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October 18, 2012

**Via Hand Delivery**

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: Docket Number A-2009-2139745: License Information Update for Energy Plus Holdings LLC

RECEIVED  
2012 OCT 18 PM 3:00  
PA PUC  
SECRETARY'S BUREAU

Dear Secretary Chiavetta:

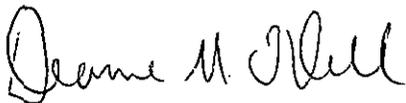
On behalf of Energy Plus Holdings LLC (“Energy Plus” or “EPH”), we are forwarding an update to the materials submitted on August 29, 2012 to supplement Energy Plus’s license information. Please find below an update regarding lawsuits in which Energy Plus and its subsidiary Energy Plus Natural Gas LLC (“EPNG”) were named in New Jersey. Please also find information regarding two lawsuits filed in Pennsylvania in which Energy Plus was named. The information herein is intended to supplement Energy Plus’s response to Question 16 (Compliance) in its EGS license application.

- **Yu v. Energy Plus:** Plaintiffs filed an amended consolidated complaint on October 5, consolidating with the *Faistl* case, adding an additional plaintiff and adding a new claim under New Jersey’s Plain Language Act. Energy Plus’ response to the amended consolidated complaint is due on November 5, 2012. The initial scheduling conference has been moved to November 14, 2012.
- **Fortney v. Energy Plus:** The complaint was filed on August 8, 2012. Energy Plus’ response to the complaint is due on October 22. Energy Plus is seeking to transfer venue to New York and to consolidate with the *Wise* case.
- **Harley v. Energy Plus Holdings LLC:** On October 1, 2012, a lawsuit was filed against Energy Plus in the Philadelphia Court of Common Pleas (the “Harley” case). The case is a purported class action and the claims are similar to the allegations of deceptive trade practices, breach of the covenant of good faith and fair dealing, breach of contract, and unjust enrichment made in the consolidated amended complaint filed recently in the *Yu* case. Energy Plus’s response is forthcoming.

- **Taylor v. Energy Plus:** On October 4, 2012, a lawsuit was filed against Energy Plus in the Philadelphia Court of Common Pleas (the "Taylor" case). The case is a purported class action brought by some of the same attorneys as those in the *Yu* case. The claims are similar to the allegations of deceptive trade practices, breach of the covenant of good faith and fair dealing, breach of contract, and unjust enrichment made in the consolidated amended complaint filed recently in the *Yu* case. Energy Plus's response is forthcoming.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Deanne M. O'Dell

DMO/lww

cc: Heather Farber, Senior Director, Strategic Market Development, Energy Plus (via email only)  
Lisa Delsante, Assistant General Counsel, Energy plus (via email only)

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