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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **Harrisburg, PA 17105-3265** | | |  |
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|  | | Public Meeting held November 14, 2013 | | |
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| Commissioners Present: | | |  | |
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| Robert F. Powelson, Chairman  John F. Coleman, Jr. Vice Chairman | | | | |
| James H. Cawley | | | | |
| Pamela A Witmer  Gladys M. Brown | | | | |
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| Amendment to Electric Generation Supplier License of AP Gas & Electric (PA), LLC d/b/a APG&E, d/b/a AP Gas & Electric. | | | Docket Number:  A-2010-2192731 | |
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**ORDER**

**BY THE COMMISSION:**

On August 6, 2010, AP Gas & Electric (PA), LLC d/b/a APG&E, d/b/a AP Gas & Electric (APG&E) filed an application to offer, render, furnish or supply electric generation services as a broker/marketer to residential, small commercial (25 kW and under), and large commercial (over 25 kW) customers in the electric distribution company service territories of West Penn Power, Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, PECO Energy Company and PPL Electric Utilities Corporation and UGI Utilities Inc. within the Commonwealth of Pennsylvania. On October 18, 2010, the Commission approved a license at Docket No. A-2010-2192731, authorizing APG&E to begin to offer the services described above.

On August 19, 2013, APG&E filed a request to amend its electric generation supplier license in order to serve residential, small commercial (25 kW and under), and large commercial (over 25 kW) customers as a broker/marketer in the additional electric distribution company service territories of Citizens Electric Company and Wellsboro Electric Company within the Commonwealth of Pennsylvania. This proposed amendment is filed in accordance with the requirements of Section 2809 of the Public Utility Code, 66 Pa. C.S. § 2809.

APG&E provided proof of publication of its amendment to its license in the Pennsylvania newspapers and provided proofs of service to interested parties as required by the Commission.

As of November 4, 2013, no protests or formal complaints have been filed against the application. However, we note that a Settlement Agreement was approved at Docket No. M-2013-2311811 (Order entered October 17, 2013) between the Commission’s Bureau of Investigation and Enforcement (I&E) and APG&E to resolve issues raised in I&E’s Informal Investigation of APG&E’s questionable marketing practices. Under the Settlement, APG&E agreed to take certain corrective actions and make revisions to its operating procedures, in order to safeguards against future unauthorized EGS marketing practices of APG&E’s employees or agents. All of the conditions set forth in this Settlement Agreement shall also apply to the additional electric distribution company service territories of Citizens Electric Company and Wellsboro Electric Company.

Upon full consideration of all matters of record, we find that approval of this request is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:**

1. That the request of AP Gas & Electric (PA), LLC d/b/a APG&E, d/b/a AP Gas & Electric to amend its electric generation supplier license is hereby approved, consistent with this Order.

2. That a license be issued authorizing of AP Gas & Electric (PA), LLC d/b/a APG&E, d/b/a AP Gas & Electric to begin to offer, render, furnish or supply electric generation supplier services as a broker/marketer to residential, small commercial (25 kW and under), and large commercial (over 25 kW) customers in the electric distribution service territories of West Penn Power, Duquesne Light Company, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, PECO Energy Company, PPL Electric Utilities Corporation, UGI Utilities Inc., Citizens Electric Company and Wellsboro Electric Company within the Commonwealth of Pennsylvania.

3. That the conditions set forth in the Settlement Agreement approved at Docket No. M-2013-2311811 (Order entered October 17, 2013) between the Commission’s Bureau of Investigation and Enforcement (I&E) and AP Gas & Electric (PA), LLC d/b/a APG&E, d/b/a AP Gas & Electric, shall also apply to the additional electric distribution company service territories of Citizens Electric Company and Wellsboro Electric Company.

4. That this proceeding at Docket No. A-2010-2192731 be closed.

 **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: November 14, 2013

ORDER ENTERED: November 14, 2013