Friday, October 04, 2013

Industrial Energy

175 Strafford Avenue

Suite 300

Wayne Pa. 19087

### RECEIVED

#### OCT - 4 2013

#### PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

To whom it may concern:

Please see natural gas application for broker marketer license. As requested original and one copy. In addition, as per requested, a CD-Rom containing searchable PDF file.

If you have any questions please feel to contact me.

icerely. hael A Amabile

President

#### **BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of \_\_\_\_\_MAA., INC\_\_\_\_\_, d/b/a \_\_\_Industrial Energy\_\_\_\_\_, for approval to offer, render, furnish, or as a(n) Broker/Marketer 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:

MAA INC DBA Industrial Energy 175 Strafford Avenue Suite 300 Wayne Pa. 19087 Phone: 610.975.4528 Fax: 610.975.4527

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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:

MAA INC DBA Industrial Energy Michael A Amabile, President 175 Strafford Avenue Suite 300 Wayne Pa. 19087 Phone: 610.975.4528 Fax: 610.975.4527

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:

MAA INC DBA Industrial Energy Michael A Amabile, President 175 Strafford Avenue Suite 300 Wayne Pa. 19087 Phone: 610.975.4528 Fax: 610.975.4527 3.a. **ATTORNEY:** If applicable, the name, address, telephone number, and FAX number of the Applicant's attorney are:

Petrikin, Wellman, Damico, Brown and Petrosa, PC Mark Damico 109 Chesley Drive Media Pa. 19063 610.565.2670 610.565.0178



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



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

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xx The Applicant will be using a fictitious name or doing business as ("d/b/a"): PA PUBLIC UTILITY COMMISSION

Industrial Energy

SECRETARY'S BUREAU

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

x\_ 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.

Give name and address of officers.

MAA INC DBA Industrial Energy Michael A Amabile, President 175 Strafford Avenue Suite 300 Wayne Pa. 19087 Phone: 610.975.4528 Fax: 610.975.4527

The Applicant is incorporated in the state of Pennsylvania.

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.

x 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.

Electric License Docket number

Docket # A-2010-2200223

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
- x Other. (Identify the nature of service being rendered.)

(Marketing Services Consultant)

#### 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.

x 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.

Company will provide natural gas supply services via an established NGS located in the state of Pennsylvania.

In Addition will provide energy consulting and advisory service to the end user of natural gas.

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

Columbia Gas of Pennsylvania, Inc. Equitable Gas Company Leatherstocking Gas Company, LLC Northeast Heat and Light Company National Fuel Gas Distribution Corporation Peco Gas (Exelon Company) Peoples Natural Gas Company, LLC Philadelphia Gas Works (PGW) Pike County Light and Power Company UGI Central Penn Gas **UGI Penn Natural Gas** UGI Utilities, Inc. Gas Valley Energy

- 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**
- č All of above
  - Other (Describe):
- START DATE: The Applicant proposes to begin delivering services on as soon as possible 12. Immediately.

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: <u>rcrocker@ctenterprises.org</u>

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. 12th 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.petrichevich@peoples-gas.com PH: 412.208.6528 FAX: 412.208.6577

Peoples TWP LLC (Formerly T. W. Phillips) Andrew Wachter 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 PH: 724.431.4935 FAX: 724.287.5021 email: <u>Andrew.Wachter@peoplestwp.com</u>

UGI David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559

UGI Penn Natural David Beasten 2525 N. 12th 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: <u>carlos.thillet@exeloncorp.com</u> PH: 215.841.6423

Columbia Gas of Pennsylvania Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX:614.460.6442 email: theckathorn@nisource.com

Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: douglas.moser@pgworks.com PH: 215.684.6899 Natural Gas Supplier License Application PA PUC Document #: 139346 Updated May 2013 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.

I Hereby certify that I have served a true and correct copy of the (NGS) Natural Gas License (Broker/Marketer) to all of the above via first-class mail

Michael A Amabile, President, MAA INC DBA Industrial Energy

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Wednesday, October 02, 2013

**Industrial Energy** 

175 Strafford Avenue

Suite 300

Wayne Pa. 19087

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#### PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Attention: Public Utility Commission

RE: Natural Gas Supply Services Broker/Marketer License Application and bonding requirements

To whom it may concern:

Industrial Energy business plan is to provide natural gas broker/marketer services throughout the state of Pennsylvania via all utilities listed on application. I have made contact with each utility regarding there bonding requirements and have not received all responses. I have enclosed letters from the utilities that did respond on these matters.

I hereby attest that I have attempted to contact all utilities in regard to their specific bonding requirements for broker/marketers.

voure mabile

Industrial Energy President

#### 14. **TAXATION:** Complete the <u>TAX CERTIFICATION STATEMENT</u> attached as Appendix B to this application.

- 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.
- 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.

MAA.,Inc DBA Industrial Energy Michael A Amabile 175 Strafford Avenue Suite 300 Wayne Pa. 19087

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

All Contracts and forms will be the property that of the NGS as MAA INC DBA Industrial Energy does not take possession of natural gas or contracts

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.

All documentation will be provided by the NGS as MAA INC DBA Industrial Energy does not take possession of natural gas or contracts.

#### 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.
- Published parent company financial and credit information.
- 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.
- 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.
- Identify Applicant's chief officers including names and their professional resumes.
- •
- •
- Michael A Amabile, President

Attended Community College of Philadelphia and St Joseph's University 1980 to 1986

1983 began with Royal Petroleum Corporation as Sales representative for oil, and motor fuels to the end user customer, Promoted to Vice President of Sales in 1985 and increased sales of the company over 100%. In addition, was first to market joint sales of natural gas and oil to the end user customer base in PA. (BTU concept). Expert in oil and motor fuels for over 20 years

1988 Incorporated MAA Inc February 1988 and provided total energy supply to the end user market place which included supply via established oil and natural gas and other energy supply networks. One of the first entities of its kind to enter and serve the market place for the mid market end user Natural gas and power expertise for over 20 years.

Present day: President of MAA., Inc DBA Industrial Energy providing supply of energy products via Established energy providers. In addition, providing, hands on energy management, consulting and Assistance to the end user of energy to help navigate through energy market place. Over 20 years Experience in the energy market place along with power supply in other de-regulated states. Established end user customer base for over twenty years.

Corporate member of GPAEE (Associate for energy consumers and engineers)

Expert in regulatory affairs for energy and have hosted various seminars and have written articles To educate the end user.

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• Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records.

The Rothman Boylston Group 1508 Mc Daniel Drive Westown Business Center West Chester Pa. 19380 Phone: 610.701.0500 Fax: 610.701.5402

- 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.

Applicant plans to attend latest seminars regarding updates in the industry. Plans to work closely with preferred NGS on latest products and services available for the end user consumer

• Business plans.

The business plan for MAA., Inc. DBA Industrial Energy is to continue to provide and expand a "hands on" approach is assisting the mid market end user of energy by providing and working with those entities to be the energy advisor providing sales and marketing via the most reliable and stable energy supply, along with education and research updating regulatory events that can be economically beneficial to the end user and lastly providing all important "hands on strategy" to these potential customers.

- 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.

MAA., Inc ØBA Industrial Energy By:Michael A Amabile

Title President, MAA, DBA Industrial Energy

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### AFFIDAVIT

SS.

[Commonwealth/State] of Penne

n vou County of ffiant, being duly [sworn/affirmed] according to law, deposes and says that: [He/she is the (Office of Affiant) of Name of Applicant);]

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

That **Figure Key Were Were Statutes**, 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.

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That **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 **MARE MEAN** 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.

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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 27 day of September, 19 2013

Signature of official administering oath,

My commission expires 10.7.2013

COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Susan M. Taylor, Notary Public Radnor Township, Delaware County My commission expires October 07, 2013

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### AFFIDAVIT

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[Commonwealth/State] of <u>PennsyluAnua</u>:

lanuru O 0 County of : Midra Affiant, being duly [sworn/affirmed] according to law, deposes and says that: (Office of Affiant) of VB [He/she is the Applicant);1 [That he/she is authorized to and does make this affidavit for said Applicant;] чĊ Knai has the burden of producing information and supporting strial That the Applicant herein LA documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa, C.S. §2208(c)(1). IC. ٨N by the answered the questions on the application correctly, truthfully, That the Applicant herein .10 and completely and provided supporting documentation as required. acknowledges that it is under a duty to update information provided in That the Applicant herein answer to questions on this application and contained in supporting documents. acknowledges that it is under a duty to supplement information That the Applicant herein 18 KIG 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 27 day of  $\mathbf{a}$ Signature of official administering oath My commission expires 10.7 2 COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Susan M. Taylor, Notary Public Radnor Township, Delaware County My commission expires October 07, 2013

PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU ROOM 308 NORTH OFFICE BUILDING P.O. BOX 8722 HARRISBURG, PA 17105-8722

MAA, INC.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. PLEASE NOTE THE FILE DATE AND THE SIGNATURE OF THE SECRETARY OF THE COMMONWEALTH. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA. IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, CALL (717) 787-1057.

ENTITY NUMBER: 2966833

MICROFILM NUMBER: 2000078

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#### ARTICLES OF DOMESTICATION FOREIGN CORPORATION

DSCB:15-4161/6161 (Rev 90)

Indicate type of corporation (check one):

X Foreign Business Corporation (15 Pa.C.S. § 4161)

...... Foreign Nonprofit Corporation (15 Pa.C.S. § 6161)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned qualified foreign corporation, desiring to become a domestic business or domestic nonprofit corporation, hereby states that:

1. The name of the corporation is: <u>MAA', INC.</u>

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a)	365 Country Lane,	Phoenixville, PA	19460		Chester
N 7	Number and Street	City	State	Zip	County
(b) c	:/o:	····			
	Name of Commercial Regi	stered Office Provider			County

Name of Commercial Registered Office Provider

- For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.
- 3. Upon the domestication the corporation will be subject to the domestic corporation provisions of the Business Corporation Law of 1988 or the Nonprofit Corporation Law of 1988.
- 4. (Strike out if inapplicable; otherwise check and, if applicable, complete, one or more of the following);

\_\_\_\_ The purpose or purposes for which the corporation is to be domesticated in the Commonwealth of Pennsylvania are:

- power to engage in and to do any lawful act concerning any and all lawful business for which business corporations may be incorporated under the Business Corporation Law of 1988.
- X. The purposes for which the corporation is to be domesticated in the Commonwealth of Pennsylvania consists of unlimited power to engage in and to do any lawful act concerning any and all lawful business for which business corporations may be incorporated under the Business Corporation Law of 1988.



#### COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU 206 NORTH OFFICE BUILDING P.O. BOX 8722 HARRISBURG, PA 17105-8722 <u>WWW.DOS.STATE.PA.US/CORPS</u>

MAA, INC.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT <u>WWW.DOS.STATE.PA.US/CORPS</u> OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 2966833

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Petrikin, Wellman, Damico, Brown & Petrosa The William Penn Building, 109 Chesley Drive Media, PA 19063

### PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU

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#### Statement of Change of Registered Office (15 Pa.C.S.)

Domestic Business Corporation (§ 14 Foreign Business Corporation (§ 414 Domestic Nonprofit Corporation (§ 55 Foreign Nonprofit Corporation (§ 614 Domestic Limited Partnership (§ 850	4) 507) 44) 6)
Name Mark D. Damico, Esquire	Document will be returned to the name and address you enter to the left.
Address <u>109 Chesley Drive</u> City Skie Zip Code	-
Med1a, PA 19063	Commonwealth of Pennsylvania DOMESTIC - CHANGE OF REGISTERED OFFICE 2 Page(s)

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In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned corporation or limited partnership, desiring to effect a change of registered office, hereby states that:

1. The name is:	MAA, Inc.	
2. The (a) address of its in office provider and the	nitial registered office in this Commonweal	th or (b) name of its commercial registered

(a) Number and street	City	State	Zip	County
365 Country Lane,	Phoenixville,	PA	19460	Chester
(b) Name of Commercial Registered	Office Provider		(	County

	corpora	tion of limite	d part	nership in t	his Commonwca
Suite	300,	Wayne,	PA	19087	Chester
City		State		Zip	County
ion or limite	d parine	rship shall b	e prov	ided by:	
	City	City	City State	City State	

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Entity Number 2966833

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#### APPLICATION FOR CERTIFICATE OF AUTHORITY FOREIGN CORPORATION

DSCB:15-4124/6124 (Rev 91)

Indicate type of corporation (check one):

\_\_\_\_\_ Foreign Business Corporation (15 Pa.C.S. § 4124)

\_\_\_\_Foreign Nonprofit Corporation (15 Pa.C.S. § 6124)

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

1. The name of the corporation is: \_\_\_\_\_MAA, INC.

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

3. (If the name set forth in Paragraph 1 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:

-INDUGTRIAL ENERGY, INC.

This 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:

New Jersey

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

201 Balfield	Terrace, Cherry	Hill, NJ 08003		Camden
Number and Street	City	State	Zip	County

M. BURR KEIM COMPANY (215) 563-8113 (600) 533-8113

#### DSCB:15-1507/4144/5507/6144/8506-2

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4. Strike out if a limited partnership:

Such change was authorized by the Board of Directors of the corporation.

IN TESTIMONY WHEREOF, the undersigned has caused this Application for Registration to be signed by a duly authorized officer thereof this
22nd day of May 2006
MAA The Market Market Partnership
halle
Signature
President
Title

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#### DSCB:54-312/313-3

IN TESTIMONY WHEREOF, the un Cancellation of/from Fictitious Name	dersigned has (have) caused this Application to be executed this	n for Amendment, Withdrawal or
22nd day of May 2006		
Adding party(ics) signature(s)	Withdrawing part (res) signature(s)	All current party(ics) signature(s)
•	J	
MAA. Inc. Name of Entity	Name of Entity	Name of Entity
By: By: Signature	Signature	Signature
<u>President</u> Title	Title	Title

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DSCB:54-312/313-2

Number	and street	City	State	Zip	County
The follo	wing party(ic:	s) has (have) been added to the	registration and their	signature(s) appo	car(s) at the end o
this appl	ication.	Number and street	City	State	Zin
Name	Inc.	125 Strafford Ave	-		Zip
		) has (have) withdrawn from t	te business and their s	ignature(s) appe	ar(s) at the end of
The follo this appli Name		) has (have) withdrawn from th Number and street	he business and their s	ignature(s) appea	ar(s) at the end of Zip

6. Check baxes for Application for Amendment Only:

1X This amendment, without reference to any other filing sets forth all information with respect to the fictitious name which would be required in an original filing under the Fictitious Names Act.

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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-See Instruction F: This application has been executed by an agent heretofore designated for that purpose in a prior filing in this registration.

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#### COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU 206 NORTH OFFICE BUILDING P.O. BOX 8722 HARRISBURG, PA 17105-8722 WWW.DOS.STATE.PA.US/CORPS

,

#### INDUSTRIAL ENERGY

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT <u>WWW.DOS.STATE.PA.US/CORPS</u> OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 2794180

Petrikin, Wellman, Damico, Brown & Petrosa The William Penn Building, 109 Chesley Drive Media, PA 19063

### PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU

	Fictitious Nam Amendment, Withdrawal (54 Pa.C.S.) Mendment (§ 31 Withdrawal (§ 31 Cancellation (§ 3	I, Cancellation 12) 3)
Name	Mark D. Damico, Esquire	Document will be returned to the name and address you enter to
Address	109 Chesley Drive	the left.
City	State Zip Code Media, PA 19063	

TONUS AND SHOW AND ADDRESS

Fec: \$70

In compliance with the requirements of 54 Pa.C.S. Ch.3 (relating to fictitious names), the undersigned entity or entities, desiring to amend, withdraw or cancel from a fictitious name registration, hereby state(s) that:

1. The fictitious name is:	T. J. And al. Decay			
	Industrial Energ	y		
·				
	cipal place of business, includi o the records of the Departme		ny, is (the Depa	artment is
365 Country L	ane. Phoeni	xville. PA	19460	Chester

State

Zip

County

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and traction and a set of a set of the set of the

3. The last preceding filing with respect to this fictitious name was made in the Department on

City

1/12/1998 (Date) at 09805-1500 (Roll and Film).

Number and street

4. A brief statement of the character or nature of the business or other activity to be curried on under or through the fictitious name is:

Purchase and sale of oil, natural gas, and other energy sources.

Commonwealth of Pennsylvania FICTITIOUS NAME AMENDMENT 3 Page(s)

PA DEPT. OF STATE

MAY 25 2006



Philadelphia Gas Works



Raymond M. Snyder – Vice President, Gas Management 800 W. Montgomery Avenue, Philadelphia, PA 19122 Telephone: (215) 684-6405 Fax: (215) 684-6602

October 2, 2013

Mr. Michael A. Amabile Industrial Energy 125 Strafford Avenue, Suite 300 *Wayne, PA* 19087

### RECEIVED

OCT - 4 2013

Re; Security Requirement Bond for Industrial Energy

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Dear Mr. Amabile:

Philadelphia Gas Works (PGW") is aware that Industrial Energy has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the services territory of Philadelphia Gas Works.

As you know, in making such an application, Industrial Energy must furnish acceptable security to each utility where Industrial Energy will do business. As such, under its tariff, Philadelphia Gas Works could require Industrial Energy to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate.

However, you have indicated, and it is Philadelphia Gas Works' understanding, that Industrial Energy intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that, in performing these services, Industrial Energy will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, Industrial Energy does not need to post a bond or other form of security to operate in its service territory. If the services provided by Industrial Energy should change, Philadelphia Gas Works reserves the right to require security from Industrial Energy as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at (215) 684-6405.

Sincerely

Raymond M. Snyder Vice President Gas Management

RMS:bwm



September 30th, 2013

Michael Amabile Industrial Energy 125 Strafford Ave Ste 300 Wayne PA 19087

RECEIVED

OCT - 4 2013

Re: Bonding Requirements

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Dear Michael Amabile:

PECO is aware that Industrial Energy has applied for a license to provide brokering and consulting services to commercial and industrial customers on the distribution system of PECO.

In making such an application, Industrial Energy could be required to provide to PECO a bond or other acceptable financial security in an amount that PECO determines to be appropriate. Industrial Energy has indicated that it intends to provide only brokering and consulting services to commercial and industrial customers will not take title to any delivered natural gas; nor will accept any customer payments or deposits. Therefore, PECO has determined at this time that Industrial Energy does not need a bond or other financial security requirement, since they are not directly engaging in business with PECO and only providing brokering or consulting services to PECO customers. However, if the services provided Industrial Energy or the creditworthiness requirement for PECO's exposure to Industrial Energy changes in the future, PECO reserves the right to require Industrial Energy to provide a bond or other financial security instrument.

If you should have any questions regarding this matter, please contact Chris Sauerbaum at 215-841-6422 or myself at 215-841-6452.

Respectfully submitted,

Carlos P. Tuller

Carlos P. Thillet Manager, Gas Supply and Transportation 2301 Market St S9-1 Philadelphia, Pa 19103



375 North Shore Drive Suite 600 Patsburgh PA 15212

www.peoples-gas.com

September 30, 2013

Michael A. Amabile President Industrial Energy 125 Strafford Avenue Suite 300 Wayne Pa. 19087

# RECEIVED

OCT - 4 2013

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Dear Mr. Amabile:

This letter serves as notification that Peoples Natural Gas Company does not require Industrial Energy to provide a security or credit enhancement. Our decision is based on the fact that your company is not currently operating, and has no immediate plans to operate, a Non-Priority One Pool or a Priority One Pool on the Peoples Natural Gas system. However, if in the future your company desires to establish a Non-Priority One Pool or a Priority One Pool on the Peoples Natural Gas company system, it may be required to establish a security or credit enhancement based on the terms set forth under Paragraphs 6 and 7 of the Rules and Regulations of The Peoples Natural Gas Company Supplier Tariff.

If you have any questions feel free to contact me at 412-208-6528 or by email at Lynda.W.Petrichevich@peoples-gas.com.

Sincerely,

Lynda W. Petrichevich Manager, Rates and Regulatory Affairs Peoples Natural Gas Company LLC



205 North Main Street Butler, PA 16001

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September 30, 2013

Michael A. Amabile Industrial Energy 125 Strafford Avenue Suite 300 Wayne Pa. 19087

RECEIVED

OCT - 4 2013

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Dear Mr. Amabile:

This letter serves as notification that Peoples TWP LLC does not require Industrial Energy to provide a security or credit enhancement at this time. Our decision is based on the fact that your company is not currently operating, and has no immediate plans to operate, a Non-Priority One Pool or a Priority One Pool on the Peoples TWP system. However, if in the future your company desires to establish a Non-Priority One Pool or a Priority One Pool on the Peoples TWP system, it may be required to establish a security or credit enhancement based on the terms set forth under Paragraphs 19 and 20 of the Rules and Regulations of the Peoples TWP Tariff.

If you have any questions feel free to contact me at 724-431-4935 or by email at Andrew.Wachter@peoplestwp.com.

Sincerely,

Andrew Wachter Manager, Rates and Regulatory Affairs Peoples TWP LLC



# RECEIVED

UGI Utilities, Inc. 2525 North 12th Street Suite 360 Post Office Box 12677 Reading, PA 19612-2677

(610) 796-3400 Telephone

OCT - 4 2013

October 3, 2013

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Michael A. Amabile Industrial Energy 125 Strafford Avenue, Suite 300 Wayne Pa. 19087 RE: Industrial Energy application to serve as a broker/marketer

Dear Mr. Amabile,

Based on your assertion that Industrial Energy is applying with the State of Pennsylvania to operate as a natural gas broker/marketer, UGI Utilities Inc.("UGIU") has concluded that Industrial Energy will not need to post security with UGI-Central Penn Gas ("CPG"), UGI-Penn Natural Gas ("PNG") or UGI Utilities Gas Division ("UGI"). This is based on the declaration that Industrial Energy will not be taking title to gas or directly serving end use customers. This also assumes that Industrial Energy will be acting on the behalf of a licensed Natural Gas Supplier who has been approved by the Pennsylvania Public Utility Commission to serve in the applicable UGIU service territories and who has posted the required financial security as specified in the respective UGI tariffs. If Industrial Energy wishes to directly serve Choice customers in the service territories of UGI, PNG and/or CPG in the future as a natural gas supplier, it will have to post security as specified in the respective UGI tariffs prior to the commencement of the service.

Please feel free to contact me with any additional questions that you may have.

Sincerely,

David E. Lahoff Manager, Rates UGI Utilities, Inc.



VALLEY ENERGY

523 S. Keystone Avenue, P.O. Box 340, Sayre, PA 18840 800/998-4427 • 570/888-9664 • FAX 570/888-6199

October 1, 2013

Mr. Michael A. Amabile Industrial Energy 125 Strafford Ave., Suite 300 Wayne, PA 19087

# RECEIVED

OCT - 4 2013

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Dear Mr. Amabile:

We understand that Industrial Energy has applied with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania including our company's service area.

Because Industrial Energy intends to only provide natural gas aggregating, brokering and consulting services at this time, we have determined that Industrial Energy will not be required to post a bond or other form of financial security instrument to provide these services in our service area. However, if the services provided or failure to meet our requirements for credit worthiness changes in the future, we reserve the right to require security from Industrial Energy as deemed appropriate.

If you have any questions, please contact Mrs. Marjorie Johnston at 570-888-9664.

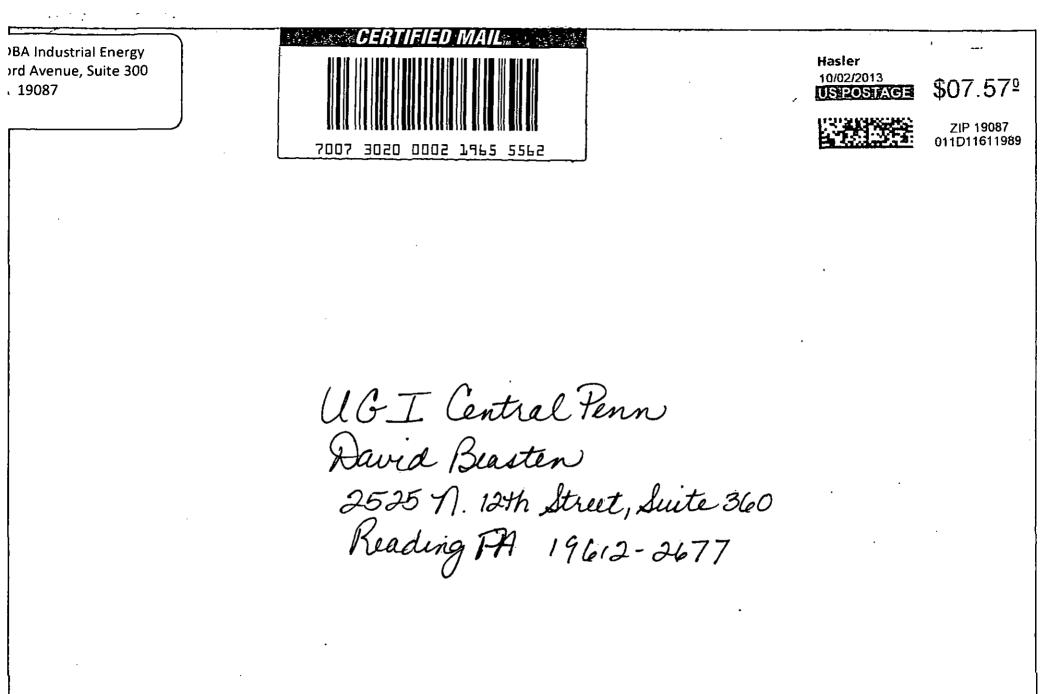
Sincerely,

Robert J. Crocker President & CEO

RJC/ss

cc: M. Johnston, Valley Energy

Hasler ndustrial Energy 10/02/2013 \$07.57° US POSTAGE venue, Suite 300 '87 ZIP 19087 011D11611989 7007 3020 0002 1965 5579 Peoples Natural Gas Company Lynda Petrichevich 375 North Shore Drive Suite 600 Pittsburgh, PA 15212



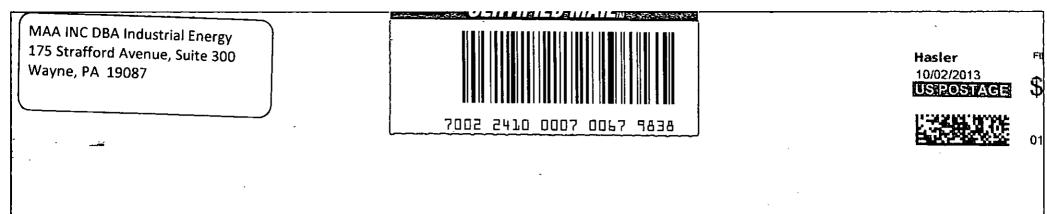
IFIED MAIL **idustrial Energy** Hasler renue, Suite 300 2 10/02/2013 87 **\$07.57**<sup>⁰</sup> US POSTAGE ZIP 19087 7007 3020 0002 1965 5586 011D11611989 UGI David Beaston 2525 N. 12th Street, Suite 360 Reading PA 19612-2677

MAA INC DBA Industrial Energy 175 Strafford Avenue, Suite 300 Wayne, PA 19087



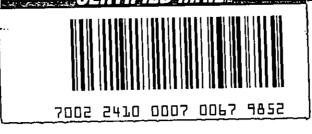


Peoples TWPLLC (Formerly T. W. Phillips) andrew Wachter 375 North Shore Drive, Suite 600 Pitteburgh, PA 15212



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

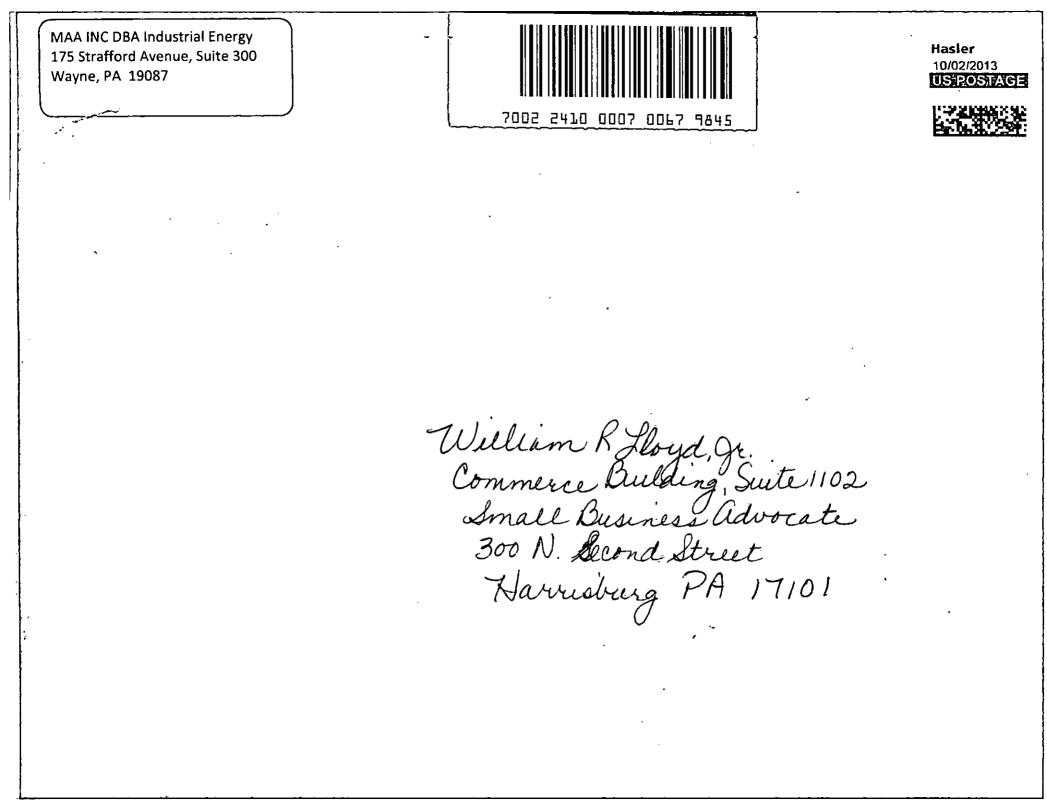
MAA INC DBA Industrial Energy 175 Strafford Avenue, Suite 300 Wayne, PA 19087



Hasler 10/02/2013 **US POSTAGE** 



Valley Energy Anc. Robert Crocker 523 South Keystone avenue Sayre, PA 18840-0340

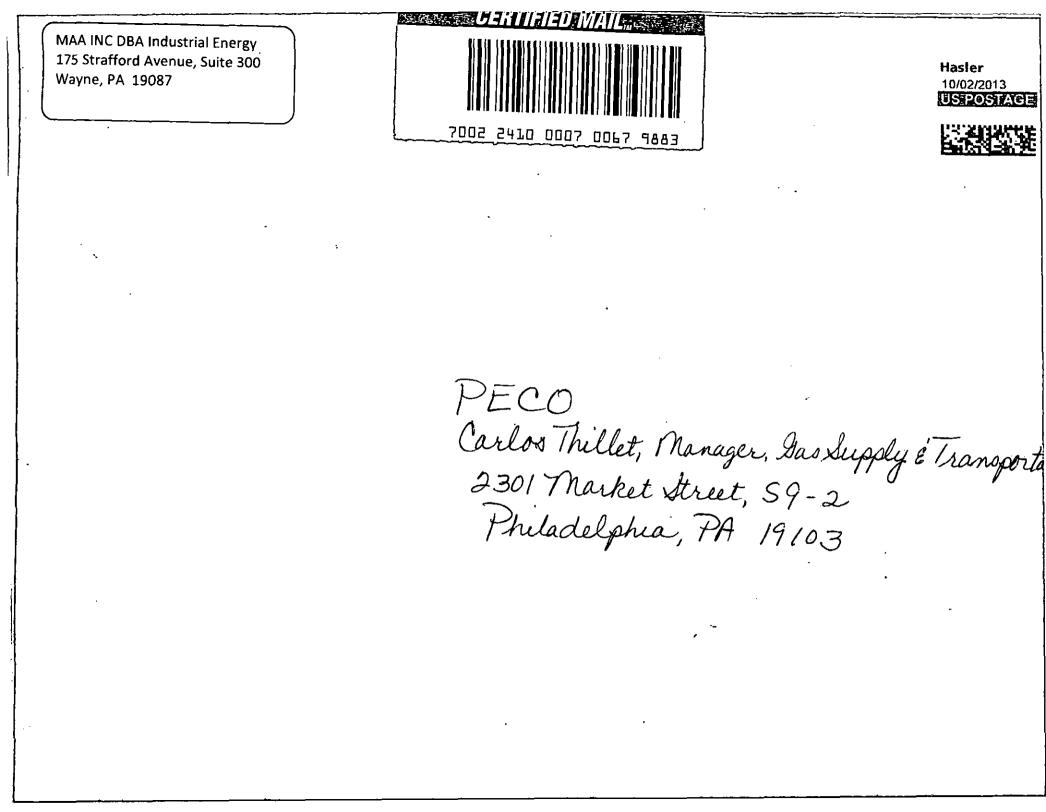


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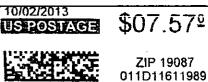




Equitable Gas Company Gerald Mosdy 255 North Shore **Drive** Pittsburgh, PA 15212-5352

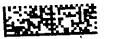
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Philadelphia Sas Works Douglas Mover 800 West Montgomery avenue Philadelphia, PA 19122 9087





ZIP 19087 011D11611989

Mational Fuel Sas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221

MAA INC DBA Industrial Energy .75 Strafford Avenue, Suite 300 Vayne, PA 19087



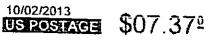


Columbus bas of Pennsylvania Inc Thomas C. Heckathorn 200 Civic Cienter Drive Columbus, OH 43215

PA 19087



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ZIP 19087 011D11611989

Irwin A. Popowsky Office of Consumer Advocate 5th Floor, Forum Place 555: Walnut Street Harrisburg, PA M20-1921

