

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of New River Group, LLC, d/b/a Scioto Energy, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) [as specified in item #4b below] to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

### 1. IDENTIFICATION AND CONTACT INFORMATION

- a. **IDENTITY OF THE APPLICANT:** Provide name (including any fictitious name or d/b/a), primary address, web address, and telephone number of Applicant:

New River Group, LLC d/b/a Scioto Energy  
4041 N High St, Suite 202  
Columbus, Ohio 43214  
614-888-8805

- b. **PENNSYLVANIA ADDRESS / REGISTERED AGENT:** If the Applicant maintains a primary address outside of Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's secondary office within Pennsylvania. If the Applicant does not maintain a physical location within Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's Registered Agent within Pennsylvania.

Penncorp Servicegroup, Inc.  
600 North Second St.  
Harrisburg, PA 17101  
Phone: 215.563.8813 Fax: 215.977.9386

- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application should be addressed.

Susanne Buckley, Partner  
4041 N High St, Suite 202  
Columbus, Ohio 43214  
614-888-8805 x104

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

Shamus Cassidy  
Kohler & Smith Co., LPA  
7650 Rivers Edge Drive, Suite 101  
Columbus, OH 43232  
Office: 614-888-4911 Fax: 614-888-4402 Email: scassidy@kohlersmith.com

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, FAX number, and e-mail 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 the Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

Main Contact: Susanne Buckley, Partner  
4041 N High St, 202, Columbus, Ohio 43214  
Phone: 614-888-8805 x104  
Fax: 614-453-8811  
Email: sbuckley@sciotoenergy.com

Alternate: Greg Bechert, Partner  
4041 N High St, 202, Columbus, Ohio 43214  
Phone: 614-888-8810  
Fax: 614-453-8811  
Email: gfbrechert@sciotoenergy.com

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1

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**2. BUSINESS ENTITY FILINGS AND REGISTRATION**

a. **FICTITIOUS NAME:** *(Select appropriate statement and provide supporting documentation as listed.)*

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

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

*see appendix H*

**or**

The Applicant will not be using a fictitious name.

b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**

*(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)*

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.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- \* 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**

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The Applicant is a:

- domestic corporation (15 Pa. C.S. §1308)
- 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 (Describe):

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

*see Appendix I*

- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation. Ohio

- Give name and address of officers.

Susanne Buckley, Partner  
4041 N High St, Suite 202  
Columbus, Ohio 43214

Greg Bechert, Partner  
4041 N High St, Suite 202  
Columbus, Ohio 43214

### 3. AFFILIATES AND PREDECESSORS

*(both in state and out of state)*

a. **AFFILIATES:** Give name and address of any affiliate(s) currently doing business and state whether the affiliate(s) are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are currently applying to do business in Pennsylvania.

New River Group LLC d/b/a Scioto Energy does not have any affiliates doing business nor applying to do business.

b. **PREDECESSORS:** Identify the predecessor(s) of the Applicant and provide the name(s) under which the Applicant has operated within the preceding five (5) years, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

New River Group LLC d/b/a Scioto Energy does not have any predecessors.

#### 4. OPERATIONS

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

- The Applicant is presently doing business in Pennsylvania as a
- municipal electric corporation
  - electric cooperative
  - local gas distribution company
  - provider of electric generation, transmission or distribution services
  - Other; Identify the nature of service being rendered.

or

- The Applicant is not presently doing business in Pennsylvania.

b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple)*:

- Generator of electricity
- Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- Broker/Marketer engaged in the business of supplying electricity services
- Electric Cooperative and supplier of electric power
- Other (Describe):

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

Scioto Energy's mission is to provide energy solutions for clients in the areas of energy procurement, rate analysis, risk management and load response. Scioto Energy's unique procurement and analysis process ensures our clients the best optimization of structure and strategy for their own risk appetite. Based on each customer's requirements and criteria, we reach out to a diversified group of suppliers we have vetted and determine to be in a position to fulfill that customer's specific needs and then supply the essential data for the customer to make an informed decision. Scioto Energy does not take title to the electricity and is not a party to any agreements between customer and supplier and therefore does not provide any energy related billing statements to customers.

- d. **PROPOSED SERVICE AREA:** Provide a list of each Electric Distribution Company for which the Applicant proposes to provide service.  
Duquesne Light Company, PP&L, PECO and FirstEnergy: West Penn Power, Penn Power, Penelec, Met-Ed

- e. **CUSTOMERS:** Applicant proposes to provide services to:

- Residential Customers  
 Small Commercial Customers - (25 kW and Under)  
 Large Commercial Customers - (Over 25 kW)  
 Industrial Customers  
 Governmental Customers  
 All of above  
 Other (Describe):

- f. **PROPOSED MARKETING METHOD** (check all that apply)

- Internal – Applicant will use its own internal resources/employees for marketing  
 External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer  
 Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.  
 External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals  
 Other (Describe):

- g. **DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes  
 No

If yes, will the Applicant be using a Third Party Verification procedure?

- Yes  
 No

If yes, describe the Applicant's Third Party Verification procedures.

- h. **START DATE:** Provide the approximate date the Applicant proposes to begin services within the Commonwealth.  
November 1, 2013

## 5. COMPLIANCE

- a. **CRIMINAL/CIVIL PROCEEDINGS:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

Identify all such proceedings (active or closed), by name, subject and citation; whether before an administrative body or in a judicial forum. If the Applicant has no proceedings to list, explicitly state such.

New River Group LLC d/b/a Scioto Energy nor any individual or affiliate represented in this application is currently nor has been the defendant of a criminal or civil proceeding within the last five years.

- b. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any such proceedings listed above.  
not applicable

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. If the Applicant has no actions or complaints to list, explicitly state such.

New River Group LLC, d/b/a Scioto Energy has no actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency.

- d. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above.  
not applicable

OCT - 2 2013

**6. PROOF OF SERVICE**

(Example Certificate of Service is attached at Appendix C) PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

- a.) **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

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

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

- b.) **EDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Electric Distribution Companies the Applicant proposed to provide service in. 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. Contact information for each EDC is as follows.

**Allegheny Power:**  
Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

**PECO:**  
Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

**Duquesne Light:**  
Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

**PPL:**  
Legal Department  
Attn: Paul Russell  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179

**Met-Ed, Penelec, and Penn Power:**  
Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

**UGI:**  
UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12th Street, Suite 360  
Post Office Box 12677  
Reading, Pa 19612-2677

**Citizens' Electric Company:**  
Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

**Pike County Light & Power Company:**  
Director of Customer Energy Services  
Orange and Rockland Company  
390 West Route 59  
Spring Valley, NY 10977-5300

**Wellsboro Electric Company:**  
Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P. O. Box 138  
Wellsboro, PA 16901

## 7. FINANCIAL FITNESS

a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

- Furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- Furnishing the **original** (along with copies) of another initial security for Commission approval, to ensure financial responsibility.
- Filing for a modification to the \$250,000 requirement and furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

- *At the conclusion of Applicant's first year of operation it is the intention of the Commission to tie security bonds to a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. The amount of the security bond will be reviewed and adjusted on an annual basis.*
- *Example version of a bond and letter of credit are attached at Appendix D & E, Applicant's security must follow language from these examples.*
- *Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.*

PLEASE SEE APPENDIX A

b. **FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must 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 Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- 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, evidence of Moody's, S&P, or Fitch ratings, and/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 exhibiting accounts over a minimum two year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

PLEASE SEE APPENDIX B

c. **ACCOUNTING RECORDS CUSTODIAN:** Provide the name, title, address, telephone number, FAX number, and e-mail address of Applicant's custodian for its accounting records.

John Zappitelli, John J. Zappitelli CPA, Inc.  
5271 Norwich St. Hilliard, Ohio 43026

Office: 614.334.2722  
Fax: 614.334.3535  
Email: john@jzcpa.com



d. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix F to this application.

*All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identifications numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.*

*Items 7A and 7C on the Tax Certification Statement are designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.*

PLEASE SEE APPENDIX C

## 8. TECHNICAL FITNESS:

To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

a.) **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

- Applicant's previous experience in the electricity industry.
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
- Staffing structure and numbers as well as employee training commitments.
- Business plans for operations within the Commonwealth.
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

PLEASE SEE APPENDIX D

b.) **OFFICERS:** Identify Applicant's chief officers including names and their professional resumes.

Susanne Buckley, Partner  
4041 N High St, Suite 202  
Columbus, Ohio 43214

Greg Bechert, Partner  
4041 N High St, Suite 202  
Columbus, Ohio 43214

Professional resumes can be found in Appendix D.

c.) **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number \_\_\_\_\_.
- Not applicable

## 9. DISCLOSURE STATEMENT:

**Disclosure Statements:** If proposing to serve Residential and/or Small Commercial (under 25 kW) customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix G to this Application.

- Electricity 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.

*Not applicable for an applicant applying for a license exclusively as a broker/marketer.*

## 10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:
- proof of registration as a PJM Load Serving Entity (LSE), or
  - proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

*(Select only one of the following)*

- AGREED - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- AGREED - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

- b. **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. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43.

AGREED

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

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201–54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis:
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

AGREED

d. **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 2809(D). Transferee will be required to file the appropriate licensing application.

AGREED

e. **ASSESSMENT:** The Commission does not presently assess Electric Generation Suppliers for the purposes of recovery of regulatory expenses; see *PPL Energyplus, LLC v. Commonwealth*, 800 A.2d 360 (Pa. Cmwlth. 2002).

ACKNOWLEDGED

f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

AGREED

g. **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.

AGREED

h. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

AGREED

i. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

AGREED

j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at appendix J.

AGREED

k. **FEE:** The Applicant has enclosed or paid the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

PAYMENT ENCLOSED

## 11. AFFIDAVITS

a.) **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

PLEASE SEE APPENDIX E

b.) **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

PLEASE SEE APPENDIX F

## 12. NEWSPAPER PUBLICATIONS

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. Below is a list of newspapers which cover the publication requirements for Electric Generation Suppliers looking to do business in Pennsylvania.

The newspapers in which proof of publication is required is dependent on the service territories the applicant is proposing to serve. The chart below dictates which newspapers are necessary for each EDC. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

Please file with the Commission the Certification of Publication, along with a photostatic copy of the notice to complete the notice requirements.

Proof of newspaper publications must be filed with the initial application. Applicants **do not** need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

	<u>Duquesne</u>	<u>Met Ed</u>	<u>PECO</u>	<u>Penelec</u>	<u>Penn Power</u>	<u>PPL</u>	<u>UGI</u>	<u>West Penn</u>	<u>Entire Commonwealth</u>
Philadelphia Daily News		X	X			X			X
Harrisburg Patriot-News		X		X		X		X	X
Scranton Times Tribune		X		X		X	X		X
Williamsport Sun Gazette				X		X		X	X
Johnstown Tribune Democrat				X				X	X
Erie Times-News				X	X				X
Pittsburgh Post-Gazette	X				X			X	X

*(Example Publication is provided at Appendix H)*

PLEASE SEE APPENDIX G

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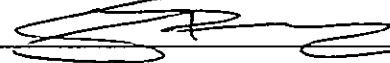
OCT - 2 2013

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## 13. SIGNATURE

NEW RIVER Group LLC dba

Applicant: SCLOTO ENERGY

By: 

Title: PARTNER

**New River Group, LLC d/b/a Scioto Energy**

Application for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to the public in the Commonwealth of Pennsylvania.

**Appendix A**

**Bonding**

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Please note that New River Group, LLC d/b/a Scioto Energy will not be collecting any gross receipts from its customers, paying customer bills or taking title to electricity. Therefore, we are requesting the Commission reduce its security requirement from \$250,000 to \$10,000, and have included a bond in said amount with the application as directed.

**New River Group LLC d/b/a Scioto Energy**

Application for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to the public in the Commonwealth of Pennsylvania.

**APPENDIX B**

**Financial Records, Statements, and Ratings**

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The requirements of Attachment B, Financial Records, Statements and Ratings requires New River Group LLC d/b/a Scioto Energy to disclose privileged and confidential information. The information will be submitted separately, under seal.

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**New River Group LLC d/b/a Scioto Energy**

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**APPENDIX C**

**Taxation**

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**New River Group LLC d/b/a Scioto Energy**

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**APPENDIX D**

**Technical Fitness**

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## TECHNICAL FITNESS

Scioto Energy is currently a licensed electricity broker in Ohio (Public Utilities Commission of Ohio license number is: 09-170E (2)), and currently serves over 6,000 commercial and industrial accounts in Ohio. The company is led by managing partners, Greg Bechert and Susanne Buckley.

Greg Bechert has been involved in the energy retail industry for 18 plus years, beginning his career in 1995 with Enron Capital and Trade, where his initial focus was natural gas end-use customers throughout the Midwest region, specifically in Indiana, Michigan, and Ohio. Over seven years, his role and responsibilities expanded to include marketing electricity in Massachusetts, Illinois and Texas. In 2003, Mr. Bechert joined Constellation NewEnergy (CNE) where his knowledge and background assisted CNE in its marketing campaigns under Cinergy's and FirstEnergy's Market Development Plans. He went on to manage CNE's Midwest sales team, and was instrumental in leading the company's sales efforts behind the Ameren footprint in Southern Illinois, and eventually expanded his responsibilities to include the ComEd market throughout Chicagoland.

Susanne Buckley began her energy career in 1992 when she joined American Electric Power as an environmental engineer, which provided the foundation for her extensive knowledge of utility rate structures developed over the years. Ms. Buckley moved to the deregulated side when she joined American Electric Power Energy Services in 1998 where she gained experience in operations, trading, structuring deals and marketing. In 2005, Ms. Buckley joined Integrys Energy Services where she led the residential mass markets efforts for deregulated natural gas and electricity sales and also directed the commercial and industrial sales efforts for the Midwest region.

Scioto Energy is an independent brokerage and consulting firm founded in 2009 to provide energy solutions for clients in the areas of energy procurement, rate analysis, risk management and load response. The managing partners are seasoned energy professionals with over 39 years of experience in both energy trading and energy retail marketing. Scioto Energy is completely independent from any wholesale supplier; our only allegiance is to our customers. Our extensive knowledge of utility structures, tariffs, and wholesale modeling allows us to deliver crucial and unbiased information to our clients, which empowers them to make the best decisions regarding implementation of risk strategies that are in line with corporate goals.

Scioto Energy's unique procurement and analysis process ensures our clients the best optimization of structure and strategy for their own risk appetite. Based on each customer's requirements and criteria, we reach out to a diversified group of suppliers we have vetted and determine to be in a position to fulfill that customer's specific needs and then supply the essential data for the customer to make an informed decision. Scioto Energy does not take title to the electricity and is not a party to any agreements between customer and supplier and therefore does not provide any energy related billing statements to customers.

**New River Group LLC d/b/a Scioto Energy**

Application for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to the public in the Commonwealth of Pennsylvania.

**APPENDIX E**

**Application Affidavit**

**RECEIVED**

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

# APPLICATION AFFIDAVIT RECEIVED

[Commonwealth/State] of Ohio :

OCT - 2 2013

County of FRANKLIN :

ss.

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

SUSANNE BUCKLEY, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the PARTNER (Office of Affiant) of SCIOTO ENERGY (Name of Applicant);]

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

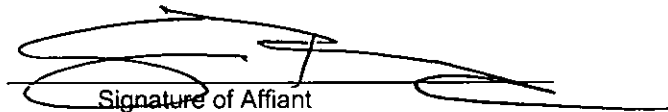
That the Applicant herein SCIOTO ENERGY has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein SCIOTO ENERGY has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein SCIOTO ENERGY 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 SCIOTO ENERGY 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 23 day of April, 2013.

  
Signature of official administering oath

My commission expires 4.23-13.



NAHID TAJ  
Notary Public, State of Ohio  
My Commission Expires Dec. 14, 2015  
Recorded in Franklin County

**New River Group LLC d/b/a Scioto Energy**

Application for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to the public in the Commonwealth of Pennsylvania.

**APPENDIX F**

**Operations Affidavit**

**RECEIVED**

OCT - 9 2013

PA PUBLIC UTILITIES COMMISSION  
SECRETARY'S BUREAU

RECEIVED

OPERATIONS AFFIDAVIT

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of OHIO :

: ss.

County of FRANKLIN :

SUSANNE BUCKLEY, Affiant, being duly [sworn/affirmed] according to law,  
deposes and says that:

[He/she is the PARTNER (Office of Affiant) of SCOTTO ENERGY  
(Name of Applicant);]

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

That SCOTTO ENERGY, 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 SCOTTO ENERGY, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric 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 SCOTTO ENERGY, 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 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, 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 Gross Receipts and power 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).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), 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.




**Appendix B (Continued)**

That Scioto Energy, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) 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 Bureau of Public Liaison 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 23 day of April, 2013.

  
Signature of official administering oath

My commission expires 12.14.15.



NAHID TAJ  
Notary Public, State of Ohio  
My Commission Expires Dec. 14, 2015  
Recorded in Franklin County

**New River Group LLC d/b/a Scioto Energy**

Application for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity services to the public in the Commonwealth of Pennsylvania.

**APPENDIX G**

**Newspaper Publications**

**RECEIVED**

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Proof of Publication in The Philadelphia Daily News  
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

Florence Devlin being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

July 1, 2013

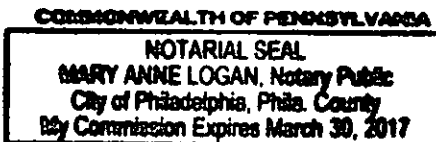
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.



Sworn to and subscribed before me this 1<sup>st</sup> day of July, 2013.

  
Notary Public

My Commission Expires:



Copy of Notice of Publication

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**NOTICE**  
Application of New River Group LLC d/b/a Soloto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer/Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.  
New River Group LLC d/b/a Soloto Energy will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer and/or energy consultant engaged in the business of supplying electricity. New River Group LLC d/b/a Soloto Energy proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Soloto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC, PO Box 3285, Harrisburg, PA, 17105-3285. You should send copies of any protest to New River Group LLC d/b/a Soloto Energy's attorney at the address listed below:  
By and through Counsel:  
Shamus B. Cassidy, Esq.  
Kohler & Smith Co., LPA  
7650 Rivers Edge Drive, Suite 101  
Columbus, Ohio 43228

RECEIVED

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

The Patriot-News Co.  
2020 Technology Pkwy  
Suite 300  
Mechanicsburg, PA 17050  
Inquiries - 717-255-8213

The Patriot-News  
Now you know

SCIOTO ENERGY  
4041 N HIGH ST, SUITE 202

COLUMBUS OH 43214

THE PATRIOT NEWS  
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929  
Commonwealth of Pennsylvania, County of Dauphin} ss

Marianne Miller, being duly sworn according to law, deposes and says:

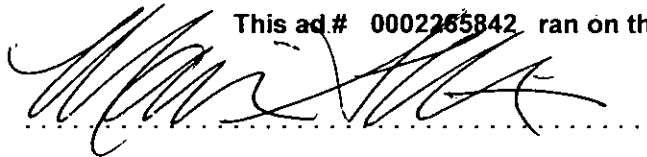
That she is a Staff Accountant of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 2020 Technology Pkwy, Suite 300, in the Township of Hampden, County of Cumberland, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 1900 Patriot Drive, in the City, County and State aforesaid; that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/ Community Weekly editions which appeared on the date(s) indicated below. That neither she nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

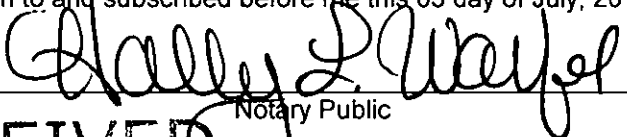
That she has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

This ad # 0002265842 ran on the dates shown below:

July 04, 2013



Sworn to and subscribed before me this 05 day of July, 2013 A.D.

  
Notary Public

RECEIVED

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Holly Lynn Warfel, Notary Public  
Washington Twp., Dauphin County  
My Commission Expires Dec. 12, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE  
Application of New River Group LLC d/b/a Scioto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer/Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.  
New River Group LLC d/b/a Scioto Energy will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer and/or energy consultant engaged in the business of supplying electricity. New River Group LLC d/b/a Scioto Energy proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Scioto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC, PO Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to New River Group LLC d/b/a Scioto Energy's attorney at the address listed below:  
By and through Counsel:  
Shamus B. Cassidy, Esq.  
Kohler & Smith Co., LPA  
7650 Rivers Edge Drive, Suite 101  
Columbus, Ohio 43235

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)  
Commonwealth of Pennsylvania, County of Lackawanna

SCIOTO ENERGY  
WHITNEY BYRD  
SUITE 202 4041 N HIGH ST  
COLUMBUS OH 43214

Account # 581153  
Order # 81268659  
Ad Price: 215.30

LEGAL NOTICE PENNSYLVANIA

Gina Krushinski

Being duly sworn according to law deposes and says that she is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

07/03/2013

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Gina Krushinski

Sworn and subscribed to before me  
this 3rd day of July A.D., 2013

Sharon Venturi  
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Sharon Venturi, Notary Public  
City of Scranton, Lackawanna County  
My Commission Expires Feb. 12, 2014  
Member, Pennsylvania Association of Notaries

RECEIVED

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

LEGAL NOTICE

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of New River Group LLC d/b/a Scioto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer/Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity to the Public in the Commonwealth of Pennsylvania.

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

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Scioto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC, PO Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to New River Group LLC d/b/a Scioto Energy's attorney at the address listed below:

By and through Counsel:  
Shamus B. Cassidy, Esq.  
Kohler & Smith Co., LPA  
7650 Rivers Edge Drive, Suite 101  
Columbus, Ohio 43235

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

STATE OF PENNSYLVANIA  
COUNTY OF LYCOMING

SS:

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

July 2, 2013

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

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of New River Group LLC d/b/a Scioto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer / Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

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

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Scioto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC, PO Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to New River Group LLC d/b/a Scioto Energy's attorney at the address listed below:

By and through Counsel:  
Shamus B. Cassidy, Esq.  
Kohler & Smith Co., LPA  
7650 Rivers Edge Drive,  
Suite 101  
Columbus, Ohio 43235

RECEIVED

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

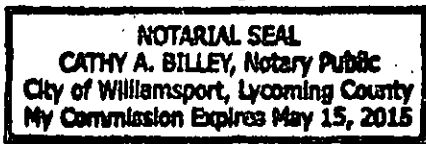
Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me

the 8<sup>th</sup> day of July 2013

Cathy A. Billey  
Notary Public



STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:

For publishing the notice attached

hereto on the above state dates.....\$ 243.24

Probated same.....\$

Total.....\$ 243.24

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

I hereby acknowledges receipt of the aforesaid advertising and publication costs been fully paid.

SUN-GAZETTE COMPANY

BY Bernard A. Oravec

THE SUN-G  
and certifies

COMMONWEALTH OF PENNSYLVANIA }  
 County of Cambria } SS

**PENNSYLVANIA PUBLIC UTILITY  
 COMMISSION NOTICE**

Application of New River Group LLC d/b/a Scioto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer/Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

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

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Scioto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC. PO Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to New River Group LLC d/b/a Scioto Energy's attorney at the address listed below:

By and through Counsel:  
 Shamus B. Cassidy, Esq.  
 Kohler & Smith Co., LPA  
 7680 Rivers Edge Drive, Suite 101  
 Columbus, Ohio 43235

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 of The  
 the su  
 said p

On this 11th day of July A.D. 2013, before me, the subscriber, a Notary Public in and for said County and State, personally appeared *Christine Marhefka*, who being duly sworn according to law, deposes and says as Classified Advertising Manager of the *Tribune-Democrat, Johnstown, PA*, a newspaper of general circulation as defined by the "Newspaper Advertising Act", a merger September 8, 1952, of the *Johnstown Tribune*, established December 7, 1853; and of the *Johnstown Democrat*, established March 5, 1863,

County of Cambria, and Commonwealth of Pennsylvania and the matter published in said publication in the regular issues of PA, on July 2, 2013; and that the Affiant is not interested in that all of the allegations as to time, place and character of

*Christine Marhefka*

**STATEMENT OF ADVERTISING COSTS**

Sworn and Subscribed before me this 11th day of July, 2013.

*Juan Ohs*

0.00 Lines @	\$2.50 per line	0.00
6.25 Inches @	\$25.00 per inch	156.25
Notary Fee		5.00
Clerical Fee		2.50
<b>Total Cost</b>		<b>163.75</b>

COMMONWEALTH OF PENNSYLVANIA  
 Notarial Seal  
 Vivian Ohs, Notary Public  
 City of Johnstown, Cambria County  
 My Commission Expires Dec. 6, 2016  
 MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

To The *Tribune-Democrat, Johnstown, PA*  
 For publishing the notice or publication attached hereto on the above stated dates.

**PUBLISHER'S RECEIPT FOR ADVERTISING COSTS**

\_\_\_\_\_ for publisher of \_\_\_\_\_  
 a newspaper of general circulation, hereby acknowledges receipt of the aforesaid and publication costs and certifies that the same has been duly paid.

\_\_\_\_\_  
 (Name of Newspaper)

By \_\_\_\_\_

**RECEIVED**

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
 SECRETARY'S BUREAU

PROOF OF PUBLICATION  
In  
THE ERIE TIMES-NEWS  
COMBINATION EDITION

Scioto Energy  
4041 N High St Suite 202  
Columbus OH 43214

REFERENCE: 37013 9620

STATE OF PENNSYLVANIA)  
COUNTY OF ERIE ) SS:

Debra McGraw, being duly sworn, deposes and says that: (1) he/she is a designated agent of the Times Publishing Company (TPC) to execute Proofs of Publication on behalf of the TPC; (2) the TPC, whose principal place of business is at 205 W. 12th Street, Erie, Pennsylvania, owns and publishes the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, and published at Erie, Erie County Pennsylvania; (3) the subject notice or advertisement, a true and correct copy of which is attached, was published in the regular edition(s) of said newspaper on the date(s) referred to below. Affiant further deposes that he/she is duly authorized by the TPC, owner and publisher of the Erie Times-News, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 07/03/13

TOTAL COST: \$409.00 AD SPACE: 0 Lines

FILED ON: 07/03/13

RECEIVED

OCT - 2 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**

Application of New River Group LLC d/b/a Scioto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer/Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

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

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Scioto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC, PO Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to New River Group LLC d/b/a Scioto Energy's attorney at the address listed below:

By and through Counsel:

Shamus B. Cassidy, Esq.  
Kohler & Smith Co., LPA  
7650 Rivers Edge Drive, Suite 101  
Columbus, Ohio 43235

adline-9/6/20

Sworn to and subscribed before me this 3rd day of July 2013

Affiant: Debra McGraw

NOTARY: Barbara J. Moore

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Barbara J. Moore, Notary Public  
City of Erie, Erie County  
My Commission Expires March 23, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



### Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss H. Java, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the \_\_\_\_\_ regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

03 of July, 2013

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

H. Java

PG Publishing Company

Sworn to and subscribed before me this day of:  
July 03, 2013

Melanie L. Goodwin

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Melanie L. Goodwin, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires May 12, 2014

Member, Pennsylvania Association of Notaries

#### STATEMENT OF ADVERTISING COSTS

Scioto Energy  
4041 N HIGH ST STE 202  
Attn: Whitney Byrd  
COLUMBUS OH 43214-3248

To PG Publishing Company

Total ----- \$502.50

#### Publisher's Receipt for Advertising Costs

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office  
34 Boulevard of the Allies  
PITTSBURGH, PA 15222  
Phone 412-263-1338

PG Publishing Company, a Corporation, Publisher of  
Pittsburgh Post-Gazette, a Newspaper of General Circulation

By

Maria Greer

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

#### COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION  
NOTICE

Application of New River Group LLC d/b/a Scioto Energy for Approval To Offer, Render, Furnish, Or Supply Electricity Or Electric Generation Services As A Marketer/Broker and/or Energy Consultant Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

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

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of New River Group LLC d/b/a Scioto Energy may be filed within 15 days of the date of this notice with the Secretary of the PUC, PO Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to New River Group LLC d/b/a Scioto Energy's attorney at the address listed below:

By and through Counsel:  
Shamus B. Cassidy, Esq.  
Kohler & Smith Co., LPA  
7650 Rivers Edge  
Drive, Suite 101  
Columbus, Ohio 43235

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**Appendix H**  
**Fictitious Name**

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PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

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

Name		
Greg Bechert		
Address		
4041 N. High St., Suite 202		
City	State	Zip Code
Columbus, OH		43214

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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:  
Scioto 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:  
Provides energy solution consulting services.

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

4041 North High St., Suite 202	Columbus	OH	43214	Franklin
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	Zip
Greg Bechert	4041 North High St., Suite 202	Columbus	OH	43214
Susanne Buckley	4041 North High St., Suite 202	Columbus	OH	43214

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

New River Group	LLC	Ohio
Name	Form of Organization	Organizing Jurisdiction
4041 North High St., Suite 202, Columbus, OH 43214		
Principal Office Address		
PennCorp Service Group, 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):  
Greg Bechert, Susanne Buckley

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

24<sup>th</sup> day of September, 2013

Individual Signature	Individual Signature
Individual Signature	Individual Signature
Entity Name	Entity Name
Signature	Signature
Title	Title

*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*

**Appendix I**  
**Department of State Foreign LLC Filing**

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**PA PUBLIC UTILITY COMMISSION  
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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS  
401 NORTH STREET, ROOM 206  
P.O. BOX 8722  
HARRISBURG, PA 17105-8722  
WWW.CORPORATIONS.STATE.PA.US/CORP

New River Group, LLC

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

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP 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: 4206618

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SECRETARY'S BUREAU

Bechert, Greg  
4041 N High St Suite 202  
Columbus, OH 43214

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU

Application for Registration - Foreign

(15 Pa.C.S.)

- Registered Limited Liability General Partnership (§ 8211)  
 Registered Limited Liability Limited Partnership (§ 8211)  
 Limited Partnership (§ 8582)  
 Limited Liability Company (§ 8981)

Name Greg Bechert		
Address 4041 North High Street, Suite 202		
City Columbus	State OH	Zip Code 43214

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Commonwealth of Pennsylvania  
APPLICATION FOR REGISTRATION 3 Page(s)



T1322167126

Fee: \$250

In compliance with the requirements of the applicable provisions (relating to registration), the undersigned, desiring to register to do business in this Commonwealth, hereby states that:

1. The name of the limited liability company/limited liability partnership/limited partnership in the jurisdiction in which it is formed: New River Group, LLC										
2. The name under which the limited liability company/limited liability partnership/limited partnership proposes to register and do business in this Commonwealth is: New River Group, LLC										
3. The name of the jurisdiction under the laws of which it was organized and the date of its formation: Jurisdiction: <u>Ohio</u> Date of Formation: <u>11/20/2009</u>										
4. The (a) address of its initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is: <table border="1"><tr><td>(a) Number and street</td><td>City</td><td>State</td><td>Zip</td><td>County</td></tr><tr><td colspan="4">(b) Name of Commercial Registered Office Provider PennCorp Service Group, Inc.</td><td>County Dauphin</td></tr></table>	(a) Number and street	City	State	Zip	County	(b) Name of Commercial Registered Office Provider PennCorp Service Group, Inc.				County Dauphin
(a) Number and street	City	State	Zip	County						
(b) Name of Commercial Registered Office Provider PennCorp Service Group, Inc.				County Dauphin						

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5. Check and complete one of the following:

The address of the office required to be maintained by it in the jurisdiction of its organization by the laws of that jurisdiction is:

4041 North High St., Suite 202 Columbus OH 43214

Number and street City State Zip

It is not required by the laws of its jurisdiction of organization to maintain an office therein and the address of its principal office is:

Number and street City State Zip

6. For Restricted Professional Limited Liability Company Only. Strike out if inapplicable: ~~XXXXXX~~  
~~XXXXXX~~ Professional Company organized to render the following professional service(s):

Limited Liability Partnership and Limited Partnership: Complete paragraphs 7 and 8

7. The name and business address of each general partner.

Name Business Address

8. The address of the office at which is kept a list of the names and addresses of the limited partners and their capital contribution is:

Number and street City State Zip County

The registered partnership hereby undertakes to keep those records until its registration to do business in the Commonwealth is canceled or withdrawn.

IN TESTIMONY WHEREOF, the undersigned has caused this Application for Registration to be signed by a duly authorized officer/member or manager thereof this

17<sup>th</sup> day of JULY 2013.

New River Group, LLC

Name of Partnership/Company

Signature

Manager

Title



## 6. CERTIFICATE OF SERVICE

On this the 10<sup>th</sup> day of JULY 2013, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Broker and all attachments have been served upon the following:

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

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

Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P. O. Box 138  
Wellsboro, PA 16901

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

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

Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

Legal Department  
Attn: Paul Russell  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179

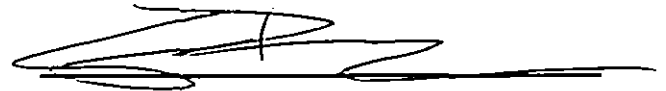
UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12th Street, Suite 360  
Post Office Box 12677  
Reading, Pa 19612-2677

Director of Customer Energy Services  
Orange and Rockland Company  
390 West Route 59  
Spring Valley, NY 10977-5300

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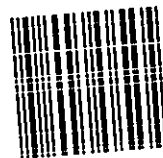
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Susanne Buckley, Partner  
New River Group, LLC d/b/a Scioto Energy

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To:/Destinataire:

Pennsylvania PUC  
Secretary  
Keystone Building 2nd Floor  
Room N201  
Harrisburg PA 17120

Country of Destination:/Pays de destination:

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