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April 22, 2014

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: PA Public Utility Commission, Bureau of Investigation and Enforcement v.
Glacial Energy of Pennsylvania, Inc., Docket No. C-2012-2297092

Dear Secretary Chiavetta:

Enclosed for filing in the above-captioned matter please find Respondent's Suggestion of Bankruptcy and Applicability of Bankruptcy Stay Provision.

Sincerely,


Robert B. Hoffman

RBH/glp
Enclosures

cc: Heidi L. Wushinske (w encl)
Wayne T. Scott (w encl)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement,
Complainant

v.

Glacial Energy of Pennsylvania, Inc.,
Respondent

:
:
:
: Docket No. C-2012-2297092
:
:
:
:
:

ORDER

AND NOW, this _____ of April, upon consideration of the Respondent's Suggestion of Bankruptcy and Applicability of Bankruptcy Stay Provision filed in this matter and in accordance with 11 U.S.C. § 362, the automatic stay provision in the Bankruptcy Code, it is hereby ORDERED that all proceedings in the above-captioned matter are stayed pending further Order.

Dated: _____, 2014

David A. Salapa
Administrative Law Judge

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	Docket No. C-2012-2297092
v.	:	
	:	
Glacial Energy of Pennsylvania, Inc.,	:	
Respondent	:	

**RESPONDENT'S SUGGESTION OF BANKRUPTCY AND
APPLICABILITY OF BANKRUPTCY STAY PROVISION**

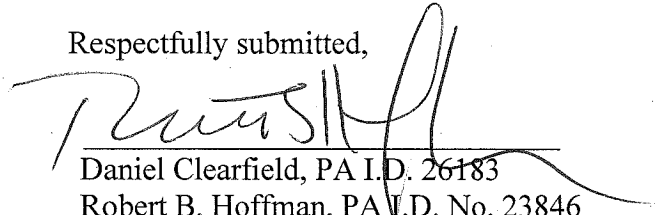
PLEASE TAKE NOTICE that on April 10, 2014, a voluntary petition (the "Petition") was filed by Glacial Energy of Pennsylvania, Inc., in the United States Bankruptcy Court for the District of Delaware, which case is presently pending under chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") as Case No. 14-10833-CSS. Please take further notice that pursuant to section 362 of the Bankruptcy Code, 11 U.S.C. § 362(a) the commencement or continuation of a judicial, administrative or other action or proceeding is stayed upon filing of this Petition.¹ Pertinent excerpts from the docket sheet are attached hereto.

¹ Under the Stay Provision, the filing of a bankruptcy action, without more, "operates as a stay" with respect to, *inter alia*,

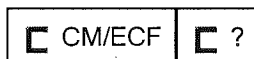
the ... continuation ... of a ... administrative ... action or proceeding against the debtor that was ... commenced before the commencement of the case under this title

11 U.S.C. § 362(a). Subsection 362(b) includes more than 30 exceptions, but none appears applicable here. Subsection 362(d) allows a party, such as the Bureau of Investigation and Enforcement, to "request ... relief from the stay" based on standards set forth there.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel Clearfield', written over a horizontal line.

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DsclsDue, PlnDue, LEAD, CLMSAGNT, MEGA

**U.S. Bankruptcy Court
District of Delaware (Delaware)
Bankruptcy Petition #: 14-10833-CSS**

Assigned to: Christopher S. Sontchi
Chapter 11
Voluntary
Asset
[Show Associated Cases](#)

Date filed: 04/10/2014
341 meeting: 05/07/2014

Debtor

Gridway Energy Holdings, Inc.
24 Massachusetts 6A
Sandwich, MA 02563
BARNSTABLE-MA
Tax ID / EIN: 27-2405072

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Filing Date	#	Docket Text
04/10/2014	<u>1</u> (22 pgs)	Chapter 11 Voluntary Petition . Fee Amount \$1213. Filed by Gridway Energy Holdings, Inc.. (Nestor, Michael) (Entered: 04/10/2014)
04/10/2014		Judge Christopher S. Sontchi added to case (JohnstonJ, Julie) (Entered: 04/10/2014)
04/10/2014	<u>2</u> (17 pgs)	Motion for Joint Administration of <i>Chapter 11 Cases</i> Filed By Gridway Energy Holdings, Inc. (Barry, Joseph) (Entered: 04/10/2014)
04/10/2014	<u>3</u> (34 pgs)	Application to Appoint Claims/Noticing Agent OMNI MANAGEMENT GROUP, LLC Filed By Gridway Energy Holdings, Inc. (Barry, Joseph) (Entered: 04/10/2014)

		(s)18) Filed by Gridway Energy Holdings, Inc.. (Bowman, Donald) (Entered: 04/11/2014)
04/11/2014	<u>36</u> (4 pgs)	Affidavit/Declaration of Service of <i>Rust / Omni Regarding Debtors' Motion for Entry of an Order Authorizing Rejection of a Certain Aircraft Lease and Related Contracts Nunc Pro Tunc to the Commencement Date and for Related Relief</i> (related document(s) <u>26</u>) Filed by Gridway Energy Holdings, Inc.. (Bowman, Donald) (Entered: 04/11/2014)
04/11/2014	<u>37</u> (5 pgs)	Affidavit/Declaration of Service <i>Regarding First Day Hearing Notices</i> (related document(s) <u>18, 19, 29</u>) Filed by Gridway Energy Holdings, Inc.. (Bowman, Donald) (Entered: 04/11/2014)
04/11/2014	<u>38</u> (3 pgs)	Supplemental Affidavit/Declaration of Service of <i>Rust / Omni Regarding Debtors' Motion for Entry of an Order Authorizing Rejection of a Certain Aircraft Lease and Related Contracts Nunc Pro Tunc to the Commencement Date and for Related Relief</i> (related document(s) <u>26</u>) Filed by Gridway Energy Holdings, Inc.. (Bowman, Donald) (Entered: 04/11/2014)
04/11/2014	<u>39</u> (7 pgs)	Order (WITH REVISIONS OF THE COURT) Directing Joint Administration of The Debtors' Chapter 11 Cases. (Related Doc <u>2</u>) Order Signed on 4/11/2014. An Order Has Been Entered In The Case Directing The Procedural Consolidation And Joint Administration of The Chapter 11 Cases of Gridway Energy Holdings, Inc.; Glacial Energy Holdings; Glacial Energy, Inc.; Glacial Energy of New York; Glacial Energy of New England, Inc.; Glacial Energy of Maryland, Inc.; Glacial Energy of California, Inc.; Glacial Energy of Illinois, Inc.; Glacial Energy of New Jersey, Inc, Glacial Energy of Pennsylvania, Inc.; Glacial Energy of Texas; Glacial Energy of Washington DC, Inc.; Glacial Energy of Ohio, Inc.; Glacial Energy of Michigan, Inc.; Glacial National Gas, Inc.; Negawatt Business Solutions; Negawatt Business Solutions, Inc.(f/k/a Gridway Energy Partners, Inc.); Ziphany, LLC; And Glacial Energy VI, LLC. The Docket in Case No. 14-10833(CSS) Should Be Consulted For All Matters Affecting

		This Case (JohnstonJ, Julie) Modified on 4/14/2014 (DMC). (Entered: 04/11/2014)
04/11/2014	<u>40</u> (6 pgs)	Order (WITH REVISIONS OF THE COURT) Authorizing The Retention And Employment of Rust Consulting / Omni Bankruptcy As Claims And Noticing Agent For The Debtors, Effective As of The Commencement Date (related document(s) <u>3</u>) Signed on 4/11/2014. (JohnstonJ, Julie) Modified on 4/14/2014 (DMC). (Entered: 04/11/2014)
04/11/2014	<u>41</u> (8 pgs)	Order (WITH REVISIONS MADE BY THE COURT) (I) Authorizing Debtors to Continue Using Their Cash Management System and Maintain Existing Bank Accounts and Business Forms, (II) Waiving Compliance with the Deposit and Investment Requirements of Bankruptcy Code Section 345(b), and (III) Prohibiting Banks from Offsetting Any Funds of Debtors (Related Doc <u>4</u>) Order Signed on 4/11/2014. (JohnstonJ, Julie) Modified Text on 4/14/2014 (LC). (Entered: 04/11/2014)
04/11/2014	<u>42</u> (4 pgs)	Order (WITH REVISIONS MADE BY THE COURT) Authorizing (I)Payment of Certain Prepetition Taxes And Related Amounts To Governmental Entities, And (II)Financial Institutions To Honor And Process Related Checks And Transfers (related document(s) <u>8</u>) Order Signed on 4/11/2014. (JohnstonJ, Julie) (Entered: 04/11/2014)
04/11/2014	<u>43</u> (5 pgs)	Order (INTERIM)(WITH REVISIONS MADE BY THE COURT) (I) Authorizing the Debtors to Pay the Prepetition Claims of Certain Critical Vendors Pursuant to Bankruptcy Code Sections 105 and 363 and (II) Authorizing Financial Institutions to Honor and Process Prepetition Checks and Transfers to Certain Critical Vendors (related document(s) <u>6</u>) Order Signed on 4/11/2014. (JohnstonJ, Julie) (Entered: 04/11/2014)
04/11/2014	<u>44</u> (4 pgs)	Order(INTERIM) (WITH REVISIONS MADE BY THE COURT) (I) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Utility Services, (II) Deeming