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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **Harrisburg, PA 17105-3265** | | | |  |
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|  | | Public Meeting held December 20, 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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| Application of XOOM Energy Pennsylvania, LLC to become a licensed supplier of natural gas services. | | | | A-2012-2283967 | |
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**FINAL ORDER**

**BY THE COMMISSION:**

On December 16, 2011, XOOM Energy Pennsylvania, LLC (XOOM) filed a License Application to operate as a supplier and broker/marketer engaged in the business of supplying natural gas services in the service territories of National Fuel Gas Distribution Corporation, Peoples Natural Gas Corporation, Columbia Gas of Pennsylvania, Inc., PECO Gas, UGI and UGI Central Penn Gas, within the Commonwealth of Pennsylvania.

The Commission issued an order approving Xoom’s Application on July 20, 2012. After the order was entered and upon additional review, Commission Staff noted that XOOM had not furnished the documentation required to evidence its compliance with the Section 2208(c) bonding requirement for the natural gas distribution company service territory of PECO Gas in which they are applying for authority to operate.

Section 2208(c)(1), 66 Pa. C.S. §2208(c)(1), provides that a natural gas supplier license shall not be issued unless the applicant furnishes a bond or other security in a form and amount to ensure its financial responsibility. The criteria used to establish the form and amount of the bond or other security is set forth in the natural gas distribution company’s tariff. The amount and form of the bond or other security may also be mutually agreed to between the natural gas distribution company and the natural gas supplier. Section 2208 also provides that should the parties fail to achieve an agreement, then the form and amount of bond or other financial security “shall be determined by criteria approved by the Commission.” It had been determined that XOOM did not provide the documentation to evidence its compliance with the Section 2208(c) bonding requirement for the following natural gas distribution company service territory: PECO Gas.

The Commission issued a 703(G) Order Entered September 13, 2012 that tentatively rescinded its Order Entered July 20, 2012 at Docket No. A-2012-2283967 that approved the NGS license of XOOM Energy Pennsylvania, LLC regarding authority to operate in the natural gas distribution company service territory of PECO Gas because of non-compliance with Section 2208(c). XOOM was therefore afforded an opportunity to evidence its compliance with 66 Pa. C.S. §2208(c) to the Commission by providing the necessary documentation. The Bureau of Technical Utility Services was then to review the NGS application of XOOM for accuracy and completeness. Upon complete review and approval of the application, the Commission would issue a Final Order.

On November 14, 2012 XOOM provided documentation to evidence its compliance with the Section 2208(c) bonding requirement for the NGDC territory of PECO Gas.

As of December 11, 2012, no protests have been filed.

Upon full consideration of all matters of record, we find that approval of this application is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:**

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

2. That a license be issued authorizing XOOM Energy Pennsylvania, LLC the right to begin to offer, render, furnish or supply natural gas supply services as a supplier and broker/marketer to the public, limited to residential, small commercial (under 6,000 MCF annually), large commercial (6,000 MCF or more annually), and industrial customers in the local natural gas distribution company service territories of National Fuel Gas Distribution Corporation, Peoples Natural Gas Corporation, Columbia Gas of Pennsylvania, Inc., PECO Gas, UGI Utilities and UGI Central Penn Gas, within the Commonwealth of Pennsylvania.

3. That this proceeding at Docket No. A-2012-2283967 be closed.

 **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: December 20, 2012

ORDER ENTERED: December 20, 2012