

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of L5E, LLC, d/b/a "5", for approval to offer, render, furnish, or as a(n) Broker/Marketer engaged in the business of supplying natural gas services 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:

L5E, LLC
130 E. John Carpenter Freeway
Irving, TX 75062
Tel: 972-445-9584
Fax: 855-329-3483
www.energyby5.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.

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:

Jonathan S. Moore
General Counsel
L5E, LLC
5320 Albemarle Street
Bethesda, MA 20816
Tel: 202-422-2582
Fax: 855-329-3483
Email: jon.moore@energyby5.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:

Josh Coleman
Chief Operating Officer
L5E, LLC
130 E. John Carpenter Freeway
Irving, TX 75062
Tel: 855- 275-3483
Fax: 855-329-3483
Email: josh.coleman@energyby5.com

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

Jonathan S. Moore, General Counsel
L5E, LLC
5320 Albemarle Street
Bethesda, MA 20816
Tel: 202-422-2582
Fax: 855-329-3483
Email: jon.moore@energyby5.com

- 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:

Business Filings Incorporated
116 Pine Street
Suite 320
Harrisburg, PA 17101
Tel: 800-981-7183
Fax: 609-827-5501

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

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

"5"

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.

See Exhibit A-1 attached hereto.

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

- 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.

Broker/Marketer License No. A-2012-2334259

- 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.)

Broker/Marketer as contemplated by its application dated November 13, 2012. Broker/Marketer License No. A-2012-2334259

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):

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

Josh Coleman, COO
 L5E, LLC
 130 E. John Carpenter Freeway
 Irving, TX 75062
 Tel: 855- 275-3483
 Fax: 855-329-3483

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.

Please see Exhibit A-9 attached hereto.

- A copy of any Federal energy license currently held by the Applicant. N/A
- Proposed staffing and employee training commitments.

Please see Exhibit A-10 attached hereto.

- Business plans.

Please see Exhibit A-10 attached hereto.

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.

Agreed jm
Agreed jm

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

- 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.

Agreed jm

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.

Agreed jm

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 jm

