

John Tough
Choose Energy, Inc.
Docket Number: A-2012-2331930

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265, Harrisburg, PA 17105-3265

Attn:

Paul Diskin, Director – Bureau of Technical Utility Services
Yasmin Snowberger – Bureau of Technical Utility Services

Response to File Number: A – 2012 – 2331930

Docket No. A-2012-2331930
Choose Energy, Inc.
Data Request

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2012 DEC 24 AM 11:12
PA.P.U.C.
SECRETARY'S BUREAU

1. Reference application, Section 5.a., Compliance. Applicant has stated “None of the individuals identified in this application, nor Choose Energy, Inc. has been or is currently a defendant of a criminal proceeding.”

Please state specifically whether the Applicant, an affiliate, a predecessor or either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

2. Reference application, Section 12. Newspaper Publications. Please provide the proof of publication and copy of the notice that were not included for the Williamsport Sun Gazette.

1-

No applicant, affiliate or predecessor organization is currently or has ever been the defendant of a criminal or civil proceeding within the last five (5) years. Similarly, no individual identified with this application has been the defendant in a criminal or civil proceeding.

2-

ORIGINAL

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

IN REPLY PLEASE
REFER TO OUR FILE

December 19, 2012

Docket No. A-2012-233193

RECEIVED
2012 DEC 24 AM 11:12
PA.P.U.C.
SECRETARY'S BUREAU

JOHN TOUGH
DIRECTOR OF BUSINESS DEVELOPMENT
CHOOSE ENERGY INC
3740 N JOSEY LANE SUITE 114
CARROLLTON TX 75010

RE: Electric Generation Supplier License Application of Choose Energy, Inc.

Dear Mr. Tough:

On October 4, 2012, Choose Energy Inc.'s 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, [Signature], 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 Yasmin Snowberger at (717) 787-4750 or ysnowberge@pa.gov respectively.

John Tough
Choose Energy, Inc.

Docket Number: A-2012-2331930

We will send the hard copies in the mail, but I have attached digital proofs of the Williamsport Sun Gazette Newspaper Publication to this document as well.

No.

**PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT
SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929**

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

SS:

Bernard A. Oravec Publisher of the Sun-Gazette Company, publishers of the Williamsport Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

September 13, 2012

I, Bernard A. Oravec, an officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice and the allegations in the foregoing statement as to time, place and character of publication are true.

Bernard A. Oravec
SUN-GAZETTE COMPANY
Sworn to and subscribed before me
the 17th day of September 2012
Cathy A. Billey
Notary Public

NOTARIAL SEAL
CATHY A. BILLEY, Notary Public
City of Williamsport, Lycoming County
My Commission Expires May 15, 2015

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:	
For publishing the notice attached hereto on the above state dates.....	\$ 261. ⁷⁵
Probated same.....	\$
Total.....	\$ 261. ⁷⁵

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

I hereby acknowledge receipt of the aforesaid advertising and publication costs and certify that the same have been fully paid.

SUN-GAZETTE COMPANY
BY Bernard A. Oravec

RECEIVED
2012 DEC 24 AM 11:12
P.A.P.U.C.
SECRETARY'S BUREAU

PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

SS:

Bernard A. Oravec Publisher of the Sun-Gazette Company, publishers of the Williamsport, Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

September 13, 2012

Affiant f
to verify
of public

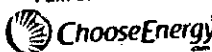
PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of **Choose Energy, Inc. (d/b/a "Choose Energy")** for approval to offer Electric Generation Services as a marketer/broker engaged in the business of supplying electricity to the Public in the Commonwealth of Pennsylvania.

Choose Energy will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. **Choose Energy** proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Choose Energy** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Choose Energy's** attorney at the address listed below.

By and through Counsel:
Attorney's Name
Gunderson Dettmer Stough Villeneuve, Franklin & Hachigian, LLP
1200 Seaport Blvd.
Redwood City, CA 94063
Phone: 650-463-5232
Fax: 877-881-9635



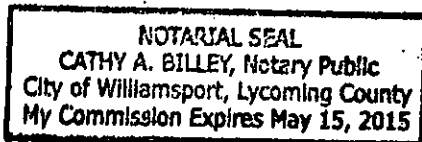
is an officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice and that the allegations in the foregoing statement as to time, place and character of publication are true.

Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me
the 17th day of September 2012

Cathy A. Billey
Notary Public



STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:	
For publishing the notice attached	
hereto on the above state dates.....	\$ 261.74
Probated same.....	\$
Total.....	\$ 261.74

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

I hereby acknowledge receipt of the aforesaid advertising and publication costs and the same have been fully paid.

SUN-GAZETTE COMPANY

BY Bernard A. Oravec

RECEIVED

THE SUN-GAZETTE
and certifies

INVOICE

Sun-Gazette, LLC
 252 West Fourth Street
 P.O. Box 728
 Williamsport, PA 17703-0728

ACCT. # L20001

Choose Energy
3740 N. Josey Lane, Ste. 114
Carrollton TX 75010

Salesperson CD

AD Description PLC Notice

	UNITS SPACE	RATE		INVOICE AMOUNT
	<u>lelelnos</u>	<u>3.64</u>	ADVERTISING	<u>240.24</u>
			DISCOUNT	
			NET ADVERTISING	
			<u>Bold</u> ART WORK	<u>21.00</u>
			PAY TOTAL ▶	<u>261.24</u>

CASH _____
 CHECK # _____
 CREDIT CARD # 372713544301003
 EXP. DATE 2/14 SEC. CODE 162

Jay Webster

DATE					<u>9/3</u>		
DAY	SUN	MON	TUE	WED	<u>THU</u>	FRI	SAT
SPACE							
DATE							
DAY	SUN	MON	TUE	WED	THU	FRI	SAT
SPACE							

SUN	MON	TUE	WED	THU	FRI	SAT	
SUN	MON	TUE	WED	THU	FRI	SAT	

PLEASE COMPLY WITH
 TERMS OF PAYMENT

LEGAL ADVERTISING N/30 DAYS
 PRODUCTION SERVICES N/30 DAYS
 ALL OTHER ADVERTISING N/30 DAYS
 PAST DUE THEREAFTER

BUSINESS NAME: Sun Gazette Retail

Date: 09/11/2012

Street Address: 252 W Fourth Street

City, State: Zip: Williamsport, PA 17701

TRANSACTION TYPE:

Purchase

Transaction Details:

Card Type: American Express Keyed In Response Message: Transaction status: Accepted

Card Number: *****1003

Approval Code: 182997

Invoice Number: LZ0001

System Trace:

Authorization Time: 14:58:28

Surcharge:

Authorization Date: 09112012

Cash Back Amount:

Current Balance:

Transaction Amount: 261.24

Total Charge: 261.24

Signature: _____

SUN - GAZETTE COMPANY

252 West Fourth Street

P.O. Box 728

WILLIAMSPORT, PA 17703-0728

RETURN SERVICE REQUESTED

Hasler

09/17/2012

US POSTAGE

FIRST CLASS MAIL

\$00.45⁰



ZIP 17701
011D11628615

Choose Energy
c/o Jay Webster
3740 N Josey Lane
Suite 114
Carrollton TX 75010

7500782448



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US POSTAGE AND FEES PAID

Dec 22 2012
Mailed from ZIP 94107
1 lb Priority Mail Rate
Zone 8



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CommercialBasePrice

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USPS PRIORITY MAIL

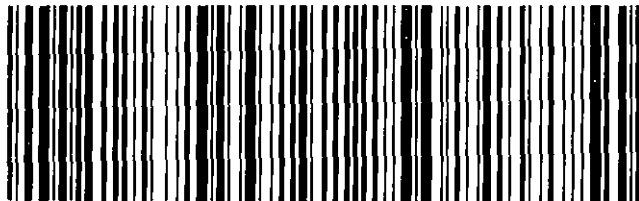
JOHN TOUCH
30 TOWNSEND ST
San Francisco CA 94107

0004

DEC 24 2012

SHIP ROSEMARY CHIARETTA
TO: SECRETARY PA PUC
PO BOX 3262
Harrisburg PA 17105

USPS TRACKING



9405 5102 0082 9606 1537 07



SEE NOTICE ON REVERSE regarding UPS Terms, and notice of limitation of liability. Where allowed by law, shippers authorize UPS to act as forwarding agent for import control and customs purposes. If imported from the US, shippers certify that the commodities, technology or software were exported from the US in accordance with the Export Administration Regulations. Otherwise contrary to law is prohibited.