

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of SPECIAL ENERGY CORP, d/b/a N/A, for approval to offer, render, furnish, or as a(n) [as specified in item #8 below] to the public in the Commonwealth of Pennsylvania.

A-2013-2379461

To the Pennsylvania Public Utility Commission:

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

SPECIAL ENERGY CORP  
2605 CAMINO DEL RIO S.  
SAN DIEGO CA 92108  
T: 888.682.8082  
F: 800.256.6181

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.

N/A

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:

MAX SMITH  
EVP  
2605 CAMINO DEL RIO S.  
SAN DIEGO, CA 92108  
T: 888.682.8082  
F: 800.256.6181

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:

JOE WALDMAN  
COO  
2605 CAMINO DEL RIO S.  
SAN DIEGO, CA 92101  
T: 888.682.8082  
F: 800.256.6181

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

ALAN FAIGIN  
7373 PEAK DR  
LAS VEGAS NV 89128  
818.216.7986  
AFAIGIN@SMITH.COM

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

INWRP SERVICES, INC.  
7208 RED TOP RD.  
HUMMELSTOWN, PA 17036  
DAUPHIN COUNTY

4. FICTITIOUS NAME: (select and complete appropriate statement) N/A

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

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

or

The Applicant will not be using a fictitious name.

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

The Applicant is a sole proprietor.

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

or

The Applicant is a:

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

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

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

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

OR

- The Applicant is a:
- domestic corporation (none)
  - foreign corporation (15 Pa. C.S. §4124)
  - domestic limited liability company (15 Pa. C.S. §8913)
  - foreign limited liability company (15 Pa. C.S. §8981)
  - Other \_\_\_\_\_

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

Give name and address of officers.

CEO: JEVIN SACKETT }  
COO: JOE WALDMAN } → 2665 CAMINO DEL RIO S.  
CEO: TIGIE GULL } SAN DIEGO CA 92108  
EVP: MAX SMITH }

The Applicant is incorporated in the state of NEVADA.

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

- Affiliate(s) of the Applicant doing business in Pennsylvania are: N/A

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 licensee 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.

SPECIAN ENERGY IS CURRENTLY LICENSED AS AN EGS IN THE COMMONWEALTH OF PA... LICENSE #

- 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.

A 2011-2250633

N/A.

- 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.

A 2011-2250633

- 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.

N/A

or

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

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

- The Applicant is presently doing business in Pennsylvania as a

- natural gas interstate pipeline.
- municipal providing service outside its municipal limits.
- local gas distribution company
- retail supplier of natural gas services in the Commonwealth
- a natural gas producer
- Other. (Identify the nature of service being rendered.)

ELECTRIC GENERATION SUPPLIER

or

- The Applicant is not presently doing business in Pennsylvania.

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

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

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

SPEIRAN ENERGY (INTEND) TO SUPPLY NATURAL GAS . SUPPLY/  
TO RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL END USERS

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

SPEIRAN INTENDS TO PROVIDE SERVICES TO ALL NGDCS  
IN THE STATE OF PA.

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

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

12. START DATE: The Applicant proposes to begin delivering services on July 1  
(approximate date).

SPEIRAN ENERGY PROPOSES TO BEGIN SERVICES  
EFFECTIVE JULY 1, 2013

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

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

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

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

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

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

<b>Valley Energy Inc.</b> Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: <a href="mailto:rcrocker@ctenterprises.org">rcrocker@ctenterprises.org</a>	<b>National Fuel Gas Distribution Corp.</b> David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 email: <a href="mailto:wolfordd@natfuel.com">wolfordd@natfuel.com</a>
<b>UGI Central Penn</b> David Beasten 2525 N. 12 <sup>th</sup> Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559	<b>Peoples Natural Gas Company LLC</b> Lynda Petrichevich 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 email: <a href="mailto:Lynda.w.petrichevich@peoples-gas.com">Lynda.w.petrichevich@peoples-gas.com</a> PH: 412.208.6528 FAX: 412.208.6577
<b>Peoples TWP LLC (Formerly T. W. Phillips)</b> Andrew Wachter 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 PH: 724.431.4935 FAX: 724.287.5021 email: <a href="mailto:Andrew.Wachter@peoplestwp.com">Andrew.Wachter@peoplestwp.com</a>	<b>UGI</b> David Beasten 2525 N. 12 <sup>th</sup> Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559
<b>UGI Penn Natural</b> David Beasten 2525 N. 12 <sup>th</sup> Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559	<b>Equitable Gas Company</b> Jerald Moody 225 North Shore Drive Pittsburgh, PA 15212-5352 PH: 412.395.3209 FAX: 412.395.3335
<b>PECO</b> Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 email: <a href="mailto:carlos.thillet@exeloncorp.com">carlos.thillet@exeloncorp.com</a> PH: 215.841.6452	<b>Columbia Gas of Pennsylvania Inc.</b> Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 email: <a href="mailto:heckathorn@nisource.com">heckathorn@nisource.com</a>
<b>Philadelphia Gas Works</b> Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: <a href="mailto:douglas.moser@pgworks.com">douglas.moser@pgworks.com</a> PH: 215.684.6899	

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

14. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.
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. N/A
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. ATTACHED
- b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers. ATTACHED
- 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. ATTACHED
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.



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

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

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

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. *UNDERSTAND*

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. *AGREE*

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. *ATTACHED & FILED*

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. *UNDERSTAND*

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. *UNDERSTAND*

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

Applicant: SPERIAN ENERGY CORP

By: *[Signature]*

Title: CEO

AFFIDAVIT

[Commonwealth/State] of NEVADA :

: ss.

County of CLARK :

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

[He/she is the CEO (Office of Affiant) of SPECIAN ENERGY CORP (Name of Applicant);]

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

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

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

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

That SPECIAN ENERGY CORP, 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.

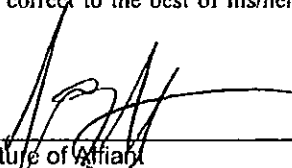
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That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Commission's Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the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

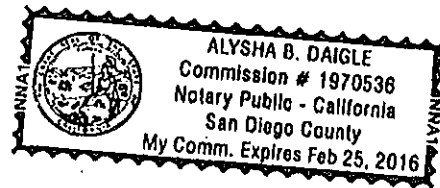
That the facts above set forth are true and correct/truc and correct to the best of his/her knowledge, information, and belief.

  
\_\_\_\_\_  
Signature of Applicant

Sworn and subscribed before me this 24<sup>th</sup> day of June 2013.

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 02-25-2016.



**AFFIDAVIT**

[Commonwealth/State] of NEVADA :

: ss.

County of CLARK :

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

[He/she is the CEO (Office of Affiant) of SPIERIAN ENERGY CORP (Name of Applicant);]

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

That SPIERIAN ENERGY CORP, the Applicant herein certifies that it has caused the notice of the filing of its license application published in the following newspapers on \_\_\_\_\_:  
(date)

A copy of the notice as it appeared in each of the above newspapers is attached. Noted on each copy is the newspaper section (name, number or letter), if applicable, and the page number on which the notice appeared.

That SPIERIAN ENERGY CORP, the Applicant will submit to the Commission the proof of publication from each newspaper in which notice of the application filing was published as soon as it is available.

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]  
Signature of Affiant

Sworn and subscribed before me this 24<sup>th</sup> day of June, 2013.



[Signature]  
Signature of official administering oath

My commission expires 02-25-2016.

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

AFFIDAVIT

[Commonwealth/State] of NEVADA :

: ss.

County of CLARK :

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

[He/she is the CEO (Office of Affiant) of SPIERIAN ENERGY CORP (Name of Applicant);]

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

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

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

That the Applicant herein SPIERIAN ENERGY CORP 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 SPIERIAN ENERGY CORP 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]  
Signature of Affiant

Sworn and subscribed before me this 24th day of June, 2013.

[Signature]  
Signature of official administering oath

My commission expires 02-25-2016.



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PA PUBLIC UTILITIES COMMISSION  
SECRETARY'S BUREAU

# City of Easton

Room 219  
1 S. Third St.  
Easton, PA 18042

Business License Office 610 250-6755  
Business Fax 610 250-6742

## Business License & Business Privilege Tax Information

### *Business Mailing Information*

SPERIAN ENERGY  
ATTN: MELISSA ROCKOFF  
7373 PEAK DR  
LAS VEGAS NV 89128

Business: 6158  
License: 6906  
Category: PROF SERV  
Units: 1.00

### *Business Property Address*

7373 PEAK DR  
LAS VEGAS, NV 89128

### *Owner Information*

SACKETT, JEVIN  
*Rental Unit Address*

*License Expiration Date*  
12/31/2013

Issue Date: 09/10/2013

***Review information for accuracy.  
Return this form to make changes.***

Please cut at line and post license in a conspicuous location.



## City of Easton Business License

License Expiration Date  
12/31/2013

### Business Address

SPERIAN ENERGY  
7373 PEAK DR  
LAS VEGAS, NV 89128

Issue Date: 09/10/2013  
Business: 6158  
License: 6906  
Category: PROF SERV  
Units: 1.00

Owner

SACKETT, JEVIN

Issued by Finance Director

Questions regarding business license, call 610 250-6755.  
This License is not transferable.