



100 Pine Street • PO Box 1166 • Harrisburg, PA 17108-1166
Tel: 717.232.8000 • Fax: 717.237.5300

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SECRETARY'S BUREAU

Vasiliki Karandrikas
Direct Dial: 717.237.5274
Direct Fax: 717.260.1707
vkarandrikas@mwn.com

February 1, 2013

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA HAND DELIVERY

**RE: Application of SFE Energy Pennsylvania, Inc. (d/b/a SFE or SFE Energy) for Approval To Offer, Render, Furnish, or as a Supplier and/or Aggregator of Natural Gas to the Public in the Commonwealth of Pennsylvania ;
Docket No. A-_____**

Dear Secretary Chiavetta:

On behalf of SFE Energy Pennsylvania, Inc. (d/b/a SFE or SFE Energy) ("SFE"), please find enclosed for filing with the Commission the following documents:

- (1) an Application, as captioned above;
- (2) an electronic version of the filing on compact disc;
- (3) one copy each of confidential documents referenced in this transmittal letter, provided under seal to the Commission only (at Exhibits 4-10).

Also enclosed with this letter is a check in the amount of \$350 made payable to the Commonwealth of Pennsylvania to cover the requisite filing fee for SFE's Application.

SFE respectfully requests that the Commission grant confidential treatment of the documents found at Exhibits 4-10. SFE believes this information is of a proprietary or confidential nature because it may reveal non-public financial information, sensitive information about SFE's current and future business plans, and other information that is commercially sensitive and whose release may be injurious to SFE's competitive position. To this end, the propriety and confidential information set forth in Exhibits 4-10 is so designated by being stamped "Confidential" and is being provided under protective seal to the Commission only. For these reasons, SFE requests that the Commission treat these documents as confidential and prevent public disclosure in accordance with the Commission's procedures. Any party desiring access to the foregoing responses can contact the undersigned counsel with such a request.

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Rosemary Chiavetta, Secretary
February 1, 2013
Page 2


SFE requests an effective authorization date of April 30, 2013. To that end, SFE respectfully requests that the Commission consider this Application at its Public Meeting of April 25, 2013.

Copies of SFE's Application are being served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of the Attorney General, the Department of Revenue, and the major Natural Gas Distribution Companies in Pennsylvania, as evidenced by the attached Certificate of Service.

Please date stamp the extra copy of this transmittal letter and Application and kindly return them to us for our filing purposes. Should there be any questions with respect to this filing, please contact the undersigned.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 
Charis Mincavage
Vasiliki Karandrikas

Counsel to SFE Energy Pennsylvania, Inc. d/b/a
SFE or SFE Energy

VK/sds
Enclosures
c: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Application of SFE Energy Pennsylvania :
Inc. (d/b/a SFE or SFE Energy) for :
Approval To Offer, Render, Furnish, or as : Docket No. A- _____
a Supplier and/or Aggregator of Natural :
Gas to the Public in the Commonwealth :
of Pennsylvania :**

**APPLICATION OF
SFE ENERGY PENNSYLVANIA, INC.
(d/b/a SFE or SFE ENERGY)**

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SECRETARY'S BUREAU**

Charis Mincavage (Pa. I.D. No. 82039)
Vasiliki Karandrikas (Pa. I.D. No. 89711)
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
717.232.8000 (p)
717.237.5300 (f)
cmincavage@mwn.com
vkarandrikas@mwn.com

Counsel to SFE Energy Pennsylvania, Inc. (d/b/a
SFE or SFE Energy)

Dated: February 1, 2013

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of SFE Energy Pennsylvania, Inc., d/b/a SFE Energy or SFE, for approval to offer, render, furnish, or as a(n) supplier and/or aggregator of natural gas to the public in the Commonwealth of Pennsylvania.

To the Pennsylvania Public Utility Commission:

1. **IDENTITY OF THE APPLICANT:** The name, address, telephone number, and FAX number of the Applicant are:

SFE Energy Pennsylvania, Inc. (d/b/a SFE Energy or SFE)
608 - 100 Milverton Drive.
Mississauga, Ontario, Canada
L5R 4H1
Phone: 905-366-7000
Fax: 905-366-7011

Please identify any predecessor(s) of the Applicant and provide other names under which the Applicant has operated within the preceding five (5) years, including name, address, and telephone number.

Not Applicable

2. a. **CONTACT PERSON:** The name, title, address, telephone number, and FAX number of the person to whom questions about this Application should be addressed are:

Charis Mincavage
McNees Wallace & Nurick LLC
100 Pine Street, P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: 717.237.5437
Fax: 717.260.1725
Email: cmincavage@mwn.com

-And-

Gaetana Girardi
Director, Compliance & Regulatory Affairs
608 - 100 Milverton Drive.
Mississauga, Ontario, Canada
L5R 4H1
Phone: 905-366-7020
Fax: 905-366-7011
Email: ggirardi@summittenergy.ca

- b. **CONTACT PERSON-PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:** The name, title, address telephone number and FAX number of the person with whom contact should be made by PEMA:

Gaetana Girardi
Director, Compliance & Regulatory Affairs
608 - 100 Milverton Drive.
Mississauga, Ontario, Canada
L5R 4H1
Phone: 905-366-7020
Cell: 647-407-0047
Fax: 905-366-7011
Email: ggirardi@summittenergy.ca

- 3.a. **ATTORNEY:** If applicable, the name, address, telephone number, and FAX number of the Applicant's attorney are:

Charis Mincavage
McNees Wallace & Nurick LLC
100 Pine Street, P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: 717.237.5437
Fax: 717.260.1725
Email: cmincavage@mwn.com

- b. **REGISTERED AGENT:** If the Applicant does not maintain a principal office in the Commonwealth, the required name, address, telephone number and FAX number of the Applicant's Registered Agent in the Commonwealth are:

United Corporate Services, Inc
3631 North Front Street,
Harrisburg, Pennsylvania 17110
Telephone: 1-877-894-9049
Fax: 518-432-0408

4. **FICTITIOUS NAME:** (select and complete appropriate statement)

☒ The Applicant will be using a fictitious name or doing business as ("d/b/a"):

The Applicant will be doing business under the fictitious names of SFE Energy or SFE please refer to Exhibit 1.

Attach to the Application a copy of the Applicant's filing with the Commonwealth's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

or

☐ The Applicant will not be using a fictitious name.

5. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:** (select and complete appropriate statement)

☐ The Applicant is a sole proprietor.

If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

or

☐ The Applicant is a:

- ☐ domestic general partnership (*)
- ☐ domestic limited partnership (15 Pa. C.S. §8511)
- ☐ foreign general or limited partnership (15 Pa. C.S. §4124)
- ☐ domestic limited liability partnership (15 Pa. C.S. §8201)
- ☐ foreign limited liability general partnership (15 Pa. C.S. §8211)
- ☐ foreign limited liability limited partnership (15 Pa. C.S. §8211)

Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.

- ☐ * If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

or

☒ The Applicant is a:

- ☐ domestic corporation (none)
- ☒ foreign corporation (15 Pa. C.S. §4124)
- ☐ domestic limited liability company (15 Pa. C.S. §8913)
- ☐ foreign limited liability company (15 Pa. C.S. §8981)
- ☐ Other _____

Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation.

Please refer to Exhibit 2.

Give name and address of officers.

Michael Gerald Haggarty (commonly referred to as Gerry Haggarty) is the President, Secretary and Treasurer of the Applicant.

Business Address:

100 Milverton Drive, Suite 608
Mississauga, Ontario, Canada L5R 4H1

The Applicant is incorporated in the state of Delaware.

6. **AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:** (select and complete appropriate statement)

- ☐ Affiliate(s) of the Applicant doing business in Pennsylvania are:

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

- ☐ Does the Applicant have any affiliation with or ownership interest in:
- (a) any other Pennsylvania retail natural gas supplier licensee or licensee applicant,
 - (b) any other Pennsylvania retail licensed electric generation supplier or license applicant,
 - (c) any Pennsylvania natural gas producer and/or marketer,
 - (d) any natural gas wells or
 - (e) any local distribution companies (LDCs) in the Commonwealth

If the response to parts a, b, c, or d above is affirmative, provide a detailed description and explanation of the affiliation and/or ownership interest.

- ☐ Provide specific details concerning the affiliation and/or ownership interests involving:
- (a) any natural gas producer and/or marketers
 - (b) any wholesale or retail supplier or marketer of natural gas, electricity, oil, propane or other energy sources
- ☐ Provide the Pa PUC Docket Number if the applicant has ever applied:
- (a) for a Pennsylvania Natural Gas Supplier license, or
 - (b) for a Pennsylvania Electric Generation Supplier license.
- ☐ If the Applicant or an affiliate has a predecessor who has done business within Pennsylvania, give name and address of the predecessor(s) and state whether the predecessor(s) were jurisdictional public utilities.

or

- ☒ The Applicant has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania.

7. APPLICANT'S PRESENT OPERATIONS: (select and complete the appropriate statement)

- ☐ The Applicant is presently doing business in Pennsylvania as a
- ☐ natural gas interstate pipeline.
 - ☐ municipal providing service outside its municipal limits.
 - ☐ local gas distribution company
 - ☐ retail supplier of natural gas services in the Commonwealth
 - ☐ a natural gas producer
 - ☐ Other. (Identify the nature of service being rendered.)

or

- ☒ The Applicant is not presently doing business in Pennsylvania.

8. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

- ☒ supplier of natural gas services.
- ☐ Municipal supplier of natural gas services.
- ☐ Cooperative supplier of natural gas services.
- ☐ Broker/Marketer engaged in the business of supplying natural gas services.
- ☒ Aggregator engaged in the business of supplying natural gas services.
- ☐ Other (Describe):

9. **PROPOSED SERVICES:** Generally describe the natural gas services which the Applicant proposes to offer.

The Applicant proposes to market and provide competitive supply to residential and commercial customers in Pennsylvania as a supplier and/or aggregator of electricity.

10. **SERVICE AREA:** Provide each Natural Gas Distribution Company (NGDC) in which Applicant proposes to offer services.

With the approval of our application, SFE Energy will initially provide service in the following service territories:

1. Peoples Natural Gas Company LLC;
2. Philadelphia Gas Works;
3. UGI; and
4. PECO.

To the extent that the Applicant desires to begin marketing and providing service in other service territories, the Applicant will request an amendment to its NGS license prior to doing so.

11. **CUSTOMERS:** Applicant proposes to initially provide services to:

- ☒ Residential Customers
- ☒ Commercial Customers - (Less than 6,000 Mcf annually)
- ☐ Commercial Customers - (6,000 Mcf or more annually)
- ☐ Industrial Customers
- ☐ Governmental Customers
- ☐ All of above
- ☐ Other (Describe):

12. **START DATE:** The Applicant proposes to begin delivering services on (approximate date).

The Applicant proposes to begin providing services during the summer of 2013. Accordingly, the Applicant respectfully requests approval of this application as soon as possible but no later than the April 25, 2013 Public Meeting.

13. **NOTICE:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, serve a copy of the signed and verified Application with attachments on the following:

Irwin A. Popowsky
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120-1921

Office of the Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

William R. Lloyd, Jr.
Commerce Building, Suite 1102
Small Business Advocate
300 North Second Street
Harrisburg, PA 17101

Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

Any of the following Natural Gas Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: rcrocker@ctenterprises.org	National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 email: wolfordd@natfuel.com
UGI Central Penn David Beasten 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559	Peoples Natural Gas Company LLC Lynda Petrichevich 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 email: Lynda.w.petrachevich@peoples-gas.com PH: 412.208.6528 FAX: 412.208.6577
Peoples TWP LLC (Formerly T. W. Phillips) Robert M. Hovanec 205 North Main Street Butler, PA 16001 PH: 724.287.2725 FAX: 724.287.5021 email: rhovanec@twphillips.com	UGI David Beasten 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559
UGI Penn Natural David Beasten 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559	Equitable Gas Company Jerald Moody 225 North Shore Drive Pittsburgh, PA 15212-5352 PH: 412.395.3209 FAX: 412.395.3335
PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 email: carlos.thillet@exeloncorp.com PH: 215.841.6452	Columbia Gas of Pennsylvania Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 email: heckathorn@nisource.com
Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: douglas.moser@pgworks.com PH: 215.684.6899	

Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, attach Proof of Service of the Application and attachments upon the above named parties. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14.

14. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.

Please refer to Exhibit 3

15. **COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, by name, subject and citation, dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

Neither the Applicant, an affiliate of the Applicant, or a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. By the way of further answer, please see Exhibit 4. The Applicant has filed a Motion for Protective Order requesting this information to be kept confidential and not made public.

16. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION:** All services should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

- a. **Contacts for Consumer Service and Complaints:** Provide the name, title, address, telephone number and FAX number of the person and an alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with Applicant, the Distribution Company, the Pennsylvania Public Utility Commission or other agencies.

Primary Contact:

Gaetana Girardi
Director, Compliance & Regulatory Affairs
100 Milverton Drive, Suite 608
Mississauga, Ontario Canada L5R 4H1
Phone: 905-366-7020
Fax: 905-366-7011
Email: ggirardi@sfeenergy.com

Alternate Contact:

Cordale Blackett
Compliance Specialist
100 Milverton Drive, Suite 608
Mississauga, Ontario Canada L5R 4H1
Phone: 905-366-7021
Fax: 905-366-7011
Email: compliance@sfeenergy.com

- b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers.

Please refer to Exhibit 5 which provides a sample residential agreement that the Applicant proposes to use when retailing to residential consumers in Pennsylvania. The sample agreement provides the disclosure statements required by the Commission. The Applicant has filed a Motion for Protective Order requesting this information to be kept confidential and not made public.

- c. If proposing to serve Residential and/or Small Commercial customers, provide a disclosure statement. A sample disclosure statement is provided as Appendix B to this Application.

Please refer to Exhibit 5 which provides a sample residential agreement that the Applicant proposes to use when retailing to residential consumers in Pennsylvania. The commercial agreement for small commercial customers will have the same disclosure statements as the residential agreement. The sample agreement provides the disclosure statements required by the Commission. The Applicant has filed a Motion for Protective Order requesting this information to be kept confidential and not made public.

17. FINANCIAL FITNESS:

- A. Applicant shall provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.

Please refer to Exhibit 6. The Applicant has filed a Motion for Protective Order requesting this information to be kept confidential and not made public.

- Published parent company financial and credit information.
SFE Energy Pennsylvania, Inc. (incorporated on August 14, 2012) has not conducted any business activity to-date and, therefore, does not have any financial statements. As part of this Application, the Applicant is filing the most current last two years of audited financial statements (Exhibit 7) of its parent company, Summitt Energy Inc. (formally Summitt Energy Holdings GP Inc.) As part of this Application, SFE Energy has filed a Motion for Protective Order requesting that this information be kept confidential and not be released to the public.
- Applicant's balance sheet and income statement for the most recent fiscal year. Published financial information such as 10K's and 10Q's may be provided, if available.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.

Please refer to Exhibit 8. The Applicant has filed a Motion for Protective Order requesting this information to be kept confidential and not made public.

- Audited financial statements
- Such other information that demonstrates Applicant's financial fitness.

- B. Applicant must provide the following information:

- Provide proof of compliance with bonding/credit requirements for each NGDC the applicant is proposing to provide service in. This requirement is designated by each NGDC and can commonly be found in the NGDC supplier tariff.

The Applicant will file under Exhibit 9 of this Application proof of compliance with bonding/credit requirements for each of the following utilities: Peoples Natural Gas Company LLC; Philadelphia Gas Works; UGI; and PECO.

- Identify Applicant's chief officers including names and their professional resumes.
Shelley Lewis. Her resume is included in Exhibit 10, Attachment 4.
- Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records.

Shelley Lewis, CFO
SFE Energy Pennsylvania, Inc.
Suite 608, 100 Milverton Drive
Mississauga, Ontario, Canada
L5R4H1
Phone: 905-366-7004
Fax: 905-366-7011
Email: slewis@summittenergy.ca

18. **TECHNICAL FITNESS:** To ensure that the present quality and availability of service provided by natural gas utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- The identity of the Applicant's officers directly responsible for operations, including names and their professional resumes.
- A copy of any Federal energy license currently held by the Applicant.
- Proposed staffing and employee training commitments.
- Business plans.

Please refer to Exhibit 10 for the technical fitness write-up of the Applicant. The Applicant has requested in its Motion for Protective Order that this information remain confidential and not be released to the public.

19. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2208(D). Transferee will be required to file the appropriate licensing application.


20. **UNIFORM STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission.

21. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- a. Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on an annual basis no later than 30 days following the end of the calendar year.

Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 22 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive natural gas market.

22. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur in the information upon which the Commission relied in approving the original filing.
23. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.
24. **FEE:** The Applicant has enclosed the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

Applicant: SFE Energy Pennsylvania, Inc.
By:  Gaetano Girardi
Title: Director, Compliance & Regulatory Affairs

AFFIDAVIT

Province of ONTARIO, CANADA
[Commonwealth/State] of _____ :

CITY OF TORONTO, ONTARIO, CANADA
County of _____ :

ss.

Michael Gerald Haggarty, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of SFE Energy Pennsylvania, Inc. (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein SFE Energy Pennsylvania, Inc., has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66Pa. C.S. §2208(c)(1).

That the Applicant herein SFE Energy Pennsylvania, Inc., has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

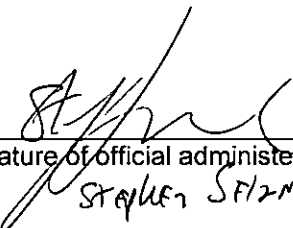
That the Applicant herein SFE Energy Pennsylvania, Inc., acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein SFE Energy Pennsylvania, Inc., acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

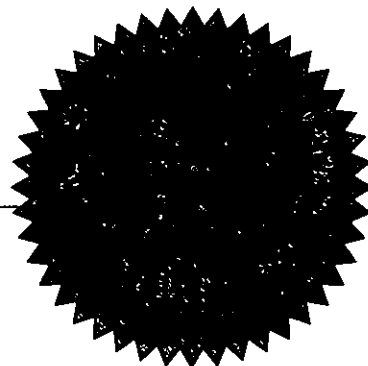
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.


Signature of Affiant

Sworn and subscribed before me this 11th day of JANUARY, 2023


Signature of official administering oath
STEPHEN SZMALEK

My commission expires N/A



AFFIDAVIT

Province of Ontario, Canada
[Commonwealth/State] of _____ :

City of Toronto, Ontario, Canada
County of _____ :

SS.

Michael Gerald Haggarty, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of SFE Energy Pennsylvania, Inc. (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That SFE Energy Pennsylvania, Inc., the Applicant herein, acknowledges that [Applicant] may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That SFE Energy Pennsylvania, Inc., the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That SFE Energy Pennsylvania, Inc., the Applicant herein, certifies to the Commission that it is subject to, will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No.2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional natural gas sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

That SFE Energy Pennsylvania, Inc., the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, and the standards and billing practices of 52 PA. Code Chapter 56.

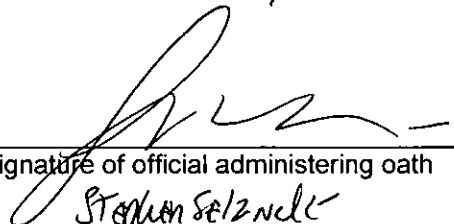
That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Commission's Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.



Signature of Affiant

Sworn and subscribed before me this 17th day of January, 2013.



Signature of official administering oath
Stephen Selznick

My commission expires NA.

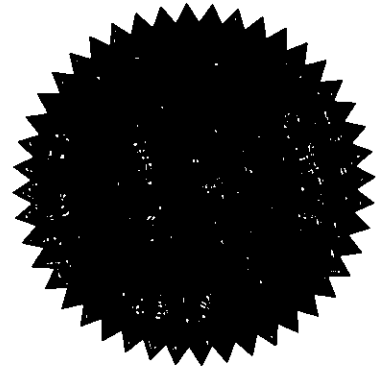


Exhibit 1
Question 2a – Business Entity Filings and Registration
Fictitious Name

Attached is a copy of the Applicant's filing of its SFE Energy and SFE fictitious names.

RECEIVED
2013 FEB - 1 PM 3:46
P&PUC
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

NOVEMBER 20, 2012

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

SFE Energy

I, Carol Aichele, Secretary of the Commonwealth of Pennsylvania

do hereby certify that the foregoing and annexed is a true and correct
copy of

1 FICTITIOUS NAME filed on November 19, 2012

which appear of record in this department.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and caused
the Seal of the Secretary's Office to
be affixed, the day and year above
written.

A handwritten signature in cursive script, reading "Carol Aichele".

Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Application for Registration of Fictitious Name
54 Pa.C.S. § 311

Commonwealth of Pennsylvania
FICTITIOUS NAME 2 Page(s)

PENNCORP SERVICEGROUP, INC.
600 N. SECOND ST.
P.O. BOX 1210
HARRISBURG PA 17108-1210



Fee: \$70

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is:
SFE Energy

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is:
retailing electricity commodity supply contracts to residential and commercial customers

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):

100 Milverton Drive, Suite 608	Mississauga	Ontario	L5R 4H1	Canada
Number and street	City	State	Zip	County

4. The name and address, including number and street, if any, of each individual interested in the business is:

Name	Number and Street	City	State

5. Each entity, other than an individual, interested in such business is (are):

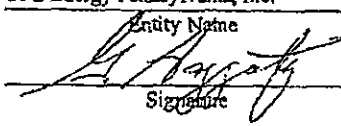
SFB Energy Pennsylvania, Inc.	corporation	Delaware
Name	Form of Organization	Organizing Jurisdiction
100 Milverton Drive, Suite 608, Mississauga, Ontario L5R 4H1 Canada (no principal office in Delaware)		
Principal Office Address		
c/o United Corporate Services, Inc., Dauphin County		
PA Registered Office, if any		
Name	Form of Organization	Organizing Jurisdiction
Principal Office Address		
PA Registered Office, if any		

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. Optional: The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

16 day of November 2012

Individual Signature	Individual Signature
Individual Signature	Individual Signature
SFB Energy Pennsylvania, Inc.	
Entity Name	Entity Name
	Signature
President	Title
Title	Title

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

NOVEMBER 20, 2012

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

SFE

I, Carol Aichele, Secretary of the Commonwealth of Pennsylvania

do hereby certify that the foregoing and annexed is a true and correct
copy of

1 FICTITIOUS NAME filed on November 19, 2012

which appear of record in this department.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and caused
the Seal of the Secretary's Office to
be affixed, the day and year above
written.

A handwritten signature in cursive script, reading "Carol Aichele".

Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Application for Registration of Fictitious Name
54 Pa.C.S. § 311

Commonwealth of Pennsylvania
FICTITIOUS NAME 2 Page(s)

PENNCORP SERVICEGROUP, INC.
800 N. SECOND ST.
P.O. BOX 1210
HARRISBURG PA 17108-1210



Fee: \$70

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is:
SFE

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is:
retailing electricity commodity supply contracts to residential and commercial customers

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):

Number and street	City	State	Zip	County
100 Milverton Drive, Suite 608	Mississauga	Ontario	LSR 4H1	Canada

4. The name and address, including number and street, if any, of each individual interested in the business is:

Name	Number and Street	City	State

5. Each entity, other than an individual, interested in such business is (are):

SFE Energy Pennsylvania, Inc.	corporation	Delaware
Name	Form of Organization	Organizing Jurisdiction
100 Milverton Drive, Suite 608, Mississauga, Ontario L5R 4H1 Canada (no principal office in Delaware)		

Principal Office Address

c/o United Corporate Services, Inc., Dauphin County

PA Registered Office, if any

Name	Form of Organization	Organizing Jurisdiction
------	----------------------	-------------------------

Principal Office Address

PA Registered Office, if any

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. Optional: The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

16 day of November, 2012

Individual Signature

Individual Signature

Individual Signature

Individual Signature

SFE Energy Pennsylvania, Inc.

Entity Name

Entity Name

Signature

Signature

President

Title

Title

Exhibit 2
Question 2b – Business Entity Filings and Registration
Articles of Incorporation

Attached are the Articles of Incorporation for SFE Energy Pennsylvania, Inc.

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COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

SEPTEMBER 4, 2012

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

SFE Energy Pennsylvania, Inc.

I, Carol Aichele, Secretary of the Commonwealth of Pennsylvania
do hereby certify that the foregoing and annexed is a true and correct
copy of

CERTIFICATE OF AUTHORITY filed on August 29, 2012
which appear of record in this department.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and caused
the Seal of the Secretary's Office to
be affixed, the day and year above
written.

Carol Aichele

Secretary of the Commonwealth

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Application for Certificate of Authority
(15 Pa.C.S.)

- ☒ Foreign Business Corporation (§ 4124)
☐ Foreign Nonprofit Corporation (§ 6124)

Name	PENNCORP SERVICEGROUP, INC.
Address	600 NORTH SECOND STREET
City	PO BOX 1210 26371 HARRISBURG, PA 17108-1210

Document will be returned to the
name and address you enter to
the left.

Commonwealth of Pennsylvania
CERTIFICATE OF AUTHORITY 3 Page(s)



T1224341020

Fee: \$250

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned, hereby states that:

1. The name of the corporation is:
SFU Energy Pennsylvania, Inc.

2. Complete only when the corporation must adopt a corporate designator for use in Pennsylvania.
The name which the corporation adopts for use in this Commonwealth is:

3. If the name set forth in paragraph 1 or 2 is not available for use in this Commonwealth, complete the following:
The fictitious name which the corporation adopts for use in transacting business in this Commonwealth is:

The corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution of the board of directors under the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) and the attached form DSCB:54-311 (Application for Registration of Fictitious Name).

4. The name of the jurisdiction under the laws of which the corporation is incorporated is: Delaware

5. The address of its principal office under the laws of the jurisdiction in which it is incorporated is:

874 Walker Road, Suite C	Dover	Delaware	19904
Number and street	City	State	Zip

DSCB:15-4124/6124-2

6. The (a) address of this corporation's proposed registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:				
(a) Number and street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider c/o: United Corporate Services, Inc.				County Dauphin

7. Check one of the following:

☒ **Business Corporation:** The corporation is a corporation incorporated for a purpose or purposes involving pecuniary profit, incidental or otherwise.

☐ **Nonprofit Corporation:** The corporation is a corporation incorporated for a purpose or purposes not involving pecuniary profit, incidental or otherwise.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Application for Certificate of Authority to be signed by a duly authorized officer thereof	
this	day of August
21 st	2012
SFE Energy Pennsylvania, Inc.	
Name of Corporation	
X	Gerry Haggarty
	Signature
Gerry Haggarty, President	
	Title

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "SFE ENERGY PENNSYLVANIA, INC.", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF AUGUST, A.D. 2012, AT 3:40 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS.



5198673 8100

120935221

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 9780566

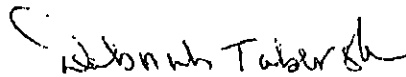
DATE: 08-14-12

CERTIFICATE OF INCORPORATION
OF
SFE ENERGY PENNSYLVANIA, INC.

1. The name of the corporation is SFE Energy Pennsylvania, Inc.
 2. The address of the corporation's registered office in the State of Delaware is 874 Walker Road, Suite C, in the City of Dover, 19904, County of Kent, and the name of its registered agent at such address is United Corporate Services, Inc.
 3. The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.
 4. The total number of shares of stock which the corporation has authority to issue is One Thousand Five Hundred (1,500) shares of Common Stock with no par value per share.
 5. The name of the incorporator is Deborah L. Taberski and her mailing address is 3400 HSBC Center, Buffalo, New York, 14203-2887.
 6. The board of directors of the corporation has the power to adopt, amend or repeal the by-laws of the corporation.
 7. No director of the corporation shall be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) under Section 174 of the Delaware General Corporation Law, or (iv) for any transaction from which the director derived an improper personal benefit.
-

- 2 -

I, the undersigned incorporator, for the purpose of forming a corporation pursuant to the General Corporation Law of the State of Delaware, hereby make this Certificate of Incorporation as of the 14th day of August, 2012.



Deborah L. Taberski, Incorporator
3400 HSBC Center
Buffalo, New York 14203

Doc # 01-2597648.1

Exhibit 4
Question 15– Compliance
Provided Under Protective Seal to the Commission Only

The Applicant is filing its response to question 15 and has filed a Motion for Protective Order requesting that this information be kept confidential and not be released to the public.

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Exhibit 5
Questions 16b & 16c
Standards, Billing Practices, Terms and Conditions of Providing
Service and Consumer Education

Standard Contract and Disclosure Statement
Provided under Protective Seal to the Commission Only

Following is a sample agreement the Applicant is proposing to use for when retailing to residential and commercial consumers. The Applicant has filed a Motion for Protective Order requesting that this information remain confidential and not be released to the public.

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Exhibit 6
Question 17A –Financial Fitness
Organizational Chart
Provided under Protective Seal to the Commission Only

The Applicant is filing a corporate organizational chart and has filed a Motion for Protective Order requesting that this information be kept confidential and not be released to the public.

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Exhibit 7
Question 17.A– Financial Fitness
Financial Statements
Provided under Protective Seal to the Commission Only

The financial statements for the parent of the Applicant follow. The Applicant has filed a Motion for Protective Order requesting that this information be kept confidential and not be released to the public.

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SECRETARY'S BUREAU

Exhibit 8
Question 17.A– Financial Fitness
Certificate of Insurance
Provided under Protective Seal to the Commission Only

The Applicant is providing a Certificate of Insurance for the directors and officers of one of the Applicant's affiliate companies (Summitt Energy Management Inc.). The Applicant has filed a Motion for Protective Order requesting that this information be kept confidential and not be released to the public.

Exhibit 9
Question 17.B– Financial Fitness
NGDC Bonding/Credit
Provided under Protective Seal to the Commission Only

The Applicant has obtained proof of compliance with bonding/credit requirements from some natural gas distribution companies ("NGDCs") and proof is attached herein. The Applicant is working on obtaining the remaining proofs of compliance from the other NGDCs and will update its application as such proof of compliance is received. The Applicant has filed a Motion for Protective Order requesting this information be kept confidential and not be released to the public.

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Exhibit 10
Question 18 –Technical Fitness
Experience, Plan, Structure
Provided under Protective Seal to the Commission Only

The Applicant's response to question 18 (Technical Fitness) of the application follows. The Applicant has filed a Motion for Protective Order requesting that this information remain confidential and not be made released to the public to the public.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of Sections 1.57, 1.58 and 5.14.

VIA FIRST-CLASS MAIL

Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

Office of Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Street
Harrisburg, PA 17120

Office of the Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

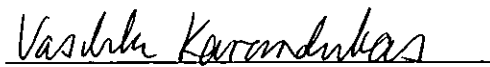
Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

PECO
Carlos Thillet, Manager, Gas Supply and
Transportation
2301 Market Street, S9-2
Philadelphia, PA 19103

Peoples Natural Gas Company LLC
Lynda Petrichevich
375 North Shore Drive, Suite 600
Pittsburgh, PA 15212

Philadelphia Gas Works
Douglas Moser
800 West Montgomery Avenue
Philadelphia, PA 19122

UGI
David Beasten
2525 N. 12th Street, Suite 360
Reading, PA 19612-2677


Vasiliki Karandrikas

Counsel to SFE Energy Pennsylvania, Inc. d/b/a
SFE or SFE Energy

Dated this 1st day of February 2013, in Harrisburg, Pennsylvania.

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