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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **Harrisburg, PA 17105-3265** | | |  |
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|  | | Public Meeting held May 23, 2013 | | |
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| 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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| License Application of Park Power, LLC to amend its Electric Generation Supplier license as a supplier. | | | Docket Number:  A-2012-2328664 | |
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**ORDER**

**BY THE COMMISSION:**

On January 24, 2013, Park Power, LLC (Park Power) was licensed to operate as an electric generation supplier (EGS) as a supplier to residential and small commercial customers in the electric distribution company (EDC) service territories of PECO Energy Company, PPL Electric Utilities Corporation, and Duquesne Light Company, in the Commonwealth of Pennsylvania. On February 13, 2013, Park Power requested an amendment to its license to serve residential, small commercial (25KW and under), large commercial (over 25KW), and industrial customers in the additional EDC service territories of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company, UGI Utilities Inc., Pike County Power and Light Company, Citizens’ Electric Company and Wellsboro Electric Company. In addition, Park Power requests to add large commercial and industrial customers to its previously approved EDC service territories.

Park Power is a limited liability company formed on August 29, 2012, in the state of Pennsylvania. By its application, Park Power proposes to operate as a supplier of electricity to Residential, Small Commercial (25 kW and under), Large Commercial (Over 25kW), and Industrial Customers in the all the EDC service territories mentioned above.

Since Park Power proposes to provide EGS services to residential customers, it is required to comply with, and be governed by, applicable Chapter 56 residential service regulations as set forth in the Commission Order *Guidelines for Maintaining Customer Service at the Same Level of Quality Pursuant to 66 Pa. C.S. § 2807(d), and Assuring Conformance with 52 Pa. Code Chapter 56 Pursuant to 66 Pa. C.S. § 2809(e) and (f)* at Docket No. M-00960890 F0011, Order entered July 11, 1997. Thus, we deem it appropriate to address certain items relating to Chapter 56 of our regulations, particularly with respect to the issue of termination of residential accounts.

Initially, we note that an EGS cannot physically disconnect a residential customer from the electricity grid. Therefore, the rules relating to residential service termination are not directly applicable to EGSs. However, an EGS may seek to terminate its generation service to a customer through an appropriate written notice to the customer and that customer’s EDC. The residential customer can then attempt to repair its relationship with the EGS, seek a new electricity supplier, or return to utility service at default service rates in accordance with the utility's obligations under Section 2807(e) of the Public Utility Code, 66 Pa. C.S. §2807(e). The customer would only be disconnected from the electricity grid pursuant to applicable regulations if the customer failed to meet its obligations to the EDC, or to the EGS that has been designated by the Commission as that customer’s DSP, or provider of last resort.

Park Power has provided proofs of publication in appropriate Pennsylvania newspapers, and proofs of service to the interested parties as required by the Commission. Park Power has also provided a $250,000 surety bond with its original license application. Additionally, Park power has submitted proof of our PJM LSE requirement.

As of May 14, 2013 no protests to the application have been filed.

In summary, we find that:

1. The Applicant is fit, willing and able to properly perform the service proposed in conformance with applicable provisions of the Public Utility Code and lawful Commission orders and regulations, specifically including 52 Pa. Code Chapter 56 (relating to Standards and Billing Practices for Residential Utility Service).
2. The Applicant has agreed to lawfully abide by all Commission regulations, procedures and orders, 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.
3. The proposed service, to the extent authorized by the license, will be consistent with the public interest and the policy declared in the Electricity Generation Customer Choice and Competition Act.

Accordingly, 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 Park Power, LLC is hereby approved, consistent with this Order.

2. That a license be issued authorizing Park Power, LLC to begin to offer, render, furnish or supply electric generation supplier services as a supplier of electricity to residential, small commercial (25 kW and under), large commercial (over 25kW) and industrial customers in the electric distribution company service territories of PECO Energy Company, PPL Electric Utilities Corporation, Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company, UGI Utilities Inc., Pike County Power and Light Company, Citizens’ Electric Company and Wellsboro Electric Company throughout the Commonwealth of Pennsylvania.

3. That if Park Power, LLC should employ any independent consultants to arrange for the sale of its energy products to end-users, it must inform such independent consultants that they will be required to be licensed as electric generation suppliers if they arrange for the sale of energy products to end-users from another supplier or suppliers in addition to Park Power, LLC.

4. That a copy of this Order be served on the Department of Revenue, Bureau of Corporation Taxes.

5. That this proceeding at Docket No. A-2012-2328664 be closed.

 **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: May 23, 2013

ORDER ENTERED: May 23, 2013