



Mirabito Natural Gas, LLC
The Metrocenter – 49 Court St.
P.O. Box 5306
Binghamton, NY 13903

6/19/2012

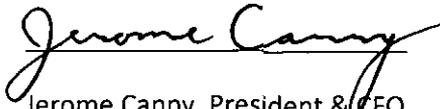
Secretary of the Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Subject: Mirabito Natural Gas, LLC Natural Gas Supplier (NGS) License Application Package – Deficiency Corrections

Dear Secretary of the Commission,

Enclosed please find the required items to correct for the deficiencies outlined in the notice provided to Mirabito Natural Gas, LLC dated May 31, 2012. These items are the signed affidavits and the signed and dated Proof of Service of the application. Please feel free to contact us at any time with any questions or concerns regarding the application.

Sincerely,


Jerome Canny, President & CFO

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13. **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 17120-1921

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 Natural Gas Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

<p>Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: rcrocker@ctenterprises.org</p>	<p>National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 email: wolfordd@natfuel.com</p>
<p>UGI Central Penn David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Peoples Natural Gas Company LLC Lynda Petrichevich 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 email: Lynda.w.petrichevich@peoples-gas.com PH: 412.208.6528 FAX: 412.208.6577</p>
<p>Peoples TWP LLC (Formerly T. W. Phillips) Robert M. Hovanec 205 North Main Street Butler, PA 16001 PH: 724.287.2725 FAX: 724.287.5021 email: rhovanec@twphillips.com</p>	<p>UGI David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>
<p>UGI Penn Natural David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Equitable Gas Company Jerald Moody 225 North Shore Drive Pittsburgh, PA 15212-5352 PH: 412.395.3209 FAX: 412.395.3335</p>
<p>PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 email: carlos.thillet@exeloncorp.com PH: 215.841.6452</p>	<p>Columbia Gas of Pennsylvania Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 email: theckathorn@nisource.com</p>
<p>Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: douglas.moser@pgworks.com PH: 215.684.6899</p>	<p></p>

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AFFIDAVIT

[Commonwealth/State] of _____ :

ss.

County of _____ :

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

[He/she is the President / CFO (Office of Affiant) of Mirabito Natural Gas, LLC (Name of Applicant);]

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

That Mirabito Natural Gas, 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 Mirabito Natural Gas, LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply 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 Mirabito Natural Gas, 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 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of, 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 natural gas 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).

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 Mirabito Natural Gas, LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, and the standards and billing practices of 52 PA. Code Chapter 56.

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That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Commission's Office of Communications 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.

Jerome J. Canney
Signature of Affiant

Sworn and subscribed before me this 7th day of June, ~~18~~ 2012

[Signature]
Signature of official administering oath

My commission expires _____.

JEFFREY S. PILARCHIK
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PI6117940
Qualified in Tioga County
My Commission Expires November 01, 2012

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[Commonwealth/State] of _____ :

County of _____ :

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

[He/she is the _____ (Office of Affiant) of _____ (Name of Applicant);]

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

That _____, the Applicant herein certifies that it has caused the notice of the filing of its license application published in the following newspapers on _____:
(date)

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

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

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

Signature of Affiant

Sworn and subscribed before me this _____ day of _____, 19____.

Signature of official administering oath

My commission expires _____.

AFFIDAVIT

[Commonwealth/State] of _____ :

SS.

County of _____ :

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

[He/she is the President / CEO (Office of Affiant) of Mirabito Natural Gas, LLC (Name of Applicant);]

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

That the Applicant herein Mirabito Natural Gas, LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa. C.S. §2208(c)(1).

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

That the Applicant herein Mirabito Natural Gas, 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 Mirabito Natural Gas, 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.

Jerome J. Canny
Signature of Affiant

Sworn and subscribed before me this 7th day of June, 2012

[Signature]
Signature of official administering oath

My commission expires _____.

JEFFREY S. PILARCHIK
NOTARY PUBLIC-STATE OF NEW YORK
No. 01P16117940
Qualified in Tioga County
My Commission Expires November 01, 2012

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Cross References

This section cited in 52 Pa. Code § 1.8 (relating to definitions); 52 Pa. Code § 5.533 (relating to procedure to except to initial, tentative and recommended decisions); and 52 Pa. Code § 5.535 (relating to replies).

§ 1.57. Proof of service.

(a) A certificate of service in the form prescribed by § 1.58 (relating to form of certificate of service) shall accompany and be attached to the original and all copies of pleadings, submittals or other documents filed with the Commission when service is required to be made by the parties.

(b) Subsection (a) supersedes 1 Pa. Code § 33.35 (relating to proof of service).

Authority

The provisions of this § 1.57 amended under the Public Utility Code, 66 Pa.C.S. §§ 501, 504--506, 1301 and 1501.

Source

The provisions of this § 1.57 amended January 24, 1997, effective January 25, 1997, 27 Pa.B. 414. Immediately preceding text appears at serial page (215925).

Cross References

This section cited in 52 Pa. Code § 1.8 (relating to definitions).

§ 1.58. Form of certificate of service.

(a) The form of certificate of service shall be as follows:

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

(List names and addresses of participants served.) *See Application.*

Dated this 19th day of June, 19 2012

Jerome J. Canney
(Signature)

~~Counsel for~~

~~(b) Subsection (a) supersedes 1 Pa. Code § 33.36 (relating to form of certificate of service).~~

Authority

The provisions of this § 1.58 amended under the Public Utility Code, 66 Pa.C.S. §§ 309--311, 315, 331--335, 501, 701--703 and 1101--1103.



PO Box 5306
Binghamton, NY 13902-5306

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Secretary of the Commission
Keystone Building, 400 North St.
2nd Floor, Room N201
Harrisburg, PA 17120