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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **Harrisburg, PA. 17105-3265** |  |

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|  | Public Meeting held October 24, 2012 |
| Commissioners Present: |  |

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| |  | | --- | | Robert F. Powelson, Chairman | | John F. Coleman, Jr., Vice Chairman  Wayne E. Gardner  James H. Cawley | | Pamela A. Witmer | |  |

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| License Application of XOOM Energy Pennsylvania, LLC for Approval to Offer, Render, Furnish or Supply Electricity or Electric Generation Services as a Supplier of Retail Electric Power. | Docket No. A-2012-2283821 |

**SECTION 703(G) ORDER**

**BY THE COMMISSION:**

On December 16, 2011, XOOM Energy Pennsylvania, LLC (XOOM) filed an application seeking to become a licensed electric generation supplier (EGS) in the service territories of Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, and PPL Electric Utilities, Inc., within the Commonwealth of Pennsylvania. The application was filed pursuant to the Commission’s regulations at 52 Pa. Code §§54.31-54.43, which became effective on August 8, 1998, and which were established under Section 2809 of the Public Utility Code, 66 Pa. C.S. §2809. The Commission approved XOOM’s electric generation supplier (EGS) application, at Docket No. A-2012-2283821, Order Entered July 20, 2012.

An amended application was filed February 7, 2012, for the authority to operate in the additional electric company service territories of PECO Energy and West Penn Power. However, the July 29, 2012 Order approving Xoom’s EGS application, did not include the above additional EDC service territories. After review, it has been determined that XOOM did furnish the documentation required to evidence its compliance with the proofs of publication and service to the interested parties in these additional service territories, has supplied the requisite bonding requirements, and has shown sufficient financial and technical fitness to be licensed in the additional electric distribution company service territories of PECO Energy and West Penn Power.

Section 703(g) of the Public Utility Code (Code), 66 Pa. C.S. § 703(g), relating to rescission and amendment of orders, establishes a party’s right to seek relief following the issuance of a final Commission decision. Such requests for relief must be consistent with Section 5.572(b) of our Regulations, 52 Pa. Code § 5.572(b), relating to petitions for relief following the issuance of a final decision. Also, the standards for our consideration of a petition for relief following the issuance of a final decision are well settled. *See Duick v. PG&W*, 56 Pa. P.U.C. 553 (1982) (*Duick*).

According to Section 703(g) of the Public Utility Code, 66 Pa. C.S. §703(g), “[t]he Commission may, at any time, after notice and after opportunity to be heard as provided in this chapter, rescind or amend any order made by it.” *Tranter v. Pennsylvania Public Utility Commission,* 288 A.2d 837 (Pa. Comwlth. 1972).

Upon our review, we find that the Company provided to the Commission the supporting documentation as described in this Order; **THEREFORE,**

**IT IS ORDERED:**

1. That the amended application of XOOM Energy Pennsylvania, LLC is hereby approved, consistent with this Order.

2. That a license be issued authorizing XOOM Energy Pennsylvania, LLC to begin to offer, render, furnish or supply electric generation supplier services to residential, large commercial (over 25 kw demand), small commercial (25 kw and under demand), and industrial customers in the electric distribution company service territories of PECO Energy Company, West Penn Power, Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, and PPL Electric Utilities, Inc., within the Commonwealth of Pennsylvania.

3. That this proceeding at Docket No. A-2012-2283821 be closed.

BY THE COMMISSION

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: October 24, 2012

ORDER ENTERED: October 24, 2012