

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

William Towne	:	
	:	
v.	:	C-2012-2307991
	:	
Great American Power, LLC	:	
(referred to as "GAP")	:	

**RESPONSE BRIEF**

This document responds to the main brief filed by Great American Power (GAP) in the above-referenced case on December 5, 2012. The document is generally structured in the same sequence as GAP's brief.

This complaint regarding "deceptive, aggressive telemarketing practices" was initially filed based on the customer experience described in the complaint, hearing, and main brief by Mr. Towne, without knowledge of all the specific laws and regulations cited there. Mr. Towne believed that the PUC (and its Office of Competitive Market Oversight) might have been either deciding on marketing regulations (including telemarketing regulations) for the newly competitive market, OR that if the PUC was not considering such regulations, that it may be unaware of the need for such regulations, having possibly created a regulatory environment allowing the unethical behaviors around what is supposed to be a positive consumer **choice** market. In retrospect, it is clear that the PUC was actively considering the future of these regulations, in docket L-2010-2208332. As described in the Background section of the final rulemaking order in that docket, and previous work traced through the "PUC Regulatory Background" section of Towne's main brief, this set of efforts began when customers contacted the Commission with their concerns.

On further investigation in preparation for the hearing and brief, existing regulations were uncovered that do appear to forbid the observed practices, which are described in Towne's main brief. If these rules are enforced, there may be no need for additional regulations. This procedure formally requests that the PUC act to enforce the existing rules.

This is a procedure before the Public Utilities Commission, which Towne understands to be a regulatory body with powers to regulate public utilities, similar to the role the SEC plays in the financial markets or the role the county health department plays in regulating restaurants and related businesses. Towne understands this procedure to be different than a civil suit for restoration of individual damages encountered by a single plaintiff, as may be filed in an appropriate state or federal court of the judicial branch and as would likely not be productive for Towne to file, for reasons including those described on page 6 of GAP's brief, which seem irrelevant to this proceeding. If GAP did not respect the PUC's authority and independence in evidentiary hearings, the PUC may act as a public plaintiff to enforce the

state laws in judiciary courts, though GAP's brief indicates that they respect the PUC's regulatory authority.

Though it seems unnecessary in this venue, Towne believes it valuable to provide an illustration of the not readily quantifiable costs incurred as a result of these practices. In Spring 2012 (and at other times), Towne provided his phone number to certain friends and acquaintances along with an unconditional offer to help them, should they encounter certain situations. In the late spring, Towne had reason to believe that some of these individuals may be entering particular situations where they might call to request such help, from a phone that would be available to the caller but not recognized as that person's number. When calls came in from unknown numbers in the 412 and nearby area codes, Towne guessed that these calls were from such individuals who may be in need of urgent help. He stepped away multiple times from important meetings and events, including one with leading social entrepreneur Bill Drayton. In the several months prior to that period, Drayton won the Prince of Asturias Award in International Cooperation (described by some as "Spain's version of the Nobel Prize"), the John W. Gardner Leadership Award, and the World Entrepreneurship Forum's Social Entrepreneur Award; he was previously named one of America's 25 best leaders by *US News and World Report*. The costs of stepping away from such meetings to take a phone call are not directly quantifiable; it is not provable what valuable opportunities may have otherwise resulted (in Drayton's field, it is difficult to prove the value of such opportunities even after they have happened and been used successfully). Such an action could be justified if it is to help a friend in need and demonstrates one's loyalty and integrity, but to hear that these costs are incurred merely to discover an abandoned call from a not-in-service number or to listen to a deceptive telemarketer from an energy company trying to sell what Towne had already requested to not receive sales calls about, was quite aggravating and helped provide sufficient motivation to file action seeking a stop to these practices.

Additionally, Towne has had to take **days** of time and effort away from his primary job, weekends, and other pursuits in order to prepare for the hearing and briefings in this case, because even filing a formal complaint with the PUC was not sufficient to stop the unwanted sales calls. This time, effort, and action-related expenses are certainly not without value, but it is difficult to quantify these costs specifically, even with recent-historical data about Towne's high hourly earnings potential or standard data on legal costs (some of which GAP has understandably chosen to incur in the hopes of avoiding larger financial penalties). Such quantification does not seem relevant, though, and better methods for determining the amount of a financial penalty are described in Towne's main brief.

The nature of telemarketing offenses is that they are generally against a large number of people, none of whom individually incur provably large costs and none of whom have sufficient incentive to overcome the costs of seeking damages, but who may collectively yield an exceptionally valuable financial benefit stream for the telemarketer violating the rules. However, protective regulations still exist, demonstrating the importance that legislatures and regulators place on protecting residents from these aggregated offenses. Because of their nature, the most logical enforcement roles are with state Attorneys General as well as industry-specific regulators where they exist, as they do for EGSs, where industry-specific regulations have also been created. However, regulators are not practically able to

enforce the rules if they do not have any resident requests identifying violations. This action is a consumer complaint the PUC can use to enforce the rules, requesting that they do so.

GAP's main brief describes GAP as a "small, family-owned business with five employees" (p. 1). This appears true to the extent that all businesses are eventually owned by people in families, but not under the definitions normally applied. According to a Form D filed with the SEC in 2011 ("\$100,000 raised by Great American Power, LLC<sup>1</sup>"), the company is run by John Landry of Kennesaw, GA; Ginger Lucas of Kennesaw, GA; Jeffrey Bornstein of Orwigsburg, PA; Justin Olds of Wesley Chapel, FL; Diane Mero of Rutland, MA; and Jill Russo of Melville, NY. As of the date of GAP's brief, the company's LinkedIn profile<sup>2</sup> lists the company with "11-50 employees," including Chief Marketing Officer Chris Bonavita and others. Exhibit 2 introduced at hearing is a news article from summer 2012 stating that Great American Power has 180 employees, and the news story announces that the local workforce will be doubled. The size and ownership of the company is irrelevant for the purposes of determining what laws were broken and what the penalties should be (nor does size or ownership type necessarily imply ethical practices); this appears to be a play for sympathy, with intended implications that are only of questionable accuracy. However, if jobs are diverted to more ethical ventures, it is preferable to see only five jobs being disrupted rather than the larger number implied by the news story.

In the first recording presented at the hearing, the final verification question asked customers to confirm their understanding that they would receive a welcome confirmation in the mail in 2-3 days. Towne understood perfectly well the concept of receiving mail in a few days but had to answer the question incorrectly (saying "no") in order to avoid being switched. GAP's main brief (p. 3, p. 7) notes that "per his request, GAP never enrolled Mr. Towne as a customer." At the end of p. 10, GAP states that it "does not switch customers' electricity service before receiving a customer's affirmative consent" but in reality it merely does not switch customers' electricity service after receiving a statement that such a switch is not wanted. (This does not stop them from calling back, Issue #2). The issue here (#8 in Towne's main brief) is that an specific **request had to be made** to cancel enrollment, and that express informed consent as required by law (see main brief) was never even sought. Customers have a "negative option" requiring action to *not* use GAP as their supplier and are told that the switch has taken place before they are ever asked if they actually desire the switch, as evidenced by recordings. They are also not given sufficient information to provide "informed" consent according to the legal definition as described in Towne's main brief.

The final paragraph on p. 10 of GAP's main brief cites call center supervisor Garrett's explanation of the switch process: "*Before [the actual switch] even happens, we actually send you the information...*" Only a few moments earlier (at about 6:20 in the recording), Garrett states that the packet comes from Duquesne Light instead of GAP: "*Once we...take you through a verification process, you would actually receive a confirmation letter from Duquesne Light.*" The quote in GAP's brief using "we" in place of "Duquesne Light" does not occur until after another five minutes of resistance and probing. GAP's

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<sup>1</sup> See <http://marketbrief.com/great-american-power-llc/d/form-d/2011/8/30/90> and the attached Form D

<sup>2</sup> See <http://www.linkedin.com/company/1855714>

confusion between itself and Duquesne Light as evidenced in the brief and call is part of Issue #5 as described in Towne's main brief.

The first paragraph of p. 11 in GAP's main brief responds to Issue #7 in Towne's main brief, regarding false information about rates. GAP appears to imply that because one agent gives accurate information in one recording, all agents always give correct rate information on all calls (which is the standard required by law). This is a logical fallacy. Evidence showing violation of the requirements is highlighted in Towne's main brief beginning with the second to last paragraph on p. 18.

Footnote 2 in GAP's main brief draws an important correlation between 16 CFR 310.4 *et. seq.* and the Pennsylvania UTPCPL, stating the correlation better than is stated in Towne's main brief. On p. 12, GAP also "takes full responsibility for any unlawful conduct that may be committed by those call centers when acting on behalf of GAP." This makes the "Responsibility of Great American Power for its Telemarketing Contractors" section on p. 24 of Towne's main brief redundant. It is also GAP's formal acceptance of Issue 10 in Towne's main brief (related to 73 P.S. §2243 and PUC regulations cited on p. 6 of that brief), resolving ambiguity about whether that issue should be connected to GAP or only the telemarketer with GAP's acceptance of responsibility.

Though not noted in GAP's brief, the background facts in Towne's main brief neglected to include that there is very poor cell service at Mr. Towne's home, a fact which may help in understanding the second recording. As the recording was done on a server between GAP and Mr. Towne, the recording did not experience audio drop-outs due to cell coverage.

Page 13 of GAP's main brief responds to Issue #3 in Towne's, regarding abandoned calls, citing Google Voice's record of zero call handling time. This is how abandoned calls appear in Google Voice, which records the amount of time that two callers were actually connected. When a Google Voice customer picks up the phone and hears "Oops! Your caller just hung up" this is recorded as zero handling time in Google Voice, but billed as minutes e. g. by Verizon Wireless (for calls routed to a Verizon cell phone) or by an office telecommunications provider (for calls routed to an office phone). A demonstration of how abandoned calls are manifested in Towne's cell phone system was offered but declined at hearing. Further, this date range has now scrolled out of the cell phone's internal call history, because of the length of the legal process. Towne reasserts the issue of abandoned calls and restates his demonstration offer declined at hearing, if needed. Additionally, it is also important to remember that the 3% safe harbor provisions do not apply to GAP, for reasons described in the main brief; even a single abandoned call is in violation of the rule.

In response to Issue #4, GAP asserts on p. 13 of its main brief that at the time of its brief, dialing 412-542-5932 reaches a recorded message associated with GAP. Unfortunately, that number is irrelevant to this complaint, though it may be among the additional phone numbers GAP used in the campaign and repeatedly refused to disclose. During the campaign, Mr. Towne attempted to dial the numbers provided by GAP and was told by a recording that the number was not in service. He did not reach any opportunity to remove his number from GAP's call list. It is unclear whether or not this is even theoretically provable under GAP's standards of evidence (i.e. presentable without objection) beyond

the testimony provided. The recordings presented do demonstrate that GAP's telemarketers do not provide a phone number where GAP can be reached, which is required by law as described in the penultimate paragraph on p. 12 of Towne's main brief.

Towne respectfully submits this response brief, together with the attached 6-page SEC Schedule D and one-page LinkedIn profile referenced on page 3, reaching the same conclusions as in Towne's main brief.

This document is dated December 20, 2012.

This document has been submitted through the PUC eFiling system, and by e-mail as a PDF attachment sent to ALJ Mary Long at [malong@pa.gov](mailto:malong@pa.gov) and GAP's attorney Chad Julius at [cjulius@ljacobsonlaw.com](mailto:cjulius@ljacobsonlaw.com). It may also be sent by United States Mail to either or both of the following addresses:

ALJ Mary D. Long  
Pennsylvania Public Utility Commission  
301 5th Avenue Suite 220  
Pittsburgh, Pennsylvania 15222

Chad J. Julius  
Jacobson, Julius & McPartland  
8150 Derry Street  
Harrisburg, Pennsylvania 17111

Respectfully submitted,

*William B Towne*

4243 Glen Lytle Road  
Pittsburgh, PA 15217

The Securities and Exchange Commission has not necessarily reviewed the information in this filing and has not determined if it is accurate and complete.  
The reader should not assume that the information is accurate and complete.

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

**FORM D**

**Notice of Exempt Offering of Securities**

**OMB APPROVAL**

OMB Number: 3235-0076  
Expires: August 31, 2015  
Estimated average burden  
hours per response: 4.00

**1. Issuer's Identity**

CIK (Filer ID Number)	Previous Names	<input checked="" type="checkbox"/> None	Entity Type
<a href="#">0001528844</a>			<input type="checkbox"/> Corporation
Name of Issuer			<input type="checkbox"/> Limited Partnership
<a href="#">Great American Power, LLC</a>			<input checked="" type="checkbox"/> Limited Liability Company
Jurisdiction of Incorporation/Organization			<input type="checkbox"/> General Partnership
<a href="#">PENNSYLVANIA</a>			<input type="checkbox"/> Business Trust
Year of Incorporation/Organization			<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Over Five Years Ago			
<input checked="" type="checkbox"/> Within Last Five Years (Specify Year) <a href="#">2010</a>			
<input type="checkbox"/> Yet to Be Formed			

**2. Principal Place of Business and Contact Information**

Name of Issuer			
<a href="#">Great American Power, LLC</a>			
Street Address 1		Street Address 2	
<a href="#">2959 CHEROKEE STREET</a>		<a href="#">SUITE 102</a>	
City	State/Province/Country	ZIP/PostalCode	Phone Number of Issuer
<a href="#">KENNESAW</a>	<a href="#">GEORGIA</a>	<a href="#">30144</a>	<a href="#">(770) 755-1831</a>

**3. Related Persons**

Last Name	First Name	Middle Name
<a href="#">Landry</a>	<a href="#">John</a>	
Street Address 1	Street Address 2	
<a href="#">2959 Cherokee Street</a>	<a href="#">Suite 102</a>	
City	State/Province/Country	ZIP/PostalCode
<a href="#">Kennesaw</a>	<a href="#">GEORGIA</a>	<a href="#">30144</a>
Relationship: <input checked="" type="checkbox"/> Executive Officer <input checked="" type="checkbox"/> Director <input type="checkbox"/> Promoter		

Clarification of Response (if Necessary):

[Chief Executive Officer, Board Member \(Board of Managers\)](#)

Last Name	First Name	Middle Name
Lucas	Ginger	
Street Address 1	Street Address 2	
2959 Cherokee Street	Suite 102	
City	State/Province/Country	ZIP/PostalCode
Kennesaw	GEORGIA	30144
Relationship: <input checked="" type="checkbox"/> Executive Officer <input checked="" type="checkbox"/> Director <input type="checkbox"/> Promoter		

Clarification of Response (if Necessary):

[Chief Financial Officer, Board Member \(Board of Managers\)](#)

---

Last Name	First Name	Middle Name
Bornstein	Jeffrey	L
Street Address 1	Street Address 2	
1001 Village Road		
City	State/Province/Country	ZIP/PostalCode
Orwigsburg	PENNSYLVANIA	17961
Relationship: <input type="checkbox"/> Executive Officer <input checked="" type="checkbox"/> Director <input type="checkbox"/> Promoter		

Clarification of Response (if Necessary):

[Chairman, Board of Managers](#)

---

Last Name	First Name	Middle Name
Olds	Justin	
Street Address 1	Street Address 2	
4241 Rustic Pine Place		
City	State/Province/Country	ZIP/PostalCode
Wesley Chapel	FLORIDA	33544
Relationship: <input type="checkbox"/> Executive Officer <input checked="" type="checkbox"/> Director <input type="checkbox"/> Promoter		

Clarification of Response (if Necessary):

[Board Member \(Board of Managers\)](#)

---

Last Name	First Name	Middle Name
Mero	Diane	E
Street Address 1	Street Address 2	
64 Charnock Hill Road		
City	State/Province/Country	ZIP/PostalCode
Rutland	MASSACHUSETTS	01543
Relationship: <input type="checkbox"/> Executive Officer <input checked="" type="checkbox"/> Director <input type="checkbox"/> Promoter		

Clarification of Response (if Necessary):

[Board Member \(Board of Managers\)](#)

---

Last Name	First Name	Middle Name
Russo	Jill	A
Street Address 1	Street Address 2	

68 South Service Road

Suite 120

City

State/Province/Country

ZIP/PostalCode

Melville

NEW YORK

11747

Relationship:  Executive Officer  Director  Promoter

Clarification of Response (if Necessary):

[Independent Board Member \(Board of Managers\)](#)**4. Industry Group**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Agriculture   | Health Care                                     | <input type="checkbox"/> Retailing                 |
| <input type="checkbox"/> Banking & Financial Services  | <input type="checkbox"/> Biotechnology          | <input type="checkbox"/> Restaurants               |
| <input type="checkbox"/> Commercial Banking  | <input type="checkbox"/> Health Insurance       | Technology   |
| <input type="checkbox"/> Insurance   | <input type="checkbox"/> Hospitals & Physicians | <input type="checkbox"/> Computers                 |
| <input type="checkbox"/> Investing   | <input type="checkbox"/> Pharmaceuticals        | <input type="checkbox"/> Telecommunications        |
| <input type="checkbox"/> Investment Banking  | <input type="checkbox"/> Other Health Care      | <input type="checkbox"/> Other Technology          |
| <input type="checkbox"/> Pooled Investment Fund  | <input type="checkbox"/> Manufacturing          | Travel   |
| Is the issuer registered as<br>an investment company under<br>the Investment Company<br>Act of 1940? | Real Estate                                     | <input type="checkbox"/> Airlines & Airports       |
| <input type="checkbox"/> Yes <input type="checkbox"/> No   | <input type="checkbox"/> Commercial             | <input type="checkbox"/> Lodging & Conventions     |
| <input type="checkbox"/> Other Banking & Financial Services  | <input type="checkbox"/> Construction           | <input type="checkbox"/> Tourism & Travel Services |
| <input type="checkbox"/> Business Services   | <input type="checkbox"/> REITS & Finance        | <input type="checkbox"/> Other Travel              |
| Energy   | <input type="checkbox"/> Residential            | <input type="checkbox"/> Other                     |
| <input type="checkbox"/> Coal Mining   | <input type="checkbox"/> Other Real Estate      |  |
| <input type="checkbox"/> Electric Utilities  |   |  |
| <input type="checkbox"/> Energy Conservation   |   |  |
| <input type="checkbox"/> Environmental Services  |   |  |
| <input type="checkbox"/> Oil & Gas   |   |  |
| <input checked="" type="checkbox"/> Other Energy   |   |  |

**5. Issuer Size**

- |  |    |   |
|--|----|---|
| Revenue Range  | OR | Aggregate Net Asset Value Range                       |
| <input type="checkbox"/> No Revenues                     |    | <input type="checkbox"/> No Aggregate Net Asset Value |
| <input checked="" type="checkbox"/> \$1 - \$1,000,000    |    | <input type="checkbox"/> \$1 - \$5,000,000            |
| <input type="checkbox"/> \$1,000,001 -<br>\$5,000,000    |    | <input type="checkbox"/> \$5,000,001 - \$25,000,000   |
| <input type="checkbox"/> \$5,000,001 -<br>\$25,000,000   |    | <input type="checkbox"/> \$25,000,001 - \$50,000,000  |
| <input type="checkbox"/> \$25,000,001 -<br>\$100,000,000 |    | <input type="checkbox"/> \$50,000,001 - \$100,000,000 |

- Over \$100,000,000  
 Decline to Disclose  
 Not Applicable

- Over \$100,000,000  
 Decline to Disclose  
 Not Applicable

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**6. Federal Exemption(s) and Exclusion(s) Claimed (select all that apply)**


---

- |  |  |
|--|--|
| <input type="checkbox"/> Rule 504(b)(1) (not (i), (ii) or (iii)) | <input type="checkbox"/> Rule 505  |
| <input type="checkbox"/> Rule 504 (b)(1)(i)                      | <input checked="" type="checkbox"/> Rule 506                                       |
| <input type="checkbox"/> Rule 504 (b)(1)(ii)                     | <input type="checkbox"/> Securities Act Section 4(6)                               |
| <input type="checkbox"/> Rule 504 (b)(1)(iii)                    | <input type="checkbox"/> Investment Company Act Section 3(c)                       |
|  | <input type="checkbox"/> Section 3(c)(1) <input type="checkbox"/> Section 3(c)(9)  |
|  | <input type="checkbox"/> Section 3(c)(2) <input type="checkbox"/> Section 3(c)(10) |
|  | <input type="checkbox"/> Section 3(c)(3) <input type="checkbox"/> Section 3(c)(11) |
|  | <input type="checkbox"/> Section 3(c)(4) <input type="checkbox"/> Section 3(c)(12) |
|  | <input type="checkbox"/> Section 3(c)(5) <input type="checkbox"/> Section 3(c)(13) |
|  | <input type="checkbox"/> Section 3(c)(6) <input type="checkbox"/> Section 3(c)(14) |
|  | <input type="checkbox"/> Section 3(c)(7)   |

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**7. Type of Filing**


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- New Notice    Date of First Sale [2011-08-18](#)     First Sale Yet to Occur  
 Amendment

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**8. Duration of Offering**


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Does the Issuer intend this offering to last more than one year?     Yes  No

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**9. Type(s) of Securities Offered (select all that apply)**


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- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Equity   | <input type="checkbox"/> Pooled Investment Fund Interests |
| <input type="checkbox"/> Debt  | <input type="checkbox"/> Tenant-in-Common Securities      |
| <input type="checkbox"/> Option, Warrant or Other Right to Acquire Another Security                                  | <input type="checkbox"/> Mineral Property Securities      |
| <input type="checkbox"/> Security to be Acquired Upon Exercise of Option, Warrant or Other Right to Acquire Security | <input type="checkbox"/> Other (describe)                 |

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**10. Business Combination Transaction**


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Is this offering being made in connection with a business combination transaction, such as a merger, acquisition or exchange offer?     Yes  No

Clarification of Response (if Necessary):

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**11. Minimum Investment**


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Minimum investment accepted from any outside investor \$[100,000](#) USD

**12. Sales Compensation**

Recipient

Recipient CRD Number  None(Associated) Broker or Dealer  None(Associated) Broker or Dealer CRD Number  None

Street Address 1

Street Address 2

City

State/Province/Country

ZIP/Postal Code

State(s) of Solicitation (select all that apply)  
 Check "All States" or check individual States

 All States

 Foreign/non-US
**13. Offering and Sales Amounts**Total Offering Amount USD or  Indefinite

Total Amount Sold \$100,000 USD

Total Remaining to be Sold USD or  Indefinite

Clarification of Response (if Necessary):

**14. Investors**

Select if securities in the offering have been or may be sold to persons who do not qualify as accredited investors, and enter the number of such non-accredited investors who already have invested in the offering.

Regardless of whether securities in the offering have been or may be sold to persons who do not qualify as accredited investors, enter the total number of investors who already have invested in the offering:

**15. Sales Commissions & Finder's Fees Expenses**

Provide separately the amounts of sales commissions and finders fees expenses, if any. If the amount of an expenditure is not known, provide an estimate and check the box next to the amount.

Sales Commissions \$0 USD  EstimateFinders' Fees \$0 USD  Estimate

Clarification of Response (if Necessary):

**16. Use of Proceeds**

Provide the amount of the gross proceeds of the offering that has been or is proposed to be used for payments to any of the persons required to be named as executive officers, directors or promoters in response to Item 3 above. If the amount is unknown, provide an estimate and check the box next to the amount.

\$0 USD  Estimate

Clarification of Response (if Necessary):

**Signature and Submission**

Please verify the information you have entered and review the Terms of Submission below before signing and clicking SUBMIT below to file this notice.

**Terms of Submission**

In submitting this notice, each issuer named above is:

- Notifying the SEC and/or each State in which this notice is filed of the offering of securities described and undertaking to furnish them, upon written request, in the accordance with applicable law, the information furnished to offerees.\*
- Irrevocably appointing each of the Secretary of the SEC and, the Securities Administrator or other legally designated officer of the State in which the issuer maintains its principal place of business and any State in which this notice is filed, as its agents for service of process, and agreeing that these persons may accept service on its behalf, of any notice, process or pleading, and further agreeing that such service may be made by registered or certified mail, in any Federal or state action, administrative proceeding, or arbitration brought against it in any place subject to the jurisdiction of the United States, if the action, proceeding or arbitration (a) arises out of any activity in connection with the offering of securities that is the subject of this notice, and (b) is founded, directly or indirectly, upon the provisions of: (i) the Securities Act of 1933, the Securities Exchange Act of 1934, the Trust Indenture Act of 1939, the Investment Company Act of 1940, or the Investment Advisers Act of 1940, or any rule or regulation under any of these statutes, or (ii) the laws of the State in which the issuer maintains its principal place of business or any State in which this notice is filed.
- Certifying that, if the issuer is claiming a Rule 505 exemption, the issuer is not disqualified from relying on Rule 505 for one of the reasons stated in Rule 505(b)(2)(iii).

Each Issuer identified above has read this notice, knows the contents to be true, and has duly caused this notice to be signed on its behalf by the undersigned duly authorized person.

For signature, type in the signer's name or other letters or characters adopted or authorized as the signer's signature.

Issuer	Signature	Name of Signer	Title	Date
Great American Power, LLC	Ginger Lucas	Ginger Lucas	Chief Financial Officer	2011-08-30

*Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.*

\* This undertaking does not affect any limits Section 102(a) of the National Securities Markets Improvement Act of 1996 ("NSMIA") [Pub. L. No. 104-290, 110 Stat. 3416 (Oct. 11, 1996)] imposes on the ability of States to require information. As a result, if the securities that are the subject of this Form D are "covered securities" for purposes of NSMIA, whether in all instances or due to the nature of the offering that is the subject of this Form D, States cannot routinely require offering materials under this undertaking or otherwise and can require offering materials only to the extent NSMIA permits them to do so under NSMIA's preservation of their anti-fraud authority.

Account Type

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Companies Search...



# Great American Power

30 followers

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## About Great American Power

Great American Power's mission is to help customers save on their electricity while supporting your local and national communities through employment opportunities, partnerships, specialized discounts and giving programs.

Great American Power, a REP/ESCO, was started by a 17 year-old Pottsville, Pennsylvania based, family owned business with more than 100 employees. With roots in the telephone industry, they were part of the successful deregulation of the telecom industry and helped bring competitive choice and lower bills for residential and business phone service.

Great American Power has set out to help customers into the new era of electricity deregulation with savings and product choices.

### Specialties

Electricity, Retail Energy Programs, Smart Meter Technology

### Headquarters

Suite 102 Kennesaw, Georgia  
United States

### Website

<http://www.greatamericanpower.com>

### Industry

Utilities

### Type

Privately Held

### Company Size

11-50 employees

### Founded

2010

## HOW YOU'RE CONNECTED

*(This area contains irrelevant personal connection information and has been obscured).*

4 Employees on LinkedIn

[See all](#)

## PRODUCTS AND SERVICES



**Great American Choice**  
Competitive Residential and Commercial Electricity offered in PECO, DUQUESNE...

[See all](#)

## PEOPLE ALSO VIEWED



[More insights](#)