

CAPTION SHEET

USE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: FUS
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: A-110174
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 07/24/07
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT:

RESPONDENT/APPLICANT: LIBERTY POWER DELAWARE LLC

COMP/APP COUNTY: UTILITY CODE: 110174

ALLEGATION OR SUBJECT

APPLICATION OF LIBERTY POWER DELAWARE LLC FOR APPROVAL TO OFFER, RENDER, FURNISH OR SUPPLY ELECTRIC GENERATION SUPPLIER SERVICES TO THE PUBLIC IN THE COMMONWEALTH OF PA AS A BROKER AND MARKETER ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY.....

DOCUMENT FOLDER

DOCKETED  
SEP 18 2007



800 W. Cypress Creek Road, Suite 330  
Ft. Lauderdale, FL 33309  
(866) POWER-99  
(866) 769-3799  
Fax: (954) 772-2354

A110174

Commonwealth of Pennsylvania  
Keystone Building  
2nd Floor Rm N201  
Harrisburg, PA 17120

RECEIVED

AUG 13 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

To Whom It May Concern:

In addition to the applications submitted by Liberty Power Holdings LLC and Liberty Power Delaware LLC please accept these two checks for the initial registration fee that were not included with the applications. The checks are each in the amount of \$350.00.

If you have any questions please feel free to contact me at 954-598-7028

Regards,

*Karen Abbott*

Karen Abbott

DOCUMENT  
FOLDER

159

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Liberty Power Delaware LLC \_\_\_\_\_, d/b/a \_\_\_\_\_, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) [as specified in item #8 below] to the public in the Commonwealth of Pennsylvania.

CA 110174

To the Pennsylvania Public Utility Commission:

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

Liberty Power Delaware LLC
800 W Cypress Creek Rd., Ste 410
Fort Lauderdale, FL 33309

Phone: 954-771-1463
Fax: 954-208-0387

DOCUMENT FOLDER

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:

Karen Abbott, Enrollment Specialist
800 W Cypress Creek Rd., Ste 410, Fort Lauderdale, FL 33309
Phone: 954-598-7028 Fax: 954-208-0387

- 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:

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

RECEIVED

JUN 19 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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:*

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. Attachment A

Give name and address of officers. Attachment B

The Applicant is incorporated in the state of Delaware

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.

- 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
- vertically-integrated provider of generation, transmission, and distribution services.
  - municipal electric corporation providing service outside its municipal limits.
  - electric cooperative
  - local gas distribution company
  - nonintegrated provider of electric generation, transmission or distribution services.
  - 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:

- Generator and supplier of electric power.
- Municipal generator and supplier of electric power.
- Electric Cooperative and supplier of electric power
- Broker/Marketer engaged in the business of supplying electricity.
- Aggregator engaged in the business of supplying electricity
- Other (Describe):

9. **PROPOSED SERVICES:** Generally describe the electric services or the electric generation services which the Applicant proposes to offer.

Retail electric service  
No generation activities

10. **SERVICE AREA:** Generally describe the geographic area in which Applicant proposes to offer services.

Allegheny Power, Duquesne Light Company, GPU Energy, PECO Energy,  
Penn Power Co., PPL Inc., UGI Utilities Inc.

11. **CUSTOMERS:** Applicant proposes to initially provide services to:

- Residential Customers
- Commercial Customers - (25 kW and Under)
- Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above
- Other (Describe):

12. **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number ER06-1243-000 and ER06-1243-001.
- Not applicable

13. **START DATE:** The Applicant proposes to begin delivering services on July 1, 2007 \_\_\_\_\_  
(approximate date).

14. **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

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 Electric Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

Frank M. Nadolny, General  
Manager of Regulatory Affairs Unit  
Duquesne Light Company  
411 Seventh Street  
P.O. Box 1930  
Pittsburgh, PA 15230-1930

John P. Litz, Division Controller  
UGI Utilities, Inc.  
Electric Division  
400 Stewart Road  
P.O. Box 3200  
Hanover Industrial Estates  
Wilkes-Barre, PA 18773-3200

(Metropolitan Edison Company or Pennsylvania Electric Company)

Blaine W. Uplinger, Jr., Director of Governmental and  
Regulatory Affairs  
GPU Energy  
100 APC Building  
800 North third Street  
Harrisburg, PA 17102-2025

Paul E. Russell, Associate  
General Counsel  
Pennsylvania Power & Light  
Company  
Two North Ninth Street  
Allentown, PA 18108-1179

Thomas P. Hill, Vice President and Controller  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

Stephen L. Feld, Attorney  
Pennsylvania Power Company  
First Energy Corporation  
76 South Main Street  
Akron, OH 44308

John L. Munsch, Attorney  
Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

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.



15. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.
16. **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.
17. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION:** Electricity 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 Electric Distribution Company, the Pennsylvania Public Utility Commission or other agencies.
  - b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers.
  - c. If proposing to serve Residential and/or Small Commercial (under 25 kW) customers, provide a disclosure statement. A sample disclosure statement is provided as Appendix C to this Application.
18. **BONDING:** In accordance with 66 PA. C.S. Section 2809(C) (1)(I), the Applicant is:
- Furnishing a copy of initial bond , letter of credit or proof of bonding to the Commission in the amount of \$250,000.
  - Furnishing proof of other initial security for Commission approval, to ensure financial responsibility.
  - Filing for a modification to the \$250,000 and furnishing a copy of an initial bond, letter of credit or proof of bonding to the Commission for the amount of \$\_\_\_\_\_. Applicant is required to provide information supporting an amount less than \$250,000.

At the conclusion of Applicant's first year of operation it is the intention of the Commission to tie security bonds to a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. The amount of the security bond will be reviewed and adjusted on an annual basis.

19. **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.

B. Applicant must provide the following information:

- Identify Applicant's chief officers including names and their professional resumes.
- Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records.

20. **TECHNICAL FITNESS:** To ensure that the present quality and availability of service provided by electric 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.
- Proposed staffing and employee training commitments
- Business plans
- Documentation of membership in ECAR, MAAC or other regional reliability councils shall be submitted if applicable to the scope and nature of the applicant's proposed services.
- An affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service.

21. **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 2809(D). Transferee will be required to file the appropriate licensing application.

22. **ASSESSMENT:** The Applicant acknowledges that Title 66, Chapter 5, Section 510 grants to the Commission the right to make assessments to recover regulatory expenses and that as a supplier of electricity or an electric generation supplier it will be assessed under that section of the Pennsylvania Code. The Applicant also acknowledges that the continuation of its license as a supplier of electricity or an electric generation supplier will be dependent upon the payment of all prior years assessments.

23. **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.

24. **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 a quarterly and year to date basis no later than 30 days following the end of the quarter.
- b. The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- c. Applicant shall report to the Commission the following information on an annual basis:
  - the percentages of total electricity supplied by each fuel source

Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

- 25. **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.
- 26. **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.
- 27. **FEE:** The Applicant has enclosed the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

Applicant: Liberty Power Delaware LLC

By: *DM Das*

Title: COO

**AFFIDAVIT**

[Commonwealth/State] of Florida \_\_\_\_\_ :

: **SS.**

County of Broward \_\_\_\_\_ :

Alberto Daire \_\_\_\_\_, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the COO \_\_\_\_\_ (Office of Affiant) of Liberty Power Delaware LLC (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That Liberty Power Delaware LLC\_\_\_\_, the Applicant herein, acknowledges that [Applicant] 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 Liberty Power Delaware LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric 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 Liberty Power Delaware 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 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, 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 Gross Receipts and power 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).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), 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 Liberty Power Delaware LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) 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 Bureau of Public Liaison 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 18<sup>th</sup> day of June, 2007.

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires \_\_\_\_\_



**Notary Public State of Florida**  
**Helaine Goldstein**  
**My Commission DD555276**  
**Expires 05/22/2010**

**AFFIDAVIT**

[Commonwealth/State] of Florida \_\_\_\_\_ :

\_\_\_\_\_ : ss.

County of Broward \_\_\_\_\_ :

Alberto Daire \_\_\_\_\_, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the COO \_\_\_\_\_ (Office of Affiant) of Liberty Power Delaware LLC\_ (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That Liberty Power Delaware LLC, the Applicant herein certifies that it has caused the notice of the filing of its electric generation license application to be published in the following newspapers on

\_\_\_\_\_ :  
(date)

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 Liberty Power Delaware 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.

*Alberto Daire*  
Signature of Affiant

Sworn and subscribed before me this 18<sup>th</sup> day of June, 2007.

*Helaine Goldstein*  
Signature of official administering oath

My commission expires \_\_\_\_\_



Notary Public State of Florida  
Helaine Goldstein  
My Commission DD555276  
Expires 05/22/2010

**AFFIDAVIT**

[Commonwealth/State] of Florida \_\_\_\_\_ :

\_\_\_\_\_ : **ss.**

County of Broward \_\_\_\_\_ :

Alberto Daire \_\_\_\_\_, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

(He/she is the COO \_\_\_\_\_ (Office of Affiant) of Liberty Power Delaware LLC\_ (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein Liberty Power Delaware LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein Liberty Power Delaware LLC\_ has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein Liberty Power Delaware 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 Liberty Power Delaware 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.

*Alberto Daire*  
Signature of Affiant

Sworn and subscribed before me this 18<sup>th</sup> day of June, 2007\_.

*Helaine Goldstein*  
Signature of official administering oath

My commission expires \_\_\_\_\_



**Notary Public State of Florida**  
**Helaine Goldstein**  
**My Commission DD555276**  
**Expires 06/22/2010**

**APPENDIX B**

**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 <u>Liberty Power Delaware LLC</u>	2. BUSINESS PHONE NO. ( ) CONTACT PERSON(S) FOR TAX ACCOUNTS: <u>Martha Machado</u>
3. TRADE/FICTITIOUS NAME (IF ANY)	

4. LICENSED ADDRESS (STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) STATE (ZIP)

800 W Cypress Creek Rd., Ste 410 Fort Lauderdale, FL 33309

5. TYPE OF ENTITY  SOLE PROPRIETOR  PARTNERSHIP  CORPORATION  
 limited liability company

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

NAME (PRINT) <u>David Hernandez</u>	SOCIAL SECURITY NUMBER (OPTIONAL)  _ _ - _ _ - _ _ _ _
NAME (PRINT) <u>Alberto Daire</u>	SOCIAL SECURITY NUMBER (OPTIONAL)  _ _ - _ _ - _ _ _ _
NAME (PRINT) <u>Eliezer Hernandez</u>	SOCIAL SECURITY NUMBER (OPTIONAL)  _ _ - _ _ - _ _ _ _
NAME (PRINT)	SOCIAL SECURITY NUMBER (OPTIONAL)  _ _ - _ _ - _ _ _ _

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 <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	C. CORPORATE BOX NUMBER (7 DIGITS)  _ _ _ _ _ _ _  APPLICATION PENDING <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
B. EMPLOYER ID (EIN) (9 DIGITS)  _ _ - _ _ _ _ _ _ _  APPLICATION PENDING <input type="checkbox"/> N/A <input type="checkbox"/>		

10. Do you have PA employees 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

Martha Machado  
 PA SALES AND USE TAX      EMPLOYER TAXES      CORPORATE TAXES

PHONE (954) 495-6798      PHONE      PHONE

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)



**ATTACHMENT A**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
CORPORATION BUREAU  
206 NORTH OFFICE BUILDING  
P.O. BOX 8722  
HARRISBURG, PA 17105-8722  
WWW.CORPORATIONS.STATE.PA.US/CORP

Liberty Power Delaware LLC

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 3686701

Esquire Assist Ltd  
300 N Second St, Ste 630  
Harrisburg, PA 17101

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU

Application for Registration - Foreign  
(15 Pa.C.S.)

Entry Number

- Registered Limited Liability General Partnership (§ 8211)  
 Registered Limited Liability Limited Partnership (§ 8211)  
 Limited Partnership (§ 8582)  
 Limited Liability Company (§ 8981)

Name  
A Howard

ESQUIRE ASSIST  
COUNTER PICK UP

Document will be returned to the  
name and address you enter to  
the left.

Address

City

State

Zip Code

Fee: \$250

Commonwealth of Pennsylvania  
APPLICATION FOR REGISTRATION 3 Page(s)



T0631265082

In compliance with the requirements of the applicable provisions (relating to registration), the undersigned, desiring to register to do business in this Commonwealth, hereby states that:

1. The name to be registered is:  
Liberty Power Delaware LLC

2. (If the name set forth in paragraph 1 is not available for use in this Commonwealth, complete the following):

The name under which the limited liability company/limited liability partnership/limited partnership proposes to register and do business in this Commonwealth is:

3. The name of the jurisdiction under the laws of which it was organized and the date of its formation:

Jurisdiction: Delaware Date of Formation: 6/13/2006

4. The (a) address of its initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street City State Zip County

(b) Name of Commercial Registered Office Provider County  
Corporate Creations Network Inc. Erie

2006 NOV -8 PM 3:09

PA DEPT OF STATE

5. Check and complete one of the following:

The address of the office required to be maintained by it in the jurisdiction of its organization by the laws of that jurisdiction is:

Number and street City State Zip

It is not required by the laws of its jurisdiction of organization to maintain an office therein and the address of its principal office is:

800 West Cypress Creek Road, Suite 330 Fort Lauderdale, FL 33309

Number and street City State Zip

6. For Restricted Professional Limited Liability Company Only. Strike out if inapplicable: The company is a restricted professional company organized to render the following professional service(s):

Limited Liability Partnership and Limited Partnership: Complete paragraphs 7 and 8

7. The name and business address of each general partner.

Name Business Address

8. The address of the office at which is kept a list of the names and addresses of the limited partners and their capital contribution is:

Number and street City State Zip County

The registered partnership hereby undertakes to keep those records until its registration to do business in the Commonwealth is canceled or withdrawn.

IN TESTIMONY WHEREOF, the undersigned has caused this Application for Registration to be signed by a duly authorized officer/member or manager thereof this

16 day of NOV. 2006

Liberty Power Delaware LLC

Name of Partnership/Company

*Bill Davis*

Signature

COO

Title

**DOCKETING STATEMENT DSCB:15-134A (Rev 2001)**  
**DEPARTMENT OF STATE AND REVENUE**

One (1) copy required

Check proper box:

**Pennsylvania Entities**

- Business-stock
- Business-nonstock
- Professional
- Nonprofit-stock
- Nonprofit-nonstock
- Statutory close
- Management
- Cooperative
- Insurance
- Limited Liability Company
- Restricted Professional
- Limited Liability Company
- Business Trust

**BUREAU USE ONLY:**

Dept. of State Entity Number \_\_\_\_\_

Revenue Box Number \_\_\_\_\_

Filing Period \_\_\_\_\_ Date 3 4 5 \_\_\_\_\_

SIC/NICS \_\_\_\_\_ Report Code \_\_\_\_\_

**Foreign Entities**

State/Country Delaware Date 6/13/2006

- Business
- Nonprofit
- Limited Liability Company
- Restricted Professional
- Limited Liability Company
- Business Trust

**Other**

- domestication
- division
- consolidation

1. Entity Name : Liberty Power Delaware LLC

2. Individual name and mailing address responsibility for initial tax reports:

Alberto Daire 800 West Cypress Creek Road, Suite 330 Fort Lauderdale, FL 33309 Broward

Name Number and street State Zip Code County

3. Description of business activity:

Energy Service Provider

4. Specified effective date, if any:

5. FEIN (Employer Identification Number), if any:

has been applied for

6. Fiscal Year End:

12/31

7. Fictitious Name (only if foreign corporation is transacting business in PA under a fictitious name):

\_\_\_\_\_

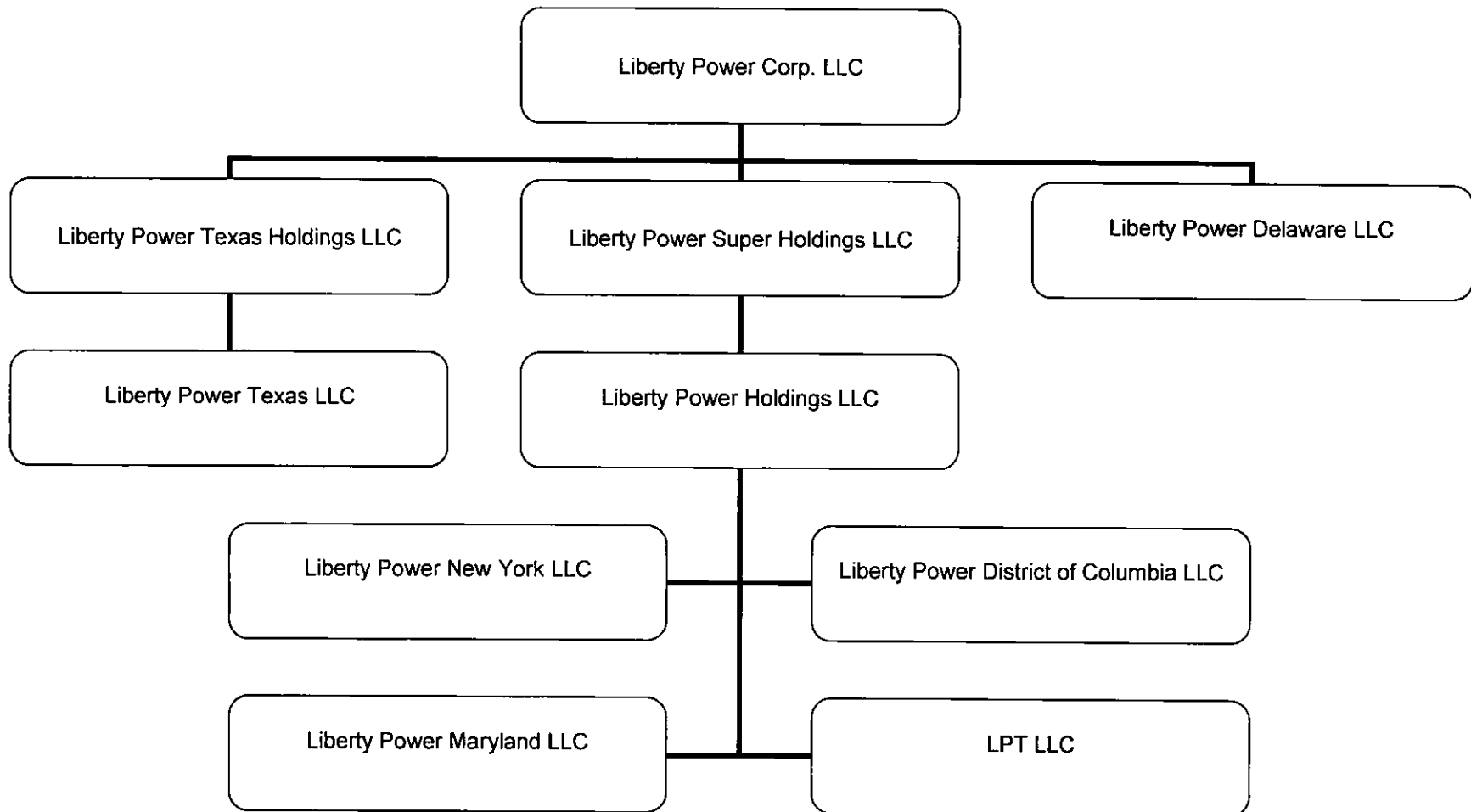
**ATTACHMENT B**

**ATTACHMENT B**

Partners Contact Information

Name	Title	Phone	Address
David Hernandez	CEO	954 771 1463 x 107	800 W Cypress Creek Rd Suite 330 Fort Lauderdale, FL 33309
Alberto Daire	COO	954 771 1463 x 103	800 W Cypress Creek Rd Suite 330 Fort Lauderdale, FL 33309
Eliezer Hernandez	CRO	954 771 1463 x 170	800 W Cypress Creek Rd Suite 330 Fort Lauderdale, FL 33309

# Liberty Power Entities Legal Structure





COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE  
717-772-7777

September 18, 2007

A-110174

KAREN ABBOTT  
ENROLLMENT SPECIALIST  
LIBERTY POWER DELAWARE LLC  
800 WEST CYPRESS CREEK ROAD  
SUITE 410  
FORT LAUDERDALE FLORIDA 33309

Dear Ms. Abbott:

Receipt is acknowledged of the Application of Liberty Power Delaware, LLC for approval to offer, render, furnish or supply electricity as a Broker and Marketer engaged in the business of supplying electricity to the public in the Commonwealth of Pennsylvania.

Pursuant to the Commission's Final Order, entered February 13, 1997, at M-00960890F0004, Notice of filing of this Application must be published in newspapers of general circulation covering each county in which you intend to provide service, and proof of such publication must be filed with the Commission. You have requested to do business in all of Pennsylvania. Attached is a list of newspapers in which you need to publish in order to meet the publication requirements. This Application will not be considered complete until a notarized Certification of Publication, along with a photostatic copy of the notice, is filed with this Commission.

The Application has been forwarded to our Bureau of Fixed Utility Services for review. Please note the Application may still be returned unfiled if, upon further Commission review, additional deficiencies are found within the Application.

Sincerely,

DOCUMENT  
FOLDER

*James J. McNulty*  
James J. McNulty  
Secretary

DOCKETED

SEP 18 2007

JJM:ddt

c: Bureau of Fixed Utility Services

COMMONWEALTH OF PENNSYLVANIA

DATE: September 18, 2007

SUBJECT: A-110174

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *ddt*

**Application of Liberty Power Delaware, LLC**

Attached please find a copy of the Application of Liberty Power Delaware, LLC, for approval to offer, render, furnish or supply electricity or electric generation services as a Broker and Marketer to the public in the Commonwealth of Pa.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: Law Bureau

ddt

DOCUMENT  
FOLDER

DOCKETED

SEP 18 2007

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**RECEIPT**

*The addressee named here has paid the PA P.U.C. for the following bill:*

DATE: 9/19/2007  
RECEIPT NO: 250248

LIBERTY POWER CORP.  
800 W. CYPRESS CREEK RD., SUITE 410  
FORT LAUDERDALE FL 33309

IN RE: Electrical Generation fees for LIBERTY POWER CORP.

Docket Number A-110174..... \$350.00

REVENUE ACCOUNT: 001780-017601-107

CHECK NUMBER: 3884  
CHECK AMOUNT: \$350.00

Michael Sobolesky  
(for Department of Revenue)

**DOCUMENT  
FOLDER**

**DOCKETED**  
SEP 20 2007