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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

July 30, 2012

Docket No. A-2012-2308026

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

RE: DATA REQUEST LETTER SENT OUT JULY 30, 2012

Dear Rosemary Chiavetta (Secretary of Pennsylvania Public Utility Commission):

In response to your Data Request letter that was sent July 30, 2012, please read the following documents that are attached this letter. These documents will include the data for the following questions:

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1. Question #2 (b) Regarding Business Entity Filings and Registration – Proof of Department of State Filings (document should have state seal).
2. Question #4 (b) Please answer the following questions by responding yes or no.
 - a. Does Achieve Energy Solution, LLC (Achieve) intend to collect energy supply costs directly from retail customers?
 - b. Is Achieve responsible for the scheduling of electric supplies?
 - c. Is Achieve responsible for the payment of the costs of the electricity to suppliers, producers, or EDCs?
 - d. May Achieve's customers, at their sole discretion, select or decline any electricity marketer or contract presented by Achieve?
3. Question #6 Proof of Service – Appendix C – is missing please fill it out and submit it to the Secretaries Bureau.
4. Question #7 (b) Regarding Financial Fitness. Please provide bank account statements, tax returns or any other information that demonstrates the Applicants financial fitness
5. Question #7 (d) – Appendix F - Regarding Financial Fitness The Tax Certification Statement, you failed to fill out #9 Item C. Please fill in this information and send the Amended version into the Secretary's Bureau. If this item is N/A please get a letter from the Department of Revenue in which they explain why you are exempt. Please note the Department of Revenue Contact Information is located at the bottom of Appendix A of the Application.



6. Appendix A is incomplete please fill it out and resubmit it to the Secretaries Bureau

If you have any questions in regards to the data that is attached, please contact Douglas R. Berry at 717.571.1151 or DBerry@AchieveEnergySolutions.com. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Douglas R. Berry". The signature is written in a cursive, flowing style.

Douglas R. Berry

President & CEO

Achieve Energy Solutions, LLC

(Hand delivered July 30, 2012)

Cc: Jeannine Snyder

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IN REPLY PLEASE
REFER TO OUR FILE



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

July 30, 2012

Docket No. A-2012-2308026

DOUGLAS R. BERRY CEO
ACHIEVE ENERGY SOLUTIONS, LLC
4550 LENA DRIVE
MECHANICSBURG PA 17055

RE: ELECTRIC GENERATION LICENSE

Dear Mr. Berry:

On June 1, 2012, Achieve Energy Solutions, LLC application for an ELECTRIC GENERATION Supplier license was accepted for filing and docketed with the Public Utility Commission. The application was incomplete. In order for us to complete our analysis of your application, the Energy Industry Group requires answers to the attached question(s).

Please forward the information to the Secretary of the Commission at the following address **within ten (10) working days** from the date of this letter.

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

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, _____, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

In addition, to expedite completion of the application, please fax or e-mail the information to Jeannine Snyder at (717) 787-9084 or jeansnyder@pa.gov respectively. Please direct any questions to Jeannine Snyder, Bureau of Technical Utility Services, at (717) 787-9084.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Diskin". The signature is fluid and cursive, with the first name "Paul" and last name "Diskin" clearly distinguishable.

Paul Diskin, Director
Bureau of Technical Utility Services

Enclosure
cc: Jeannine Snyder

AES

Achieve Energy Solutions, LLC

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TECHNICAL UTILITY SERVICES

June 1, 2012

I, Douglas R. Berry, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Sincerely,



Douglas R. Berry
President & CEO

Achieve Energy Solutions, LLC

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU
401 NORTH STREET, ROOM 206
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.STATE.PA.US/CORP

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Achieve Energy Solutions, LLC

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 4112285

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Butler, Ronald D
1007 Mumma Road, Suite 101
Lemoyne, PA 17043

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Certificate of Organization
Domestic Limited Liability Company
(15 Pa.C.S. § 8913)

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Name Ronald D. Butler, Esquire		
Address 1007 Mumma Road, Suite 101		
City Lemoyne	State PA	Zip Code 17043

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

Commonwealth of Pennsylvania
CERTIFICATE OF ORGANIZATION 3 Page(s)



Fee: \$125

In compliance with the requirements of 15 Pa.C.S. § 8913 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

1. The name of the limited liability company (<i>designator is required, i.e., "company", "limited" or "limited liability company" or abbreviation</i>): Achieve Energy Solutions, LLC				
2. The (a) address of the limited liability company's 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 4550 Lena Drive, Suite 102	City Mechanicsburg	State PA	Zip 17055	County Cumberland
(b) Name of Commercial Registered Office Provider c/o:				County
3. The name and address, including street and number, if any, of each organizer is (<i>all organizers must sign on page 2</i>):				
Name Ronald D. Butler	Address 1007 Mumma Drive, Suite 101, Lemoyne, PA 17043			

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4. ~~Strike out if inapplicable term~~
~~Should not be included in the company's articles of incorporation if membership interest is~~

5. ~~Strike out if inapplicable:~~
Management of the company is vested in a manager or managers.

6. The specified effective date, if any is: _____
month date year hour, if any

7. ~~Strike out if inapplicable: If the company is a restricted professional company, attach the following:~~
~~certified professional certificate(s):~~

8. For additional provisions of the certificate, if any, attach an 8 1/2 x 11 sheet.

IN TESTIMONY WHEREOF, the organizer(s) has (have)
signed this Certificate of Organization this
29th day of May, 2012.

Signature

Signature

Signature

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Docket No. A-2012-2308026
Achieve Energy Solutions, LLC
Data Request

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2. Question #4 (b) Please answer the following questions by responding yes or no:

- a. Does Achieve Energy Solutions, LLC (Achieve) intent to collect energy supply costs directly from retail customers? NO
- b. Is Achieve responsible for scheduling of electric suppliers? NO
- c. Is Achieve responsible for the payment of the costs of the electricity to suppliers, producers, or EDSs? NO
- d. May Achieve's customers, at their sole discretion, select or decline any electricity marketer or contract presented by Achieve? YES

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Appendix C

Example
CERTIFICATE OF SERVICE

On this the 1st day of June 2012, I certify that a true and correct copy of the foregoing application form for licensing within the 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

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

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

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

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

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

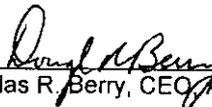
Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

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

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

Director of Customer Energy Services
Orange and Rockland Company
390 West Route 59
Spring Valley, NY 10977-5300



Douglas R. Berry, CEO, Achieve Energy Solutions, LLC

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Serving Central Pennsylvania
888.937.0004

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Account Activity



Commercial Interest
Checking

Account Name Achieve
Energy
Solutions
LLC
(*7716)
Account Number [REDACTED]
Interest Rate 0.20 %
YTD Interest \$0.00
Current Balance \$5,000.00
Available Balance \$5,000.00

Click [here](#) to learn more about funds availability.

Account: _____ Type: _____ From: _____ To: _____
Achieve Energy Solutions LLC (*7716) -- ALL -- 6/22/2012 7/22/2012

Pending Holds Total: \$0.00

Effective Date Description Amount Expiration Date

There is no activity to view based on your selection.

Date	Type	Check Number	Description	Amount	Acct Balance	Inquiry
7/13/2012	Credit		CUSTOMER DEPOSIT	\$5,000.00	\$5,000.00	<input checked="" type="checkbox"/>

Technical Support: 800-204-0541
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<https://online.mymetrobank.com/Accounts/Activity.aspx?i=15>

7/22/2012

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Appendix F

COMMONWEALTH OF
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**TAX CERTIFICATION
STATEMENT**

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PUBLIC UTILITY SERVICES

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 Achieve Energy Solutions, LLC	2. BUSINESS PHONE NO. (717) 571.1151 CONTACT PERSON(S) FOR TAX ACCOUNTS: Douglas R. Berry
3. TRADE/FICTITIOUS NAME (IF ANY) N/A	
4. LICENSED ADDRESS (STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) STATE (ZIP) 4550 Lena Drive, Mechanicsburg, PA 17055	
5. TYPE OF ENTITY <input checked="" type="checkbox"/> SOLE PROPRIETOR <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input checked="" type="checkbox"/> LLC <input type="checkbox"/> OTHER (Describe...)	

6. LIST OWNER(S), GENERAL PARTNERS, OR CORPORATE OFFICERS(S)	
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
Douglas R. Berry	2 0 3 - 4 2 9 3 9 6
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
Linda M. Berry	2 3 0 - 0 2 - 0 7 0 1
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)

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.

A. SALES TAX LICENSE (8 DIGITS) APPLICATION PENDING <input type="checkbox"/> N/A <input checked="" type="checkbox"/> XX [] [] [] [] [] [] [] []	C. CORPORATE BOX NUMBER (7 DIGITS) APPLICATION PENDING <input type="checkbox"/> N/A <input checked="" type="checkbox"/> XX 1 5 8 4 6 1 1
B. EMPLOYER ID (EIN) (9 DIGITS) APPLICATION PENDING <input type="checkbox"/> N/A <input type="checkbox"/> 4 5 5 3 7 8 1 6 1	

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		
Douglas R. Berry PA SALES AND USE TAX	Douglas R. Berry EMPLOYER TAXES	Douglas R. Berry CORPORATE TAXES
PHONE 717.571.1151	PHONE 717.571.1151	PHONE 717.571.1151

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)

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Appendix A
APPLICATION AFFIDAVIT

[Commonwealth/State] of Pennsylvania :

ss.

County of Cumberland :

Douglas R. Berry , Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the CEO (Office of Affiant) of Achieve Energy Solutions, LLC (Name of Applicant);]

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

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

That the Applicant herein Achieve Energy 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 Achieve Energy 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.

Douglas R. Berry
Signature of Affiant

Sworn and subscribed before me this 23 day of July , 20 12 .

Barbara C. Davis
Signature of official administering oath

My commission expires August 20, 2014 .

NOTARIAL SEAL
Barbara E. Davis, Notary Public
Mechanicsburg, Cumberland County
My Commission Expires August 20, 2014

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

na Dr, Suite 102
y, PA 17055

FIRST CLASS MAIL

RE: Data Request Letter Sent out July 30, 2012
cc: Jeannine Snyder

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