluwer.com](mailto:Bonnie.Schuman@wolterskluwer.com)

Thank you for this opportunity to be of service.

**RECEIVED**

JAN 13 2011



Sincerely,

Robert Sersch  
Harrisburg Fulfillment Team 1  
[robert.sersch@wolterskluwer.com](mailto:robert.sersch@wolterskluwer.com)



COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 25, 2010

The State Corporation Commission has found the accompanying articles submitted on behalf of  
Patch Energy Services, LLC

to comply with the requirements of law, and confirms payment of all required fees. Therefore, it  
is ORDERED that this

CERTIFICATE OF ORGANIZATION

be issued and admitted to record with the articles of organization in the Office of the Clerk of the  
Commission, effective January 25, 2010.

STATE CORPORATION COMMISSION

By



Commissioner

**Patch Energy Services, LLC**  
**Electric Broker/Marketer Application**  
**Attachment C**  
**Item #7A**

Attached are an original and two copies of a \$10,000 bond for Patch Energy Services, LLC. Patch Energy Services, LLC is filing for a modification to the \$250,000 bond requirement and affirmatively states that as a broker/marketer, it will not take title to electricity nor pay electricity bills on behalf of its customers.

**PATCH ENERGY SERVICES, LLC**

**ACCOUNTANTS' COMPILATION REPORT AND  
FINANCIAL STATEMENTS**

**SEPTEMBER 30, 2010**

# PATCH ENERGY SERVICES, LLC

## ACCOUNTANTS' COMPILATION REPORT AND FINANCIAL STATEMENTS

SEPTEMBER 30, 2010

### CONTENTS

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#### BASIC FINANCIAL STATEMENTS

Accountants' Compilation Report .....	1
Balance Sheet as of Septemeber 30, 2010 .....	2
Statement of Income and Retained Earnings For the Nine Months Ended September 30, 2010 .....	3

# PATCH ENERGY SERVICES, LLC

BALANCE SHEET  
AS OF SEPTEMBER 30, 2010

(Compiled)

## ASSETS

---

### CURRENT ASSETS

Cash .....	\$	419,552
Accounts Receivable .....		449,836
Total Current Assets .....		869,388

### PROPERTY AND EQUIPMENT, AT COST

Computer Equipment .....		1,259
Less: accumulated depreciation .....		(126)
		1,133

### OTHER ASSETS

Accounts Receivable, less current portion of \$449,836 .....		803,817
	\$	1,674,338

## LIABILITIES AND STOCKHOLDERS' EQUITY

---

### CURRENT LIABILITIES

Due to Officer .....	\$	2,172
Deferred Revenue .....		449,836
Total Current Liabilities .....		452,008

### LONG TERM LIABILITIES

Deferred Revenue, less current portion of \$449,836 .....		803,817
---	--	---------

TOTAL LIABILITIES .....		1,255,825
-------------------------	--	-----------

### STOCKHOLDERS' EQUITY

Retained earnings .....		418,513
		418,513
	\$	1,674,338

See accountants' compilation report.

**PATCH ENERGY SERVICES, LLC**  
**STATEMENT OF INCOME AND RETAINED EARNINGS**  
**FOR THE NINE MONTHS ENDED SEPTEMBER 30, 2010**

(Compiled)

**REVENUES**

---

Commissions income ..... \$ 589,728

**OPERATING EXPENSES**

---

Commissions expense ..... 10,417  
Insurance ..... 6,235  
Depreciation ..... 126  
Meals and entertainment ..... 7,079  
Miscellaneous ..... 6,535  
Office expense ..... 9,796  
Payroll taxes ..... 5,908  
Payroll Wages ..... 73,333  
Professional fees ..... 28,815  
Subcontractors ..... 15,580  
Taxes and licenses ..... 250  
Travel ..... 7,143  
171,217

NET INCOME (LOSS) FROM OPERATIONS ..... 418,511

OTHER REVENUE (EXPENSE) ..... 2

NET INCOME (LOSS) ..... 418,513

RETAINED EARNINGS, BEGINNING ..... -

RETAINED EARNINGS, ENDING ..... \$ 418,513

See accountants' compilation report.

THE BURDETTE SMITH GROUP, P.C.  
CERTIFIED PUBLIC ACCOUNTANTS  
AND MANAGEMENT CONSULTANTS  
FOUNDED 1978



1

Thomas E. Burdette, CPA  
Jeffrey A. Smith, CPA  
Joseph M. English III, CPA  
Thomas M. Crutchfield, CPA

*Associates*

Rebecca Bartholomae, CPA  
Elizabeth L. Moffett, CPA, MSA

*Members*

American Institute of CPAs  
Virginia Society of CPAs

To the Board of Directors  
Patch Energy Services, LLC  
Fairfax Station, VA

We have compiled the accompanying balance sheet of Patch Energy Services, LLC, as of September 30, 2010, and the related statements income and retained earnings for the nine months ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by generally accepted accounting principles. If the omitted disclosures and statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations, and cash flows. Accordingly, these financial statements are not designed for those who are not informed about such matters.

We are not independent with respect to Patch Energy Services, LLC.

*The Burdette Smith Group, P.C.*

Fairfax, Virginia  
October 21, 2010

**Patch Energy Services, LLC**  
**Electric Broker/Marketer Application**  
**Attachment E**  
**Item #7B**

Patch Energy Services, LLC carries the following types of insurance that are intended to provide support for its *financial fitness* to perform its obligations as a licensee:

1. Commercial General Liability - \$1,000,000
2. Automobile Liability - \$1,000,000
3. Excess/Umbrella Liability - \$1,000,000
4. Workers Comp and Employers Liability - \$500,000
5. Professional Liability - \$1,000,000

## **Don Patch**

11030 Martha Ann Court  
Fairfax Station, VA 22039  
(202) 236-0630

### **CAREER OBJECTIVE**

A management position in corporate sales where the ability to successfully cultivate, maintain and expand an existing loyal portfolio of major electric and natural gas customers in seven U.S markets is valued.

### **STRENGTHS**

Over 25 years of successful sales and marketing experience, Electricity, Natural Gas and Renewable Energy sales for a major national retail energy supplier. Energy savings and commodity solutions for Performance Contracting sales and Successful sales and marketing for a major corporation.

### **WORK EXPERIENCE**

**August 2001 to Present: Pepco Energy Services, Arlington, VA;  
Director, National Accounts**

**Pepco Energy Services Sales Leader 2003 thorough 2008**

Opened and established the DC, MD office.

**2009 - \$4.2 million gross margin (404 MW's)**

**2008 - \$11.6 million gross margin (2,123 MWs)**

**2007 - \$9.4 million gross margin (807 MWs)**

**2006 - \$19.5 million gross margin (1,201 MWs)**

**2001 to 2005 - Sold over \$5 million in gross every year with PES**

Initiated and implemented a successful green energy product offering which resulted in PES being the 2<sup>nd</sup> largest provider of renewable energy in the U.S. in 2008.

Manage and train inside sales representatives

Manage the largest GSA portfolio in the U.S. in seven different markets which include: DC, MD, DE, PA, NJ, NY and IL.

Portfolio PJM "Sub Account" Management Specialist for over 500MW - BRCPC, ESMEC

AOBA Key Account Manager for over 500MW

**August 1999 to August 2001:  
Director, Commercial Accounts, Pepco Energy Services**

Recruited, trained and managed team of seven commercial energy managers covering the District of Columbia, Maryland and Virginia.  
Signed energy savings performance contracts in excess of \$4 million in gross term margin.

**December 1994 to July 1999: Entergy Integrated Solutions, Metairie, LA;  
Regional Sales Manager**

**Energy Integrated Solutions Mid-Atlantic Sales Leader 1996, 1997, 1998, 1999**

Initiated and implemented a sales strategy which generated individual sales in gross term margin of \$1.3 M 1996, \$1.6M 1997, \$1.8M 1998, \$2M 1999.  
Developed market awareness of Entergy Corporation while consistently exceeding sales quotas by over 150%.

**August 1991 to September 1994: Parcel Plus, Annapolis, MD;  
Director, Sales and Marketing**

Accountable for meeting all corporate sales and marketing goals.  
Managed sales support staff collectively overseeing the work of 5 national franchise managers.  
Monitored advertising, demographics, database management, store transfers, and site selection.  
Exceeded yearly sales quotas and produced the highest growth level in the Parcel Plus history that lead to record franchise sales.  
Guided my own Parcel Plus franchise from inception to the highest first year sales revenues in Parcel Plus (Big Cargo) history.

**March 1986 to August 1991: BCreative, Inc, Charlottesville, VA;  
Vice President**

Generated long term contracts with top U.S. retailers such as Wal-Mart, K-mart, Sears, and Spencer Gifts which resulted in gross annual sales of over \$300,000.  
Developed licensing agreements which netted annual royalty payments of \$200,000 per year.

**September 1984 to March 1986: Marriott Corporation, Bethesda, MD;  
Sales Manager**

Marriott Sales Manager of the Year, Mid-Atlantic Region, 1987.  
Exceeded sales goals by 200% every year.

**EDUCATION**

B.S., Marketing 1984  
Old Dominion University, Norfolk, VA  
Successful Selling I and II, 1987  
Marriott Corporation, Santa Barbara, CA  
Spin Selling, 1995  
Entergy Corporation, Metairie, LA

**Attachment F (con't)  
Item # 24**

**Don Patch**  
**Director of National Accounts**

Mr. Don Patch has more than 15 years of experience in sales, marketing, energy management, and business development. Mr. Patch joined Pepco Energy Services (PES) in August 1999 and was responsible for the PES Energy Performance commercial sales development. His responsibilities included managing senior level account managers, achieving sales team goals and objectives, developing and penetrating Key Commercial Accounts. Mr. Patch moved to his new position as Director of National Accounts in April 2001. He was responsible for commodity sales development and management for large commercial and government accounts in VA, MD, DE, NJ, NY, IL and DC. Mr. Patch managed the largest GSA electricity commodity contract ever awarded to Federal Facilities in DC, MD, DE, NJ, NY and IL. In addition, Mr. Patch also was the key account manager for AOBA, BRCPC, ESMEC and Montgomery County which comprise the largest commercial aggregation groups in the Mid-Atlantic. Prior employment includes Entergy Corporation where Mr. Patch was Senior Account Manager and opened a new sales operation for a Fortune 250 public utility specializing in energy performance and maintenance contracts. Mr. Patch holds a Bachelors of Science degree in Business Administration from Old Dominion University in Norfolk, VA.

**Area of Responsibility: Gas, Electricity, Green Energy Sales Development**

DOUGLAS R. M.  
NAZARIAN  
CHAIRMAN



HAROLD D. WILLIAMS  
SUSANNE BROGAN  
LAWRENCE BRENNER  
THERESE M. GOLDSMITH

## PUBLIC SERVICE COMMISSION

#18, 6/2/10 AM, ML#s 122640 and 123200  
License Reference No.: IR-1943

June 2, 2010

Mr. Don Patch  
Patch Energy Services, LLC  
11030 Martha Ann Court  
Fairfax Station, VA 22039

Dear Mr. Patch:

On April 20, 2010, Patch Energy Services, LLC filed an Application for a license to supply electricity or electric generation services in Maryland under COMAR 20.51. Additional information was filed on May 19, 2010. The Company proposes to provide electricity supplier services in Maryland for residential, commercial and industrial customers without restrictions on the number and size of end use customers as described in the application.

After considering this matter at the June 2, 2010 Administrative Meeting, the Commission granted Patch Energy Services, LLC a license to supply electricity or electric generation services in Maryland in accordance with its Application (License Reference Number IR-1943). The license granted by the Commission under this Letter Order is limited solely to electricity broker services to commercial and industrial customers.

Finally, Patch Energy Services, LLC is reminded that it is under a continuing obligation to notify the Commission of any substantial changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

*1s/ Terry J. Romine*

Terry J. Romine  
Executive Secretary

TJR/gjd

c: Phil VanderHeyden, Electricity Division

Proof of Publication in The Philadelphia Daily News  
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

Anna Dickerson being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

November 5, 2010

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

*Anna Dickerson*

Sworn to and subscribed before me this 5<sup>th</sup> day of  
November, 2010.

*Mary Anne Logan*  
Notary Public

My Commission Expires:

NOTARIAL SEAL  
Mary Anne Logan, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires March 30, 2013

Copy of Notice of Publication

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE

Application of Patch Energy Services, LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Patch Energy Services, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Patch Energy Services, LLC proposes to act as a broker/marketer engaged in the business of supplying electricity and related services in Pennsylvania's PECO and PPL service areas under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Patch Energy Services, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Patch Energy Services, LLC's attorney at the address listed below.

By and through Counsel:  
Chelsey L. Moscati, Esq.  
Gordon, Feinblatt, Rothman,  
Hoffberger & Hollander, LLC  
233 E. Redwood Street  
Baltimore, Maryland 21202  
P: 410-576-4000  
F: 410-576-4196

RECEIVED

JAN 13 2011

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

The Patriot-News Co.  
2020 Technology Pkwy  
Suite 300  
Mechanicsburg, PA 17050  
Inquiries - 717-255-8213

The Patriot-News  
Now you know

GORDON-FEINBLATT  
233 E. REDWOOD STREET

BALTIMORE

MD 21202

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JAN 13 2011

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

THE PATRIOT NEWS  
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929  
Commonwealth of Pennsylvania, County of Dauphin} ss

Holly Blain, being duly sworn according to law, deposes and says:

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

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

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

This ad # 0002106719 ran on the dates shown below:

November 17, 2010

*Holly Blain*

Sworn to and subscribed before me this 19 day of November, 2010 A.D.

*Sherrie L. Kisner*

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Sherrie L. Kisner, Notary Public

Lower Paxton Twp., Dauphin County

My Commission Expires Nov. 26, 2011

Member, Pennsylvania Association of Notaries

Attachment J  
Item 12

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE  
Application of Patch Energy Services, LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.  
Patch Energy Services, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Patch Energy Services, LLC proposes to act as a broker/marketer engaged in the business of supplying electricity and related services in Pennsylvania's PECO and PPL service areas under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Patch Energy Services, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Patch Energy Services, LLC's attorney at the address listed below.  
By and through Counsel: Chelsey L. Moscati, Esq.  
Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC  
233 E. Redwood Street  
Baltimore, Maryland 21202  
P: 410-576-4000  
F: 410-576-4196

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)  
Commonwealth of Pennsylvania, County of Lackawanna

PATCH ENERGY SERVICES  
DON PATCH  
11030 MARTHA ANN COURT FAIRFAX STATION VA 22039

Account # 530050  
Order # 80424377  
Ad Price: 217.94

RECEIVED  
JAN 13 2011  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Gina Krushinski  
Being duly sworn according to law deposes and says that she is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

11/05/2010

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Gina Krushinski

Sworn and subscribed to before me  
this 5th day of November A.D., 2010

Sharon Venturi  
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Sharon Venturi, Notary Public  
City of Scranton, Lackawanna County  
My Commission Expires Feb. 12, 2014  
Member, Pennsylvania Association of Notaries

LEGAL NOTICE  
PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION

Application of Patch Energy Services, LLC For Approval To Offer, Render, Furnish Or Supply Electricity, Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

Patch Energy Services, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Patch Energy Services, LLC proposes to act as a broker/marketer engaged in the business of supplying electricity and related services in Pennsylvania's PECO and PPL service areas under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Patch Energy Services, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box BA

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

STATE OF PENNSYLVANIA  
COUNTY OF LYCOMING

SS:

Bernard A. Oravec Publisher of the Sun-Gazette Company, publishers of the Williamsport, Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

November 5, 2010

Affiant further deposes that he is an officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all the allegations in the foregoing statement as to time, place and character of publication are true.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**  
*Application of Patch Energy Services, LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.*  
Patch Energy Services, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/ marketer engaged in the business of supplying electricity. Patch Energy Services, LLC proposes to act as a broker/ marketer engaged in the business of supplying electricity and related services in Pennsylvania's PECO and PPL service areas under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Patch Energy Services, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Patch Energy Services, LLC's attorney at the address listed below.  
By and through Counsel: Chelsey L. Moscati, Esq. Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC 233 E. Redwood Street Baltimore, Maryland 21202 P: 410-576-4000 F: 410-576-4196

RECEIVED

JAN 13 2011

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me the 8<sup>th</sup> day of November 2010

Cathy A. Billey  
Notary Public

NOTARIAL SEAL  
CATHY A. BILLEY, Notary Public  
City of Williamsport, Lycoming County  
My Commission Expires May 15, 2011

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:  
For publishing the notice attached hereto on the above state dates.....\$ 271.16  
Probated same.....\$  
Total.....\$ 271.16

Attachment L  
Item 12

Certificate of Service

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of Virginia :

ss.

County of Fairfax :

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

He is the Managing Member of Patch Energy Services, LLC;

That he is authorized to and does make this affidavit for said Applicant;

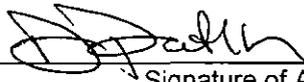
That the Applicant herein Patch Energy Services, LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

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

That the Applicant herein Patch Energy Services, 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 Patch Energy Services, 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.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 9th day of November, 2010.

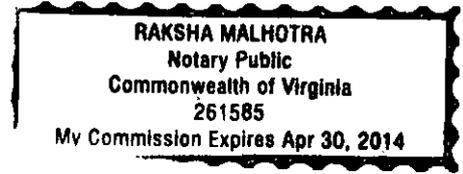
RECEIVED

JAN 13 2011

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Raksha Malhotra  
Signature of official administering oath

My commission expires April 30 2014



Fairfax, VA

Appendix B

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JAN 13 2011

OPERATIONS AFFIDAVIT

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of Virginia :

ss.

County of Fairfax :

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

He is the Managing Member of Patch Energy Services, LLC;

That he is authorized to and does make this affidavit for said Applicant;

That Patch Energy Services, 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 Patch Energy Services, LLC, the Applicant herein, asserts that 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 Patch Energy Services, 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.

### Appendix B (Continued)

That Patch Energy Services, 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.

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.

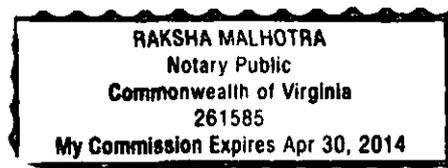
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 9th day of November, 2010.

Raksha Malhotra  
Signature of official administering oath

My commission expires April 30, 2014.



Fairfax, VA

Appendix C

CERTIFICATE OF SERVICE

On this the 13 day of January 2011, I certify that a true and correct copy of the foregoing application form for licensing within to Commonwealth of Pennsylvania as an Electric Generation Supplier and all attachments have been served upon the following:

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

Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

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

Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

Legal Department  
Attn: Paul Russell  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179



Chelsea L. Moscati, Esq.  
Attorney for Patch Energy Services, LLC

**RECEIVED**  
JAN 13 2011  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

## Appendix F

### 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 Patch Energy Services, LLC	2. BUSINESS PHONE NO. ( 202 ) 236-0630 CONTACT PERSON(S) FOR TAX ACCOUNTS: Don Patch
--	---

3. TRADE/FICTITIOUS NAME (IF ANY)

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

11030 Martha Ann Court Fairfax Station, Virginia 22039

5. TYPE OF ENTITY  SOLE PROPRIETOR  PARTNERSHIP  CORPORATION  
 LLC  OTHER (Describe...)

**6. LIST OWNER(S), GENERAL PARTNERS, OR CORPORATE OFFICERS(S)**

NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
Don Patch	_____ - _____ - _____

RECEIVED

JAN 18 2011

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**7. LIST THE FOLLOWING STATE & FEDERAL TAX IDENTIFICATION NUMBERS (ALL ITEMS A, B, & C MUST BE COMPLETED)**

Applicant must provide explanation if submitting N/A for any items

Item A - Designated by the Pennsylvania Department of Revenue.

Item B - Designated by the Internal Revenue Service.

Item C - Designated by the Pennsylvania Department of Revenue. The Corporate Box number may also be referred to as the Corporate Account number.

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

8. Do you have PA employees; resident or non-resident?  YES  NO

9. 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 Don Patch	EMPLOYER TAXES Don Patch	CORPORATE TAXES Don Patch
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PHONE 202-236-0630      PHONE 202-236-0630      PHONE 202-236-0630

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)

From: Origin ID: ODMA (410) 576-4222  
 Chelsey L. Moscati  
 Gordon Feinblatt  
 233 East Redwood Street  
 Baltimore, MD 21202



J18381810848225

Ship Date: 13JAN11  
 ActWgt: 1.0 LB  
 CAD: 8221245/INET3090

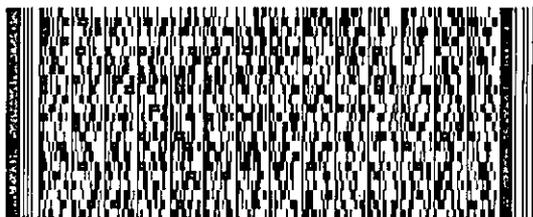
Delivery Address Bar Code



Ref # 38161/113555  
 Invoice #  
 PO #  
 Dept #

SHIP TO: (717) 783-0350 BILL SENDER  
**Secretary**  
**Pennsylvania Public Utility Comm**  
**KEYSTONE BLDG 2ND FLR RM N201**

**HARRISBURG, PA 17120**



TRK# 7943 1699 5255  
 (0201)

FRI - 14 JAN A1  
 PRIORITY OVERNIGHT

17120

PA-US

MDT

**ZN MDTA**



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**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
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.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

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