



December 12, 2013

Pennsylvania Public Utility Commission
Secretary
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: Application for Nat Gas Broker/Marketer License - Berkshire Energy Partners, LLC

Please find the enclosed Energy Broker/Marketer Licensing application, original with one copy and a CD-ROM, for your review. A check in the amount of \$350 is enclosed, payable to "Commonwealth of Pennsylvania", for the licensing fee.

Please contact the undersigned with any questions that may arise during your review. We look forward to your earliest possible approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana A. LeSage".

Dana A. LeSage, P.E.
Owner & Principal
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350
610.255.5070
dana.lesage@berkshireep.com

cc: see following page

RECEIVED
2013 DEC 12 PM 1:59
PA.P.U.C.
SECRETARY'S BUREAU

cc:

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

Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340	National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221
UGI Central Penn David Beasten 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677	Peoples Natural Gas Company LLC Lynda Petrichevich 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212
Peoples TWP LLC (Formerly T. W. Phillips) Andrew Wachter 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212	UGI David Beasten 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677
UGI Penn Natural David Beasten 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677	Equitable Gas Company Jason Dalton 225 North Shore Drive Pittsburgh, PA 15212-5352
PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103	Columbia Gas of Pennsylvania Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215
Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122	

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Berkshire Energy Partners, LLC, for approval to offer, render, furnish, Natural Gas Supply Service as a Broker/Marketer to the public in the Commonwealth of Pennsylvania.

To the Pennsylvania Public Utility Commission:

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

Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 Phone
610-200-5030 Fax
www.berkshireenergypartners.com

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.

No predecessors

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:

Dana A. LeSage, P.E. - Owner
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 phone
610-200-5030 fax
dana.lesage@berkshireep.com

- 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:

Dana A. LeSage, P.E. - Owner
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 phone
610-200-5030 fax
dana.lesage@berkshireep.com

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

N/A

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:

N/A

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

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.

See Attachment 1

Give name and address of officers.

Dana A. LeSage, P.E. – Owner & Principal
9 Berkshire Road
Landenberg, PA 19350

The Applicant is incorporated in the state of Pennsylvania.

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

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

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

- Does the Applicant have any affiliation with or ownership interest in:
- (a) any other Pennsylvania retail natural gas supplier licensee or licensee applicant,
 - (b) any other Pennsylvania retail licensed electric generation supplier or license applicant,
 - (c) any Pennsylvania natural gas producer and/or marketer,
 - (d) any natural gas wells or
 - (e) any local distribution companies (LDCs) in the Commonwealth

If the response to parts a, b, c, or d above is affirmative, provide a detailed description and explanation of the affiliation and/or ownership interest.

- Provide specific details concerning the affiliation and/or ownership interests involving:
- (a) any natural gas producer and/or marketers,
 - (b) any wholesale or retail supplier or marketer of natural gas, electricity, oil, propane or other energy sources.

- 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.

- If the Applicant or an affiliate has a predecessor who has done business within Pennsylvania, give name and address of the predecessor(s) and state whether the predecessor(s) were jurisdictional public utilities.

OR

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

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

- The Applicant is presently doing business in Pennsylvania as a
- natural gas interstate pipeline.
 - municipal providing service outside its municipal limits.
 - local gas distribution company
 - retail supplier of natural gas services in the Commonwealth
 - a natural gas producer
 - Other. (Identify the nature of service being rendered.)

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.

Berkshire Energy Partners will provide the solicitation and analysis of bids, and contract negotiation for electricity and natural gas procurement on behalf of Commercial and Industrial customers. The Company also offers a range of energy consulting services which can be customized to meet the needs of each individual client. The Company will not take title to supply and/or bill its customers directly for that supply.

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

Entire Commonwealth of Pennsylvania

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 immediately upon PUC approval of this application..

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:

<p>Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: rcrocker@ctenterprises.org</p>	<p>National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 email: wolfordd@natfuel.com</p>
<p>UGI Central Penn David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Peoples Natural Gas Company LLC Lynda Petrichevich 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 email: Lynda.w.petrichevich@peoples-gas.com PH: 412.208.6528 FAX: 412.208.6577</p>
<p>Peoples TWP LLC (Formerly T. W. Phillips) Andrew Wachter 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 PH: 724.431.4935 FAX: 724.287.5021 email: Andrew.Wachter@peoplestwp.com</p>	<p>UGI David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>
<p>UGI Penn Natural David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Equitable Gas Company Jason Dalton 225 North Shore Drive Pittsburgh, PA 15212-5352 PH: 412.395.3266 FAX: 412.395.3166</p>
<p>PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 email: carlos.thillet@exeloncorp.com PH: 215.841.6452</p>	<p>Columbia Gas of Pennsylvania Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 email: theckathorn@nisource.com</p>
<p>Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: douglas.moser@pgworks.com PH: 215.684.6899</p>	

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.

No Proceedings or convictions

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.

Dana A. LeSage, P.E. - Owner
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 phone
610-200-5030 fax

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

We will not be servicing residential customers

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.

We will not serve residential customers. For Small Commercial this is not applicable for a broker service, the requested statement would be provided by the licensed physical supplier.

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.

Refer to Attachment 3

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.

Refer to Attachment 3 for letters from the NGDC's stating there are no bonding/credit requirements for our plans to operate as a broker/marketer.

- Identify Applicant's chief officers including names and their professional resumes.

Dana A. LeSage, P.E. – Owner & Principal
Refer to Attachment 4 for professional experience

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

Dana A. LeSage, P.E. – Owner & Principal
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 phone
610-200-5030 fax

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.

Refer to Attachment 4 for demonstration of Technical Fitness

19. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2208(D). Transferee will be required to file the appropriate licensing application.

20. **UNIFORM STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission.

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

- a. Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on an annual basis no later than 30 days following the end of the calendar year.

Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 22 pertaining to reliability and to inform

the Governor and Legislature of the progress of the transition to a fully competitive natural gas market.

22. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur in the information upon which the Commission relied in approving the original filing.
23. **FALSIFICATION:** *The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.*
24. **FEE:** The Applicant has enclosed the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

Applicant: Berkshire Energy Partners, LLC

By: *Dana L. Uoy*

Title: Owner & Principal

RECEIVED
2013 DEC 12 PM 2:00
PA.P.U.C.
SECRETARY'S BUREAU

AFFIDAVIT

Commonwealth of Pennsylvania :

: ss.

County of Chester :

Dana A. LeSage, P.E., Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He is the Owner & Principal of Berkshire Energy Partners, LLC;

That he is authorized to and does make this affidavit for said Applicant;

That Berkshire Energy Partners, LLC, the Applicant herein, acknowledges that Berkshire Energy Partners, LLC 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 Berkshire Energy Partners, LLC, the Applicant herein, asserts that 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 Berkshire Energy Partners, LLC, 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 Berkshire Energy Partners, LLC, 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.

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

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



Signature of Affiant

Sworn and subscribed before me this 11th day of December, 2013 .



Signature of official administering oath

My commission expires 3/13/2014.

**Kevin A Sadler
Notary Public
State of Delaware
My Commission Expires
03/13/2014**

RECEIVED
KE
2013 DEC 12 PM 2:00
PA.P.U.C.
SECRETARY'S BUREAU

AFFIDAVIT

Commonwealth of Pennsylvania :

ss.

RECEIVED
D.E.
2013 DEC 13 PM 2:00
PA.P.U.C.
SECRETARY'S BUREAU

County of Chester :

Dana A. LeSage, P.E., Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He is the Owner & Principal of Berkshire Energy Partners, LLC ;

That he is authorized to and does make this affidavit for said Applicant;

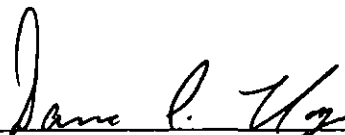
That Berkshire Energy Partners, LLC, the Applicant herein certifies that it has caused the notice of the filing of its license application to be published in the following newspapers on ____:

The Patriot News	11/26/2013
The Scranton Times	11/26/2013
The Erie Times-News	11/29/2013
Johnstown Tribune-Democrat	11/26/2013
Pittsburgh Post-Gazette	11/27/2013
Philadelphia Daily News	11/27/2013
Williamsport Sun-Gazette	11/27/2013

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 Berkshire Energy Partners, LLC, 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 of Affiant

Sworn and subscribed before me this 11TH day of _____ December ____, 2013__.

Kevin A Sadler
Notary Public
State of Delaware
My Commission Expires
03/13/2014



Signature of official administering oath

My commission expires 3/13/2014

AFFIDAVIT

RECEIVED
2013 DEC 12 7:06 PM 2:00
PA.P.U.C.
SECRETARY'S BUREAU

Commonwealth of Pennsylvania :

ss.

County of Chester :

Dana A. LeSage, P.E., Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He is the Owner & Principal of Berkshire Energy Partners, LLC ;

That he is authorized to and does make this affidavit for said Applicant;

That the Applicant herein Berkshire Energy Partners, LLC 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 Berkshire Energy Partners, LLC has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein Berkshire Energy Partners, LLC 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 Berkshire Energy Partners, LLC 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 11th day of December, 2013.



Signature of official administering oath

My commission expires 3/13/2014.

Kevin A Sadler
Notary Public
State of Delaware
My Commission Expires
03/13/2014

APPENDIX A

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

TAX CERTIFICATION STATEMENT

A completed Tax Certification Statement must accompany all applications for new licenses, renewals or transfers. Failure to provide the requested information and/or any outstanding state income, corporation, and sales (including failure to file or register) will cause your application to be rejected. If additional space is needed, please use white 8 1/2" x 11" paper. Type or print all information requested.

1. CORPORATE OR APPLICANT NAME
Berkshire Energy Partners, LLC

2. BUSINESS PHONE NO. (610) 255-5070
CONTACT PERSON(S) FOR TAX ACCOUNTS: Dana A. LeSage, P.E.

3. TRADE/FICTITIOUS NAME (IF ANY)
N/A

4. LICENSED ADDRESS (STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) STATE (ZIP)
9 Berkshire Road Landenberg, PA 19350

5. TYPE OF ENTITY SOLE PROPRIETOR PARTNERSHIP CORPORATION
 LLC

8. LIST OWNER(S), GENERAL PARTNERS, OR CORPORATE OFFICER(S)

NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)
Dana A. LeSage, P.E.	

9. LIST THE FOLLOWING STATE TAX IDENTIFICATION NUMBERS. (ALL ITEMS: A, B, AND C MUST BE COMPLETED).

A. SALES TAX LICENSE (8 DIGITS)	APPLICATION PENDING	N/A	C. CORPORATE BOX NUMBER (7 DIGITS)	APPLICATION PENDING	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
			REVENUE ID# 1000737266		

10. Do you have PA employes either resident or non-resident? YES NO

11. Do you own any assets or have an office in PA? YES NO

NAME AND PHONE NUMBER OF PERSON(S) RESPONSIBLE FOR FILING TAX RETURNS

NAME	PHONE	TAXES
Dana LeSage	610-255-5070	CORPORATE TAXES
Dana LeSage	610-255-5070	EMPLOYER TAXES
Dana LeSage	610-255-5070	PA SALES AND USE TAX

Telephone inquiries about this form may be directed to the Pennsylvania Department of Revenue at the following numbers:
(717) 772-2673, TDD# (717) 772-2252 (Hearing Impaired Only)

Appendix B

Sample Disclosure Statement Format for Natural Gas Suppliers

This is an agreement for natural gas services, between NGS name and customer's name and full address.

Background

We at NGS Company Name are licensed by the Pennsylvania Public Utility Commission to offer and supply natural gas services in Pennsylvania. Our PUC license number is A-110XXX.

- We set the prices and charges that you pay. The Public Utility Commission regulates distribution or delivery prices and services. The Federal Energy Regulatory Commission regulates interstate pipeline prices and services.
- If you ask us, we can bill you directly for our service.
- Right of Recision - You may cancel this agreement at any time before midnight of the third business day after receiving this disclosure.

Definitions

- Interstate Pipeline Charges - Charges for moving natural gas to the distribution lines of a distribution company.
- Nonbasic Charges - *Define each nonbasic service being offered.*

Terms of Service

1. (a) **Basic Service Prices** - *Itemize Basic Services you are billing for and their prices.*

You will pay rate per (Mcf/Dth/ccf) for the commodity of natural gas.
Suppliers are to include any variable pricing conditions and limits, if charging a variable rate.

You will pay rate per (Mcf/Dth/ccf) for other natural gas service.
Suppliers are to include transmission service prices if billed.

- (b) **Nonbasic Service Prices** - *Itemize Nonbasic Services you are offering and their prices.*

2. **Length of Agreement**

You will buy your natural gas services for the above street address from company's name beginning date through date of expiration, if any.

3. **Special Terms and Conditions** - *List and explain all that apply.*

Sign-up bonuses
Add-ons
Limited time offers
Other Sales Promotions
Exclusions

4. **Special Services** - *Provide explanation of price, terms and conditions, including advanced metering deployment, if applicable.*

5. Penalties, Fees and Exceptions - List any that apply including a late payment charge. The print size for this section must be larger than the print in the rest of the agreement.

6. Cancellation Provisions - This category may consist of both customer initiated cancellation provisions and supplier initiated cancellation provisions.

7. Renewal Provision - If this is a fixed term agreement with automatic renewal, explain the procedure here.

8. Agreement Expiration/Change in Terms

If you have a fixed term agreement with us and it is approaching the expiration date or if we propose to change our terms of service, we will send you written notice in each of our last three bills or in separate mailings before either the expiration date or the effective date of the changes. We will explain your options in these three advance notices.

9. Dispute Procedures

Contact us with any questions concerning our terms of service. You may call the PUC if you are not satisfied after discussing your terms with us.

10. Contact Information

Supplier Name: _____

Address: _____

Phone Number: _____

Internet Address: _____

Distribution Company Name: _____

Provider of Last Resort Name: _____

Address: _____

Phone Number: _____

Public Utility Commission (PUC)

Address: P.O. Box 3265 Harrisburg, PA 17105-3265

Natural Gas Competition Hotline Number: 1-888-xxx-xxxx

Universal Service Program Name: _____

Phone Number: _____

APPENDIX C
EXAMPLE FORM OF NOTICE

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Applications of Berkshire Energy Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.

Berkshire Energy Partners, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Berkshire Energy Partners, LLC will also be filing an application with the PUC for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Berkshire Energy Partners, LLC proposes to sell electricity, natural gas, and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act and the 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 Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.

By and through: Dana A. LeSage, P.E.

Berkshire Energy Partners, LLC

9 Berkshire Road
Landenberg, PA 19350
610-255-5070 Phone
610-200-5030 FAX

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

The Patriot-News
Now you know

RECEIVED

2013 DEC 12 PM 2:01

BERKSHIRE ENERGY PARTNERS
9 BERKSHIRE ROAD

PA.P.U.C.
SECRETARY'S BUREAU

LANDENBERG PA 19350

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

matter of said printed notice or advertising, and that all of the allegations of this statement as publication are true; and

knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of the said Company and subsequently duly recorded in the office for the Recording of Deeds in Miscellaneous Book "M", Volume 14, Page 317.

Miscellaneous Notices

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

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By and through:
Dana A. LeSage, P.E.
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 Phone
610-200-5030 FAX

This ad # 0002283205 ran on the dates shown below:

November 26, 2013

Sworn to and subscribed before me this 26 day of November, 2013 A.D.

Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Holly J. Wenzel, Notary Public
Mechanicsburg Twp., Dauphin County
My Commission Expires Dec. 31, 2016
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

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

RECEIVED
2013 DEC 12 PM 2:01

PA.P.U.C.
SECRETARY'S BUREAU

BERKSHIRE ENERGY PARTNERS
DANA A LESAGE, P.E.
9 BERKSHIRE ROAD LANDENBERG PA 19350

Account # 590707
Order # 81392225
Ad Price: 238.05

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:

11/26/2013

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 26th day of November 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

LEGAL NOTICE

PENNSYLVANIA PUBLIC UTILITY
COMMISSION NOTICE

Applications of Berkshire Energy Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/ Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.

By and through: Dana A. LeSage, P.E.
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19360
610-255-5070 Phone
610-200-5030 FAX

PROOF OF PUBLICATION
In
THE ERIE TIMES-NEWS
COMBINATION EDITION

Dana LeSage
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg PA 19350

REFERENCE: 77885 40199
PUC Notice

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Thomas Mezler, 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: 11/29/13

TOTAL COST: \$409.00

AD SPACE: 0 Lines

FILED ON: 11/29/13

RECEIVED
2013 DEC 18 PM 2:01
PA.P.U.C.
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
Applications of Berkshire Energy Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.
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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.
By and through: Dana A. LeSage, P.E.
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 Phone
610-200-5030 FAX

Sworn to and subscribed before me this 29 day of November 2013

Affiant: Thomas M. Mezler
NOTARY: Lauren A. Daugherty

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Lauren A. Daugherty, Notary Public
City of Erie, Erie County
My Commission Expires Nov. 5, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

PENNSYLVANIA
 PUBLIC UTILITY COMMISSION
 NOTICE

Applications of Berkshire Energy Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply, or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.

By and through: Dana A. LeSage, P.E.
 Berkshire Energy Partners, LLC
 9 Berkshire Road
 Landenberg, PA 19350
 610-255-5070 Phone
 610-200-5030 FAX

On this 27th day of November 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 the Tribune-Democrat, Johnstown, PA, on November 26, 2013; and that the Affiant is not aware of any other publication of the same matter, and that all of the allegations as to time, place and

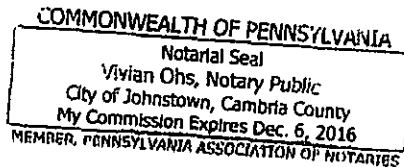
Christine Marhefka

STATEMENT OF ADVERTISING COSTS

Sworn and Subscribed before me this 27th day of November, 2013.

[Signature]

0.00 Lines @ \$2.50 per line	0.00
7.5 Inches @ \$25.00 per inch	187.50
Notary Fee	5.00
Clerical Fee	2.50
Total Cost	195.00



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.

RECEIVED

DEC 12 2013

 (Name of Newspaper)

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

By _____

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 C. Mohamed, 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:

27 of November, 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.

C. Mohamed

PG Publishing Company

Sworn to and subscribed before me this day of:
November 27, 2013

Linda M. Gaertner

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Linda M. Gaertner, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Jan. 31, 2015

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DEC 12 2013

RECEIVED

STATEMENT OF ADVERTISING COSTS

Berkshire Energy Partners, LLC
9 Berkshire Rd.
Attn: Dana A. LeSage, P.E.
Landenberg PA 19350

To PG Publishing Company

Total ----- \$585.00

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 *Dana A. LeSage*

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

Applications of Berkshire Energy Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.

Berkshire Energy Partners, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Berkshire Energy Partners, LLC will also be filing an application with the PUC for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Berkshire Energy Partners, LLC proposes to sell electricity, natural gas, and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act and the 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 Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.

By and through:
Dana A. LeSage, P.E.
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 Phone
610-200-5030 FAX

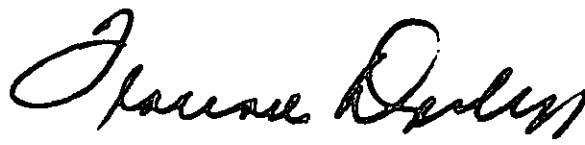
Proof of Publication in The Philadelphia Daily News
Under Act. No 587, Approved May 16, 1929

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:

November 27, 2013

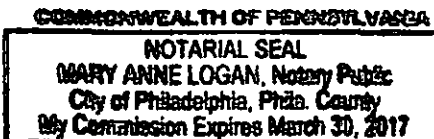
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to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



Sworn to and subscribed before me this 27th day of
November, 2013.


Notary Public

My Commission Expires:



Copy of Notice of Publication

PENNSYLVANIA PUBLIC UTILITY COMMISSION
NOTICE
Applications of Berkshire Energy Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/Broker Engaged in The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public in The Commonwealth Of Pennsylvania.
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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3285, Harrisburg, PA 17105-3285. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.
By and through: Dana A. LeSage, P.E.
Berkshire Energy Partners, LLC
9 Berkshire Road
Lansburg, PA 17350
610-257-5070 Phone
610-200-5920 FAX

RECEIVED

DEC 1 2 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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:

November 27, 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 and also declares that affiant is not interested in the subject matter of the aforesaid notice of publication, and in the foregoing statement as to time, place and character of publication are true.

PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE

Applications of
Berkshire Energy
Partners, LLC For Approval To Offer, Render, or Furnish Services as a Marketer/Broker Engaged in The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public in The Commonwealth Of Pennsylvania.

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Berkshire Energy Partners, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Berkshire Energy Partners, LLC at the address listed below.

By and through:
Dana A. LaSage, P.E.
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350
610-255-5070 Phone
610-200-5030 FAX

Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me

the 7th day of December, 2013

Cathy A. Billey
Notary Public

NOTARIAL SEAL
CATHY A. BILLEY, Notary Public
City of Williamsport, Lycoming County
My Commission Expires May 15, 2015

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:
For publishing the notice attached
hereto on the above state dates.....\$ 786.64
Probated same.....\$
Total.....\$ 786.64

SHIPPER'S RECEIPT FOR ADVERTISING COSTS

THE SUN-GAZETTE and certifies that Bernard A. Oravec hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

SUN-GAZETTE COMPANY

BY Bernard A. Oravec

RECEIVED

DEC 12 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

APPENDIX D

Standards of Conduct

- (1) The [natural gas distribution company] should apply its tariffs in a nondiscriminatory manner to its affiliate, its own marketing division and any nonaffiliate.
- (2) The [natural gas distribution company] should likewise not apply a tariff provision in any manner that would give its affiliate or division an unreasonable preference over other marketers with regard to matters such as scheduling, balancing, transportation, storage, curtailment, capacity release and assignment, or nondelivery, and all other services provided to its affiliated suppliers.
- (3) If a tariff provision is mandatory, the [natural gas distribution company] should not waive the provision for its affiliate or division absent prior approval of the Commission.
- (4) If a tariff provision is not mandatory or provides for waivers, the [natural gas distribution company] should grant the waivers without preference to affiliates and divisions or non-affiliates.
- (5) The [natural gas distribution company] should maintain a chronological log of tariff provisions for which it has granted waivers. Entries should include the name of the party receiving the waiver, the date and time of the request, the specific tariff provision waived and the reason for the waiver. Any chronological log should be open for public inspection during normal business hours.
- (6) The [natural gas distribution company] should process requests for transportation promptly and in a nondiscriminatory fashion with respect to other requests received in the same or a similar period. The [natural gas distribution company] should maintain a chronological log showing the processing of requests for transportation services. Any chronological log should be open for public inspection during normal business hours.
- (7) Transportation discounts and fee waivers and rebates provided to the [natural gas distribution company's] or its marketing affiliate's favored customers should be offered to other similarly situated customers and should not be tied to any unrelated service, incentive or offer on behalf of either the parent or affiliate. A chronological

log should be maintained showing the date, party, time and rationale for the action. Any chronological log should be open for public inspection during normal business hours.

- (8) The [natural gas distribution company] should not disclose any customer proprietary information to its marketing affiliate or division, and to the extent that it does disclose customer information, it should contemporaneously provide this same information to other similarly situated marketers in a similar fashion so as not to selectively disclose, delay disclosure, or give itself or its affiliate any undue advantage related to the disclosure. A chronological log should be maintained showing the date, time and rationale for the disclosure. Any chronological log should be open for public inspection during normal business hours. A natural gas distribution company should not provide information received from non-affiliated customers or suppliers to its affiliated natural gas suppliers.
- (9) The [natural gas distribution company] should justly and reasonably allocate to its marketing affiliate or division the costs or expenses for general administration or support services.
- (10) The [natural gas distribution company] selling surplus gas supplies and/or upstream capacity on a short-term basis (as defined by the Federal Energy Regulatory Commission) to its affiliate should make supplies available to similarly situated marketers on a nondiscriminatory basis. The [natural gas distribution company] should not make any gas supplies and/or upstream capacity available through private disclosure to the [natural gas distribution company's] affiliate unless the availability is made simultaneously with public dissemination in a manner that fairly apprises interested parties of the availability of the gas supplies and/or upstream capacity. The [natural gas distribution company] should maintain a chronological log of these public disseminations. Any chronological log should be open for public inspection during normal business hours.
- (11) The [natural gas distribution company] should not condition or tie agreements to release interstate pipeline capacity to any service in which the [natural gas distribution company] or affiliate is involved.
- (12) The [natural gas distribution company] should not directly or by implication . . . represent to any customer, supplier or third party that an advantage may accrue to any party through use of the [natural gas distribution company's] affiliate or subsidiary.

- (13) The [natural gas distribution company] should establish and file with the Commission a complaint procedure for dealing with any alleged violations of any of the standards listed in paragraphs (1) through (12), this paragraph or paragraphs (14) and (15), excepting for paragraph (9), which should be exclusively under the purview of the Commission. These procedures should be developed in consultation with interested parties during consideration of any tariff guided by this section and §69.191 (relating to general). The Commission may expect establishment of a complaint procedure or other recordkeeping requirements if warranted by subsequent facts or circumstances.
- (14) The [natural gas distribution company] should keep a chronological log of any complaints, excepting paragraph (9), regarding discriminatory treatment of natural gas suppliers. This chronological log should include the date and nature of the complaint and the [natural gas distribution company's] resolution of it. Any chronological log should be open for inspection during normal business hours.
- (15) Parties alleging violations of these standards may pursue their allegations through the Commission's established complaint procedures. A complainant bears the burden of proof consistent with 66 Pa. C.S. (relating to Public Utility Code) in regard to the allegations.
- (16) Licensees shall provide accurate information about their natural gas supplier services using plain language and common terms. Where new terms are used, such terms must be defined again using plain language: Information should be provided in a format which will allow for comparison of the various natural gas supply services offered and the prices charged for each type of service.
- (17) Licensees shall provide notification of the change in conditions of service, intent to cease operation as a natural gas supplier, explanation of denial of service, proper handling of deposits and proper handling of complaints in accordance with Commission regulations where applicable.
- (18) Licensees shall maintain the confidentiality of customers' historic payment information and right of access to their own load and billing information.

- (19) Licensees shall not discriminate in the provision of natural gas supply services as to availability and terms of service based on race, color, religion, national origin, sex, marital status, age receipt of public assistance income, and exercise of rights under the Consumer Credit Protection Act, 15 U. S. C. §§1691-1691f; Regulation B, 12 C.F.R. §§202-202.14.
- (20) Licensees will be responsible for any fraudulent deceptive or other unlawful marketing or billing acts performed by their agents or representatives. Licensee shall inform consumers of state consumer protection laws that govern the cancellation or rescission of natural gas supply service contracts. 73 P. S. §201-7.
- (21) The natural gas distribution company shall not give any affiliate or marketing division preference over a non-traditional affiliate in the provision of goods and services such as processing requests for information, complaints and responses to service interruptions. The natural gas distribution company shall provide comparable treatment without regard to a customer's chosen natural gas supplier.
- (22) No transaction between the natural gas distribution company and an affiliated natural gas supplier shall involve an anti-competitive cross-subsidy and all such transactions shall comply with applicable law.
- (23) Natural gas distribution company employees who have responsibility for operating the distribution system, including natural gas delivery or billing and metering, shall not be shared with an affiliated or divisional Supplier, and their offices shall be physically separated from the office(s) used by those working for the Supplier. Such natural gas distribution company employees may transfer to a Supplier provided such transfer is not used as a means to circumvent these interim standards of conduct. Any supplier shall have its own direct line management. Any shared facilities shall be fully and transparently allocated between the natural gas distribution company function and the Supplier function. The natural gas distribution company accounts and records shall be maintained such that the costs a Supplier incurs may be clearly identified.
- (24) (a) Neither the natural gas distribution company nor an affiliated or divisional Supplier may directly or by implication falsely and unfairly represent:

- that the Pa PUC jurisdictionally regulated services provided by the natural gas distribution company are of a superior quality when power is purchased from an affiliated or divisional Supplier; or
- that the merchant services (for natural gas) are being provided by the natural gas distribution company rather than an affiliated or divisional Supplier;
- that the natural gas purchased from a Supplier that is not an affiliate or division of the natural gas distribution company may not be reliably delivered;
- that natural gas must be purchased from an affiliate or divisional Supplier to receive Pa PUC jurisdictional regulated services.

(b) The natural gas distribution company shall not jointly market or jointly purchase its Pa PUC jurisdictional regulated services with the services of an affiliated or divisional Supplier. This prohibition includes prohibiting the natural gas distribution company from including bill inserts in its natural gas distribution company bills promoting an affiliated or divisional Supplier's services, and further precludes a reference or link from the natural gas distribution company's web-site to any affiliated or divisional supplier.

(c) When an affiliated or divisional Supplier markets or communicates to the public using the natural gas distribution company name or logo, it shall include a disclaimer that states:

(i) That the Supplier is not the same company as the natural gas distribution company; (2) that the prices of the Supplier are not regulated by the Pa PUC; and (3) that a customer does not have to buy natural gas or other products from the Supplier in order to receive the same quality service from the natural gas distribution company. When a Supplier advertises or communicates verbally through radio or television to the public using the natural gas distribution company name or logo, the Supplier shall include at the conclusion of any such communication a disclaimer that includes all of the disclaimers listed in this paragraph.

(25) The natural gas distribution company must: (a) make interstate capacity available for release, assignment, or transfer to its affiliated or divisional Supplier only through the interstate pipeline electronic bulletin boards and the competitive bidding procedures in place on those interstate systems; (b)

not give its affiliated or divisional Supplier any preference over non-affiliated or non-divisional Suppliers, or potential non-affiliated or non-divisional Suppliers, in matters relating to the assignment, release, or other transfer of the natural gas distribution company's capacity rights on interstate pipeline systems; and (c) not condition or tie its agreement to release, assign, or otherwise transfer interstate pipeline capacity to any agreement by a gas Supplier, customer or other third party relating to any service in which its marketing affiliate is involved.

Attachment 1

#5. BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

DECEMBER 4, 2013

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

Berkshire Energy Partners, LLC

is duly organized as a Pennsylvania Limited Liability Company under the laws of the Commonwealth of Pennsylvania and remains subsisting so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT, This Subsistence Certificate shall not

imply that all fees, taxes, and penalties owed to the Commonwealth of

Pennsylvania are paid.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written.

Carol Aichele

Secretary of the Commonwealth



BUREAU OF CORPORATION TAXES
PO BOX 280705
HARRISBURG PA 17128-0705

NOTICE OF CORPORATE REGISTRATION

**BERKSHIRE ENERGY PARTNERS, LLC
9 BERKSHIRE RD
LANDENBERG PA 19350-1249**

REVENUE ID:..... 1000737266
FEIN:..... Not Available
NOTICE NUMBER:..... BU1000377926
MAIL DATE:..... 12/02/2013
FISCAL YR END:..... 12/31
INCORPORATION DATE:..... 11/18/2013

TAXES SUBJECT:

- Corporate Net Income
- Loans
- Capital Stock

Welcome to Pennsylvania's business community. The Department of Revenue has been advised that you are authorized to conduct business in Pennsylvania. The above Revenue ID number has been assigned to your business for tax reporting purposes. Please reference this number on all correspondence with the department.

Carefully review your name, address and tax information above for accuracy. If no federal employer identification number (FEIN) is indicated, please provide this number to the department as soon as it is available from the federal government. Write the FEIN and other changes or additions in the top, right-hand corner above and return this letter to the PA DEPARTMENT OF REVENUE, PO BOX 280705, HARRISBURG PA 17128-0705.

FILING REQUIREMENTS

The taxes you are required to report annually are identified above. Tax reports must be filed timely, even if there is no business activity or if the first year in business is less than 12 months. You are obligated to pay timely and file tax returns until you formally dissolve your corporate charter, file an out of existence affidavit or cancel a license or authorization. Failure to file and pay timely may result in penalties and liens. For information on tax due dates, visit the department's website at www.revenue.state.pa.us.

Pay particular attention to the month your fiscal year ends, identified above, for the following reasons:

- For capital stock/foreign franchise, corporate net income and mutual thrift taxes, the first quarterly estimated payments are due within 75 days following the incorporation/authority date.
- A federal subchapter S corporation desiring not to be taxed as a PA S corporation is required to file Form REV-976 on or before the due date or extended due date of the first tax period for which it is to be in effect. REV-976 is available at www.revenue.state.pa.us.

SUBJECTIVITY TO CORPORATE TAXES FOR LIMITED LIABILITY COMPANIES AND BUSINESS TRUSTS

- According to Section 601 of the Tax Reform Code, limited liability companies and business trusts are considered corporations for purposes of capital stock/foreign franchise tax, regardless of how they file with the Internal Revenue Service (IRS).
- Under Section 401, any entity that files as a corporation with the IRS is subject to PA corporate net income tax. A limited liability company or business trust that does not file as a corporation with the IRS is not subject to the PA corporate net income tax.

ELECTRONIC FILING

Payments of \$10,000 or more must be remitted electronically. Register online through the department's e-Services Center at www.revenue.state.pa.us to send tax payments to the department online using e-TIDES.

The Department of Revenue appreciates your cooperation and wishes your business success in Pennsylvania. If you have any questions, visit the Online Customer Service Center at www.revenue.state.pa.us or call the Taxpayer Service & Information Center at 717-787-1064.



Attachment 3

#17. FINANCIAL FITNESS

Berkshire Energy Partners LLC is a newly formed LLC (Nov 18, 2013) in the process of gaining approvals by various State Utility Commissions to do business as an energy broker/marketer. As a newly formed entity, we presently have no historical Financial Statements yet available other than essentially an initial funding Balance Sheet below. Our tax accounting will be managed by the CPA firm Fischer Cunnane & Associates Ltd. Based in West Chester, PA.

The Company will be adequately funded by the Owner.

There are no parent, affiliated or subsidiary companies.

7:23 AM

12/03/13

Cash Basis

**Berkshire Energy Partners, LLC
Balance Sheet
As of December 3, 2013**

	<u>Dec 3, 13</u>
ASSETS	
Current Assets	
Checking/Savings	
Cash	
Wells Fargo Checking	<u>20,000.00</u>
Total Cash	<u>20,000.00</u>
Total Checking/Savings	<u>20,000.00</u>
Total Current Assets	<u>20,000.00</u>
TOTAL ASSETS	<u><u>20,000.00</u></u>
LIABILITIES & EQUITY	
Equity	
Opening Balance Equity	<u>20,000.00</u>
Total Equity	<u>20,000.00</u>
TOTAL LIABILITIES & EQUITY	<u><u>20,000.00</u></u>



VALLEY ENERGY

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

December 10, 2013

Mr. Dana A. LeSage, P.E.-Principal
Berkshire Energy Partners, LLC
9 Berkshire Rd.
Landenberg, PA 19350

Dear Mr. LeSage:

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

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

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

Sincerely,

Robert J. Crocker
President & CEO

RJC/ss

cc: M. Johnston, Valley Energy

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SECRETARY'S BUREAU

December 4, 2013

Mr. Dana A. Lesage, P.E. – Principal
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350

Dear Mr. Lesage:

We are pleased that Berkshire Energy Partners, LLC has applied for a license to provide natural gas broker/marketer services on the distribution system of Equitable Gas Company, LLC ("Equitable").

Berkshire Energy Partners, LLC has indicated only brokering and consulting services will be provided. Therefore, we have determined at this time that Berkshire Energy Partners, LLC does not need a bond or other financial security requirement to provide these services to Equitable's customers.

If the creditworthiness requirement or Equitable's exposure to Berkshire Energy Partners, LLC changes in the future, Equitable may deem it appropriate to require Berkshire Energy Partners, LLC to provide a bond or other financial instrument.

Should you have any additional questions or concerns regarding a bond or other financial security instruments of Equitable, please do not hesitate to contact me at (412) 395-3370.

Sincerely,



Matthew D. Stanczak
Director, Process Improvement

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National Fuel

December 4, 2013

Attn: Mr. Dana LeSage
Berkshire Energy Partners, LLC
9 Berkshire Rd.
Landenberg, PA 19350

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Re: Security Requirement for Berkshire Energy Partners, LLC: A P.U.F.

Dear Mr. LeSage,

National Fuel Gas Distribution Corporation ("NFGDC") is aware that Berkshire Energy Partners, LLC ("BEP") has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the service territory of NFGDC.

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

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

Based upon your representations, NFGDC has determined that, at this time, BEP does not need to post a bond or other form of security to operate in its service territory. However, if the services provided by BEP change in the future, NFGDC reserves the right to require security from BEP as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at 716-857-7599.

Yours truly,

Nathan E. Barnes
Transportation Services Department



375 North Shore Drive
Suite 600
Pittsburgh PA 15212

www.peoples-gas.com

December 2, 2013

Dana A. LeSage, P.E. - Principal
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350

Dear Mr. LeSage:

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

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

Sincerely,

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

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PEOPLES TWP LLC

205 North Main Street
Butler, PA 16001

December 2, 2013

Dana A. LeSage, P.E. - Principal
Berkshire Energy Partners, LLC
9 Berkshire Road
Landenberg, PA 19350

Dear Mr. LeSage:

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

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

Sincerely,

Andrew Wachter
Manager, Rates and Regulatory Affairs
Peoples TWP LLC

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SECRETARY'S BUREAU

December 2, 2013

Dana A. LeSage
Berkshire Energy Partners, LLC
9 Berkshire Rd
Landenberg, PA 19350

Dear Mr. LeSage:

We are pleased that Berkshire Energy Partners ("BERKSHIRE") has applied for a license to provide Natural Gas Broker/Marketer Services on the distribution system of Columbia Gas of Pennsylvania, Inc. ("Columbia Gas").

Under Paragraph 2.4.5 of the Rules Applicable to Distribution Service section of the Tariff of Columbia Gas, BERKSHIRE could be required to provide to Columbia Gas a bond or other financial security instrument in an amount that Columbia Gas determines to be appropriate. BERKSHIRE has indicated only brokering and consulting services will be provided. Therefore, we have determined at this time that BERKSHIRE does not need a bond or other financial security requirement to provide broker natural gas services to Columbia Gas customers.

If the creditworthiness requirement or Columbia Gas' exposure to BERKSHIRE changes in the future, Columbia Gas might deem it appropriate to require BERKSHIRE to provide a bond or other financial security instrument.

Please feel free to contact me at 614-460-4844 should you have any questions regarding a bond or other financial security instrument requirements of Columbia Gas.

Sincerely,



Georgeanna Sturm
Manager, Gas Transportation and Sales Support

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SECRETARY'S BUREAU

Philadelphia Gas Works



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

December 12, 2013

Mr. Dana A. LeSage
Berkshire Energy Partners, LLC
9 Berkshire Rd.
Landenberg, PA 19350

RE: Security Requirement Bond for Berkshire Energy Partners, LLC

Dear Mr. LeSage:

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

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

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

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

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

Sincerely,

Raymond M. Snyder
Vice President
Gas Management

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



An Exelon Company

December 4th, 2013

Dana LeSage
Berkshire Energy Partners, LLC
9 Berkshire Rd
Landenberg, Pa 19350

Re: Bonding Requirements

Dear Dana LeSage

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

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

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

Respectfully submitted,

A handwritten signature in black ink that reads "Carlos P. Thillet".

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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Attachment 4

#18. TECHNICAL FITNESS

Description of Applicant's Experience and Evidence of Technical fitness:

Berkshire Energy Partners is a newly formed Energy Consulting Entity, and has concurrently submitted applications to register as an Electricity Broker in Delaware, and an Energy Agent for electricity and natural gas in New Jersey.

Mr. Dana A. LeSage, P.E. is the Owner and Principal of Berkshire Energy Partners, LLC. His background and experience is summarized below.

Mr. Dana A. LeSage, P.E. – Owner & Principal of Berkshire Energy Partners, LLC
B.S. Chemical Engineering - Drexel University
MBA - University of Delaware
Registered Professional Engineer - State of Delaware (#8513)

Mr. LeSage worked in Industry and Heavy Manufacturing for 22 years in various Engineering and Management positions, and in the deregulated Energy Supply and Marketing business for nearly 7 years.

Mr. LeSage is well qualified to assist clients in the purchasing and management of their energy requirements, having served as an Energy Manager in heavy industry, and as an Account Manager for a major energy commodities supplier in the Eastern U.S.

Mr. LeSage's industry experience includes 13-1/2 years as Energy Manager at CitiSteel and Claymont Steel, located in Claymont Delaware. He managed an energy portfolio and procured physical supply of over 1 BCF of natural gas per year and 45 MW of electricity load, managed Demand Response activities, and controlled an energy spend reaching \$25MM annually.

After leaving Claymont Steel, Mr. LeSage spent close to 7 years with Hess Corp as an account Manager working with Commercial and Industrial customers to supply natural gas, electricity and fuel oil commodities and Demand Response services. Hess was one of the largest electricity, natural gas and oil suppliers in the Eastern U.S. and Mr. LeSage worked primarily in the PJM control area. Mr. LeSage is well versed in the Mid-Atlantic area Utilities and their respective tariffs.

Attachment 2

#13 Proof of Service of the Application and attachments

CERTIFICATE OF SERVICE

On this the 12th day of December 2013, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all attachments have been served upon 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

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<p>Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: rcrocker@ctenterprises.org</p>	<p>National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 email: wolfordd@natfuel.com</p>
<p>UGI Central Penn David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Peoples Natural Gas Company LLC Lynda Petrichevich 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 email: Lynda.w.petrichevich@peoples-gas.com PH: 412.208.6528 FAX: 412.208.6577</p>
<p>Peoples TWP LLC (Formerly T. W. Phillips) Andrew Wachter 375 North Shore Drive, Suite 600 Pittsburgh, PA 15212 PH: 724.431.4935 FAX: 724.287.5021 email: Andrew.Wachter@peoplestwp.com</p>	<p>UGI David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>
<p>UGI Penn Natural David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Equitable Gas Company Jason Dalton 225 North Shore Drive Pittsburgh, PA 15212-5352 PH: 412.395.3266 FAX: 412.395.3166</p>
<p>PECO</p>	<p>Columbia Gas of Pennsylvania Inc.</p>

<p>Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 email: carlos.thillet@exeloncorp.com PH: 215.841.6452</p>	<p>Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 email: theckathorn@nisource.com</p>
<p>Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: douglas.moser@pgworks.com PH: 215.684.6899</p>	



Dana A. LeSage, P.E.,
Owner & Principal of Berkshire Energy Partners, LLC



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For Domestic and International Use



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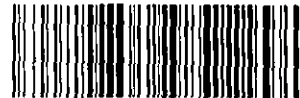
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Date Accepted	Return Receipt Fee
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Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM Military
Flat Rate <input type="checkbox"/> or Weight	COD Fee Insurance Fee S S
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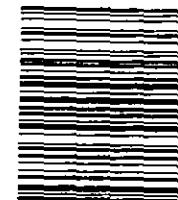
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