



February 20, 2014

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

RE: Docket No A-2013-2398830
Addendum to Application for Natural Gas Broker/Marketer License
Berkshire Energy Partners, LLC

Please find the enclosed addendum to the original Energy Broker/Marketer Licensing application from Berkshire Energy Partners, LLC, which was filed on December 30, 2013. This is additional information requested upon Staff's review of our initial application.

Please consider the Bank Statement separately enclosed as Confidential Information.

Please contact the undersigned with any further questions. We look forward to the earliest possible approval.

Sincerely,

A handwritten signature in black ink that reads "Dana A. LeSage". The signature is written in a cursive style with a large initial "D".

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

RECEIVED

FEB 20 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

*Lisa M. LeSage - Alternate Contact
9 Berkshire Rd.
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 *Bank Account copy is enclosed as Confidential Info.*

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.

AGREED

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.

AGREED

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

REVISION 2/20/14

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

AGREED

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.

AGREED

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.

AGREED

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

AGREED

Applicant: Berkshire Energy Partners, LLC

By: Dana L. Gray

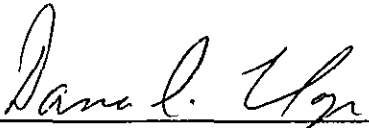
Title: Owner & Principal

7:34 PM
02/19/14
Cash Basis

Berkshire Energy Partners, LLC
Summary Balance Sheet
As of February 19, 2014

	<u>Feb 19, 14</u>
ASSETS	
Current Assets	
Checking/Savings	16,131.02
Total Current Assets	<u>16,131.02</u>
TOTAL ASSETS	<u><u>16,131.02</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	95.39
Total Current Liabilities	<u>95.39</u>
Total Liabilities	95.39
Equity	<u>16,035.63</u>
TOTAL LIABILITIES & EQUITY	<u><u>16,131.02</u></u>

I, Dana A. LeSage, P.E., hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Date: 2/20/14

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FROM: (PLEASE PRINT) PHONE (610) 261-1111

Diana A. LaSage
Secretary's Bureau
PA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3215

TO: (PLEASE PRINT) PHONE (717) 772-7777

Rosemary Chiavetta (261-1111)
PA Public Utility Commission
200 South 3rd St
Harrisburg, PA 17105-3215

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