

American PowerNet

UNITED STATES OF AMERICA
SEP 11 11:33

FIXED UTILITY SERVICES

Mr. James Shurskis
Bureau of Fixed Utility Services
Commonwealth of Pennsylvania
Pennsylvania Public Utilities Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

Re: Docket # A-110173

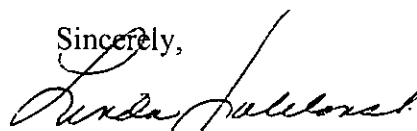
Dear Mr. Shurskis:

In connection with a letter from the Commonwealth of Pennsylvania dated August 14, 2007 requesting American PowerNet Management, L.P. to provide certain information to complete their application to provide electric generation services in the Commonwealth of Pennsylvania, I have enclosed the following information:

1. A check in the amount of \$350.00 for the initial licensing fee.
2. Proof of Publications from the required newspapers in order that American PowerNet Management, L.P. ("APNM") can provide electric supplier services to all territories located in Pennsylvania.
3. The Standby Letter of Credit will be provided to APNM by Sovereign Bank and should be finalized by next week at which time the LC will be mailed to the Commonwealth.

Should you have any questions regarding the enclosed, please do not hesitate to contact me at (610) 372-8500.

Sincerely,



Linda Jablonski
Office Manager
American PowerNet
(610) 372-8500

DOCKETS

SEP 12 2007

RECEIVED

AUG 30 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Managing the Energy Evolution.®

24



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

07/11/2007 1:33

IN REPLY PLEASE
REFER TO OUR FILE
A-110173

August 14, 2007 JF
BUREAU OF FIXED UTILITY SERVICES

LINDA JABLONSKI
AMERICAN POWERNET MANAGEMENT LP
867 BERKSHIRE BLVD STE 101
WYOMISSING PA 19610

RE: ELECTRICITY GENERATION SUPPLIERS LICENSE APPLICATION

Dear Ms. Jablonski:

On June 29, 2007, American PowerNet Management, LP ("Applicant") filed an application with the Commission for a license to provide electric generation services in the Commonwealth of Pennsylvania. The application was incomplete. Processing of the application cannot be completed until the following information is provided:

1. Affidavit attesting to publication in the appropriate newspapers and Proofs of Publication.
2. BOND (Item 18) – Provide an original bond or letter of credit in the amount of \$250,000, in a format acceptable to the Commission.
3. FEE (Item 27) – Provide the required initial licensing fee of \$350 payable to the Commonwealth of Pennsylvania.

Your answers should be verified per 52 Pa. Code § 1.36. Please forward the information to the Secretary of the Commission. In addition, to expedite completion of the application, please fax the information to James Shurskis at (717) 787-4750.

Please direct any questions to James Shurskis, Bureau of Fixed Utility Services, at (717) 787-8763.

Sincerely,

Paul Diskin, Manager
Energy Industry Group
Bureau of Fixed Utility Services

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 M. Goodwin, 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:

13 of August, 2007

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.

COPY OF NOTICE OR PUBLICATION

Pennsylvania Public Utility Commission
NOTICE

Application of American PowerNet Management, L.P. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110173.

On June 15, 2007, American PowerNet Management, L.P. filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. American PowerNet Management, L.P. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new 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 American PowerNet Management, L.P. may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3625, Harrisburg, PA 17105-3265. You should send copies of any protests to American PowerNet Management, L.P. attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is A-110173.

By and through Counsel:
Elizabeth Whittle, Esquire
Nixon Peabody LLP
Suite 900
401 9TH Street, N.W.
Washington, DC
20004-2128
Phone: (202) 585-8000
Fax: (202) 585-8080

M. Goodwin
PG Publishing Company

Sworn to and subscribed before me this day of:
August 13, 2007

Linda M. Gaertner

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Linda M. Gaertner, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Jan. 31, 2011
Member, Pennsylvania Association of Notaries

FIXED UTILITY SERVICES
07 AUG 2007 1:33

STATEMENT OF ADVERTISING COSTS

American PowerNet
867 Berkshire Blvd.
Suite 101
Wyomissing PA 19610

To PG Publishing Company

Total ----- \$600.00

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.

Of PG Publishing Company, 34 Boulevard of the Allies, PITTSBURGH, PA 15222. Phone 412-325-1100.
I hereby certify said notice.

PG Publishing Company, a Corporation, Publisher of Pittsburgh Post-Gazette, a Newspaper of General Circulation

By Maria Jucsi

the original Proof of Publication and receipt for the Advertising costs in the subject matter of

OATH of PUBLICATION
In
THE ERIE TIMES-NEWS
07 AUG 23 11:33
COMBINATION EDITION

FIXED UTILITY SERVICES

LINDA JABLONSKI
AMERICAN POWERNET
867 BERKSHIRE BLVD
WYOMISSING PA 19610

REFERENCE: L0003693
0000821687 PENNSYLVANIAPUBLICUT

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

James E. Dible being duly sworn, deposes and says that he is the Publisher of the Times Publishing Company, which publishes: the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, successor, by consolidation, of the Morning News, established January 1957, and the Erie Daily Times, established April 1888, daily newspapers of general circulation, and published at Erie, Erie County, Pennsylvania, and that the notice of which the attached is a copy published, in the regular editions of said newspaper of the dates referred to below. Affiant further deposes that he is duly authorized by the TIMES PUBLISHING COMPANY, 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: 08/11

TOTAL COST: 208.80 AD SPACE: 78 LINE
FILED ON: 08/11/07

Pennsylvania
Public Utility
Commission
NOTICE
Application of American
PowerNet Management,
L.P. For Approval To Offer, Render, Furnish Or
Supply Electricity Or
Electric Generation Services As A Generator And
Supplier of Electric
Power, A Marketer/Broker
Engaged In The Business Of Supplying Electricity,
And An
Aggregator Engaged In
The Business Of Supplying
Electricity, To The
Public In The Commonwealth Of Pennsylvania,
Docket No. A- 110173.
On June 15, 2007,
American PowerNet
Management, L.P. filed
an application with the
Pennsylvania Public Utility
Commission ("PUC")
for a license to supply
electricity or electric generation
services as (1) a
generator and supplier of
electric power, (2) a broker/
marketer engaged in the
business of supplying
electricity, and (3) an aggregator
engaged in the
business of supplying
electricity. American
PowerNet Management,
L.P. proposes to sell electricity
and related services throughout all of
Pennsylvania under the
provisions of the new
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 American
PowerNet Management,
L.P. may be filed within 15
days of the date of this
notice with the Secretary
of the PUC, P.O. Box 3625,
Harrisburg, PA 17105-
3265. You should send
copies of any protests to
American PowerNet
Management, L.P. attorney
at the address listed
below. Please include the
PUC's "docket number"
on any correspondence,
which is A- 110173.
By and through Counsel:
Elizabeth Whittle, Esquire
Nixon Peabody LLP
Suite 900
401 9TH Street, N.W.
Washington, DC 20004-
2128
Phone: (202) 585-8000
Fax: (202) 585-8080
(8-821687-NT-11)

Sworn to and subscribed before me this

13 day of August 2007 Affiant: James E. Dible

NOTARY: Laurene A. Daugherty

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Laurene A. Daugherty, Notary Public
City Of Erie, Erie County
My Commission Expires Nov. 5, 2009
Member, Pennsylvania Association of Notaries

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

Joseph A. Dennison, being duly sworn according to law, deposes and says:

That he is the Assistant Controller 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 812 to 818 Market Street, in the City of Harrisburg, County of Dauphin, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 812 to 818 Market Street, 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/ Metro editions which appeared in the 10th day(s) of August 2007. That neither he nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

That he has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

PUBLICATION COPY

Pennsylvania Public Utility Commission NOTICE

Application of American PowerNet Management, L.P. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-110173.

On June 15, 2007, American PowerNet Management, L.P. filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. American PowerNet Management, L.P. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new 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 American PowerNet Management, L.P. may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3625, Harrisburg, PA 17105-3265. You should send copies of any protests to American PowerNet Management, L.P. attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is A-110173.

By and through Counsel: Elizabeth Whittle, Esquire
Nixon Peabody LLP
Suite 900
401 9TH Street, N.W.
Washington, DC 20004-2128
Phone: (202) 585-8000
Fax: (202) 585-8080

.....
Sworn to and subscribed before me this 10th day of August, 2007 A.D.
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Terry L. Russell, Notary Public
City Of Harrisburg, Dauphin County
My Commission Expires June 6, 2010
Member, Pennsylvania Association of Notaries

Terry L. Russell
NOTARY PUBLIC

AMERICAN POWERNET MANAGEMENT, L.P.
ATTN: LINDA JABLONSKI
867 BERKSHIRE BLVD, SUITE 101
READING, PA. 19610

No.

Term, 19

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:

John Yanner 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 and issues of said Williamsport Sun-Gazette on the following dates, viz:

August 11, 2007

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

[Signature]
SUN-GAZETTE COMPANY

Sworn to and subscribed before me
the 21st day of August 2007
Cathy A. Billey
Notary Public

NOTARIAL SEAL
CATHY A. BILLEY, Notary Public
City of Williamsport, Lycoming County
My Commission Expires May 15, 2011

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr:
For publishing the notice attached
hereto on the above state dates \$ 229.81
Probated same \$
Total \$ 229.81

Public Utility Commission

NOTICE

Application of American PowerNet Management, L.P. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of American PowerNet Management, L.P. may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3625, Harrisburg, PA 17105-3265. You should send copies of any protests to American PowerNet Management, L.P. attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is A-110173.

By and through Counsel:
Elizabeth Whittle, Esquire
Nixon Peabody LLP
Suite 900
401 9TH Street, N.W.
Washington, DC 20004-2128
Phone: (202) 585-8000
Fax: (202) 585-8080

Proof of Publication in The Philadelphia Inquirer
Under Act. No 160, P.L. 877, July 9, 1976

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Anna Dickerson being duly sworn, deposes and says that **The Philadelphia Inquirer** is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed 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 said daily newspaper on the following dates:

August 13, 2007

Affiant further deposes and says that he is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that he 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.

Anna Dickerson

Sworn to and subscribed before me this 13th day of August, 2007.

Mary Anne Logan
Notary Public

My Commission Expires:

NOTARIAL SEAL
Mary Anne Logan, Notary Public
City of Philadelphia, Phila. County
My Commission Expires March 30, 2009

Copy of Notice of Publication

Pennsylvania
Public Utility Commission
NOTICE

Application of American PowerNet Management, L.P. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-110173.

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of American PowerNet Management, L.P. may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3625, Harrisburg, PA 17105-3285. You should send copies of any protests to American PowerNet Management, L.P., attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is A-110173.

By and through Counsel:
Elizabeth Whittle, Esquire
Nixon Peabody LLP
Suite 900

401 9TH Street, N.W.
Washington, DC 20004-2128
Phone: (202) 585-8000
Fax: (202) 585-8080

The Times-Tribune

149 Penn Avenue, Scranton, PA 18503

Phone 570-348-9184 • Fax 570-348-9149

9	ADVERTISER CLIENT
7	BILLED/ACCOUNT NO. 253837

5 BILLING PERIOD	
8/10/07	8/10/07
3 INVOICE NO.	4 BILLING DATE
	8/10/07

2 BILLED ACCOUNT
AMERICAN POWERNET MGMT 867 BERKSHIRE BLVD STE 1 WYOMISSING PA 19610

6 TERMS OF PAYMENT
SEE OTHER SIDE

THIS IS NOT A BILL

10 DATE	11 REFERENCE NUMBER	12 CHARGES OR CREDITS DESCRIPTION/PRODUCT CODE	13 SAU/ DIMENSIONS	14 TIMES	15 BILLED UNITS	16 RATE	17 GROSS AMOUNT	18 NET AMOUNT
10	6746137	LEGAL NOTICE	90	1	90.00	2.73		245.70
10	6746137	AFF CHG 8/10/07		1				5.00

THE SCRANTON TIMES UNDER ACT P.L. 877 NO. 160, JULY 9, 1976)
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF LACKAWANNA

GINA KRUSHINSKI BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT SHE IS ACCOUNTING 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, VIZ.: HG 8/10/07

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 TO TIME, PLACE AND CHARACTER OF PUBLICATION ARE TRUE

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 23 DAY OF AUG. A.D. 2007.

Carolyn A. Timlin (NOTARY PUBLIC)

NOTARIAL SEAL
CAROLYN A. TIMLIN
Notary Public
CITY OF SCRANTON
LACKAWANNA COUNTY
My Commission Expires Dec 2, 2007

LEGAL NOTICE
Pennsylvania
Public Utility
Commission
Application of American PowerNet Management, L.P. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-110173
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24 AGING			
----------	--	--	--

22 CURRENT NET AMOUNT	250.70
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The Scranton Times, L.P.

TERMS OF PAYMENT Payable last day of month following billing date.
A 1% per month finance charge will be added to past due balances. This is an annual percentage rate of 12%.

25 TOTAL NET AMOUNT DUE	
-------------------------	--

AMOUNT OF PAYMENT

26 BILLED/ACCOUNT NO.	27
253837	AMERICAN PC

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

REMITTANCE ADVICE

The Times-Tribune
149 Penn Avenue, Scranton, PA 18503
Phone 570-348-9184 • Fax 570-348-9149

TERMS OF PAYMENT

MONTHLY

PAYABLE LAST DAY OF MONTH FOLLOWING BILLING DATE.
A 1% PER MONTH FINANCE CHARGE WILL BE ADDED TO PAST
DUE BALANCES. THIS IS AN ANNUAL PERCENTAGE RATE OF 12%

WEEKLY: PAYABLE ON RECEIPT OF THIS INVOICE

LEGEND

The 28 elements of the Standard Advertising Invoice (SAI)

- | | |
|--|-------------------------------------|
| 1. Name and Address of Newspaper, and
Phone No. | 15. SAU/Dimensions |
| 2. Billed Account Name and Address | 16. Times Published |
| 3. Invoice/Document Number | 17. Billed Units |
| 4. Billing Date | 18. Applicable Rate |
| 5. Billing Period | 19. Gross Amount |
| 6. Terms of Payment | 20. Net Amount |
| 7. Billed Account Number | 21. Current Gross Amount |
| *8. Advertiser/Client Number | 22. Current Net Amount Due |
| 9. Advertiser/Client Name | *23. Cash Discount |
| 10. Date of Insertion | 24. Aging of Past Due Amounts |
| 11. Newspaper's Reference Number | 25. Total Net Amount Due |
| 12. Other Charges or Credits | 26. Billed Account Number |
| 13. Description | 27. Billed Account Name |
| 14. Product/Service Code | 28. Name and Address for Remittance |

The *elements* above appear on the face of the invoice and are identified by number.

* NOT

Choice
and
Competition Act.
The PUC may consider
this application with-
out a hearing. Protests
directed to the techni-
cal or financial fitness
of American Powerlet
Management, L.P. may
be filed within 15 days
of the date of this
notice with the
Secretary of the PUC,
P.O. Box 3625,
Harrisburg, PA 17105-
3265. You should send
copies of any protests
to American Powerlet
Management, L.P.
attorney at the address
listed below. Please
include the PUC's
"docket number" on
any correspondence,
which is A-110173.
By and through
Counsel: Elizabeth
White, Esquire
Vixen Feabody LLP
Suite 900
101 9th Street, N.W.
Washington, DC
20004-2128
Phone: (202) 585-8000
Fax: (202) 585-8080



Sovereign Bank

Standby Letter of Credit Department
3 Friends Lane, 2nd Floor
Newtown, PA 18940
SWIFT: SVRNUS33

September 7, 2007

RECEIVED

SEP - 7 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

A-110173

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: 5452

BENEFICIARY

Pennsylvania Public Utility Commission
Commonwealth of Pennsylvania
Commonwealth Keystone Bldg., 2nd Floor
400 North Street
Harrisburg, PA 17120
Attn: James McNulty

APPLICANT

American Powernet Management, LP
867 Berkshire Boulevard, Suite 101
Wyomissing, PA 19610

DOCUMENT
FOLDER

RJP

AMOUNT: USD250,000.00

EXPIRATION: At our counters on: September 7, 2008, or any automatically extended expiration date

We hereby establish in your favor our Irrevocable Standby Letter of Credit No. 5452 for the account of American Powernet Management, LP up to the aggregate amount of USD250,000.00 (TWO HUNDRED FIFTY THOUSAND AND 00/100 U.S. DOLLARS) available by your draft at sight drawn on Sovereign Bank, 3 Friends Lane, Newtown, PA 18940.

This Letter of Credit is written in accordance with Section 2809 (C) (1) (I) of the Public Utility Code, 66 PA. C.S. Section 2809 (C) (1) (I) and we are advised that it will assure compliance with the applicable provisions of the Public Utility Code, 66 PA.C.S. Section 101, ET SEQ and the rules and regulations of the Pennsylvania Public Utility Commission by American Powernet Management, LP. As a licensed electric generation supplier; to ensure the payment of Gross Receipts Tax as required by Section 2810 of the Public Utility Code, 66 PA. C.S. Section 2810 and to ensure the supply of electricity at retail in accordance with contracts, agreements or arrangements.

We are advised that: Payment of claims shall have the following priority: (I) The Commonwealth of Pennsylvania; (II) Electric Distribution Companies for the reimbursement of Gross Receipts Tax; and (III) Private Individuals. Proceeds of the Letter of Credit may not be used to pay penalties or fines levied against American Powernet Management, LP for violations of the law, or for payment of any other tax obligations owed to the Commonwealth.

The said amount is available by drafts on us by the Pennsylvania Public Utility Commission ("PUC") at sight accompanied by the PUC's letter requesting payment under this credit and purportedly signed by an officer of the PUC. Such letter from the PUC shall include a statement of the amount owed the PUC and that "Such amount is due to the PUC pursuant to the Public Utility Code, Gross Receipts Tax or electricity supply obligation of American Powernet Management's, LP license to offer, render, furnish or supply electricity or electric generation services to the public in the Commonwealth of Pennsylvania; and, that American Powernet Management, LP failed to pay that amount".

DOCKETED

SEP 13 2007

73

**IRREVOCABLE STANDBY LETTER OF
CREDIT NO. 5452
DATE OF ISSUE: September 7, 2007**

PAGE 2 of 2

Partial drawings are permitted under this credit.

We hereby agree that drafts drawn under and in compliance with the terms of this Irrevocable Standby Letter of Credit will be duly honored upon delivery of documents, at our address stated above, if presented to us on or before the close of business on the expiration date noted herein, or any automatically extended expiration date.

The expiration date of this Standby Letter of Credit shall be automatically extended without written amendment for additional 1 (one) year periods beginning with the expiration date and upon each anniversary of such date, unless at least 90 (ninety) days prior to such expiration date or each anniversary of such date we notify the Pennsylvania Public Utility Commission in writing, by overnight courier, that we elect not to extend this Standby Letter of Credit. Upon receipt of such notice, you may draw on this Letter of Credit, up to the unused balance by presentation of your sight draft drawn on Sovereign Bank on or before the then relevant expiry date.

Each draft must be marked "Drawn under Sovereign Bank Irrevocable Standby Letter of Credit No. 5452, dated September 7, 2007."

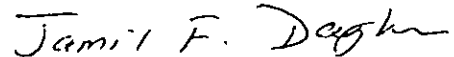
Except so far as otherwise stated herein, this Letter of Credit is subject to the "Uniform Customs and Practice of Documentary Credits, International Chamber of Commerce Publication No. 600 (2007 Revision)."

SOVEREIGN BANK



Authorized Signature
Anna Cibenko/Banking Officer
267.685.4080

Witness/Attest



Jamil F. Dagher/Banking Officer

RECEIVED

SEP - 7 2007

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

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

DATE: 9/13/2007
RECEIPT NO: 250243

AMERICAN POWERNET MANAGEMENT, LP
867 BERKSHIRE BLVD., SUITE 101
WYOMISSING PA 19610

**DOCUMENT
FOLDER**

IN RE: Electrical Generation fees for AMERICAN POWERNET MANAGEMENT, LP

Docket Number A-110173..... \$350.00

REVENUE ACCOUNT: 001780-017601-107

CHECK NUMBER: 1750
CHECK AMOUNT: \$350.00

Michael Sobolesky
(for Department of Revenue)

DOCKETED
SEP 14 2007

RJP