

- 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-110173
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 06/29/07
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT:

RESPONDENT/APPLICANT: AMERICAN POWERNET MANAGEMENT LP

COMP/APP COUNTY:

UTILITY CODE: 110173

ALLEGATION OR SUBJECT

APPLICATION OF AMERICAN POWERNET MANAGEMENT, LP, FOR APPROVAL TO OFFER, RENDER FURNISH OR SUPPLY ELECTRICITY OR ELECTRIC GENERATION SUPPLIER SERVICES AS A BROKER AND MARKETER ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY TO THE PUBLIC IN THE COMMONWEALTH OF PENNSYLVANIA.....

DOCUMENT FOLDER

DOCKETED

AUG 06 2007

American PowerNet

ORIGINAL

James J. McNaulty, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utilities Commission
Keystone Building, 2nd Floor Room N201
Harrisburg, PA 17120

A-110173

RECEIVED

JUN 29 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. McNaulty:

On behalf of American PowerNet Management, L.P. ("APNM") enclosed please find an Application Form for APNM to Offer, Render, Furnish, or Supply Electricity to the Public in the Commonwealth of Pennsylvania.

In addition, American PowerNet Management, L.P. is requesting that our Appendix I, Balance Sheet and Income Statement, requested by the Pennsylvania Public Utilities Commission ("Commission") be reviewed by the Secretary and be considered "CONFIDENTIAL" by the Commission.

American PowerNet Management, L.P. is a privately held company, therefore as such, our Financial Statements/Information have never been available to the public and only disclosed when required for financial credit requests.

Please do not hesitate to contact me at (610) 372-8500 with any questions you may have.

Sincerely,
American PowerNet Management, L.P.

R. Scott Helm
President

Linda Jablonski, office manager
LINDA JABLONSKI

DOCUMENT
FOLDER

55

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of American PowerNet Management, L.P. d/b/a American PowerNet Management, L.P. for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Broker/Marketer engaged in the business of supplying electricity [as specified in item #8 below] to the public in the Commonwealth of Pennsylvania.

To the Pennsylvania Public Utility Commission:

ORIGINAL

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

American PowerNet Management, L.P.
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100

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.

None

- 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:

Linda Jablonski, Office Manager
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100

DOCKETED

AUG 06 2007

- 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:

Scott Helm, President
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100

RECEIVED

JUN 29 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

**Nixon Peabody, LLP
Elizabeth Whittle, Esquire
401 9TH Street, N.W. Suite 900
Washington, DC 20004-2128
Phone: 202-585-8338
Fax: 202-585-8080**

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:

None, Applicant maintains a principal office in the Commonwealth

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

X 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 (*)
- X 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.

Please see "Appendix A"

- * 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.

Give name and address of officers.

The Applicant is incorporated in the state of _____.

6. **AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:** (select and complete appropriate statement)

- Affiliate(s) of the Applicant doing business in Pennsylvania are:

None

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

- X 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.

American PowerNet provided aggregation services in Pennsylvania – American PowerNet was not a 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

X 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
- X 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.

APNM provides its independent expertise and wholesale procurement services to large retail users looking to implement a long-term, low cost, low risk structure that also provides the most flexibility, liquidity and price transparency.

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

APNM proposes to service all territories of Pennsylvania.

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): **APNM will provide services to commercial, Industrial, governmental, higher educational customers with 1 MW or higher.**

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 **ER03-769-000.**
- Not applicable

13. **START DATE:** The Applicant proposes to begin delivering services on **January 1, 2008** (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
FirstEnergy
100 APC Building
800 North third Street
Harrisburg, PA 17102-2025

Paul E. Russell, Associate
General Counsel
PPL
Two North Ninth Street
Allentown, PA 18108-1179

Carlo L. Ciabattoni, Manage Energy Acquisition
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699
215.841.4210
carlo.ciabattoni@exeloncorp.com

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.

Appendix B attached

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.

Neither the Applicant nor any of its' affiliates, Officers or Partners have ever been convicted of a crime involving fraud or denied or rejected for a licensing request, or have had any license revoked.

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.

Scott Helm, President
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100

David Butsack, VP of Logistics & Analysis
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100

- b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers.

"APPENDIX C "

- 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.

APNM will not be serving residential or small commercial customers

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. **Draft of Letter of Credit attached "Appendix F"**
- 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.

"APPENDIX G" provides information to demonstrate professional fitness for the services to be provided.

- Published parent company financial and credit information.

American PowerNet Management, L.P. is a privately held company therefore, there is no published financial or 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.

APNM's Balance Sheet and Income Statement for fiscal year ending December 31, 2006 is included and submitted as CONFIDENTIAL as "APPENDIX I".

- 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.

American PowerNet Management, L.P. is a privately held company therefore, there is no or credit rating.

- 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.

The insurance coverage is enclosed as "APPENDIX E".

- Audited financial statements

APNM has only CPA prepared financials enclosed as CONFIDENTIAL "APPENDIX I".

- 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.

**Scott Helm, President
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100**

Resume enclosed as "APPENDIX G".

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

**Robert Shanner, CPA
Integra Business Solutions
12 Commerce Drive
Wyomissing, PA 19610
Phone: 610-396-9896
Fax: 610-396-9877**

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.

**David Butsack, VP of Logistics & Analysis
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100**

Resumes enclosed as "APPENDIX G".

**Brian Vayda, VP Market Strategies
867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100**

Resumes and additional information which presents technical fitness enclosed as APPENDIX G-

- Proposed staffing and employee training commitments

The staff is continually attending PJM certification and annual meetings. Various software and forecasting seminars and numerous energy conferences.

- Business plans

APNM provides its independent expertise and wholesale procurement services to large retail users looking to implement a long-term, low cost, low risk structure that also provides the most flexibility, liquidity and price transparency. APNM intends to pursue every opportunity in Pennsylvania to provides these services.

- 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.

American PowerNet Management, LP is a member of PJM, FERC, NERC

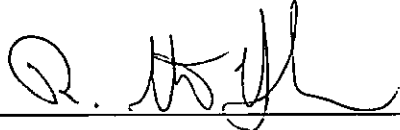
- An affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service.

"APPENDIX H".

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: 

By: R. SCOTT HELM

Title: PRESIDENT

AFFIDAVIT

[Commonwealth/State] of Pennsylvania:

: ss.

County of Berks :

R. Scott Helm, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of American PowerNet Management, L.P., (Name of App

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

That American PowerNet Management, L.P. 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 American PowerNet Management, L.P. 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.

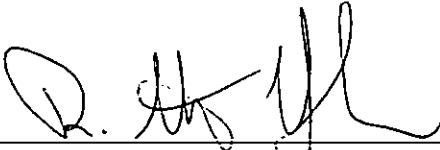
That American PowerNet Management, L.P. the Applicant herein, certifies to the Commission that it is subject to, will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed 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 American PowerNet Management, L.P. 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 7th day of June, 192007



Signature of official administering oath

My commission expires July 30, 2009.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Vivian M. Parzanese, Notary Public
City of Reading, Berks County
My Commission Expires July 30, 2009
Member, Pennsylvania Association of Notaries

AFFIDAVIT

[Commonwealth/State] of Pennsylvania:

: ss.

County of Berks

R. Scott Helm, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of American PowerNet Management, L.P. (Name of Applicant);]

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

That American PowerNet Management, L.P. 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

6-7-07 :
(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 American PowerNet Management, L.P. 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.

R. Scott Helm
Signature of Affiant

RECEIVED

JUN 29 2007

Sworn and subscribed before me this 7th day of June, 19 2007

PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Vivian M. Parzanese
Signature of official administering oath

My commission expires July 30, 2009

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Vivian M. Parzanese, Notary Public
City of Reading, Berks County
My Commission Expires July 30, 2009
Member, Pennsylvania Association of Notaries

AFFIDAVIT

[Commonwealth/State] of Pennsylvania:

ss.

County of Berks

R. Scott Helm, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of American PowerNet Management, L.P. (Name of Applicant);]

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

That the Applicant herein American PowerNet Management, L.P. 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 American PowerNet Management, L.P. has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein American PowerNet Management, L.P. 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 American PowerNet Management, L.P. 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.

R. Scott Helm
Signature of Affiant

Sworn and subscribed before me this 7th day of June, 19 2007

Vivian M. Parzanese
Signature of official administering oath

My commission expires July 30, 2009

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Vivian M. Parzanese, Notary Public
City of Reading, Berks County
My Commission Expires July 30, 2009
Member, Pennsylvania Association of Notaries

RECEIVED
JUN 28 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

JUNE 25, 2007

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

AMERICAN POWERNET MANAGEMENT, L.P.

is duly registered as a Limited Partnership under the laws of the Commonwealth of Pennsylvania and remains subsisting so far as the records of this office show, as of the date herein.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written.

Richard A. Coates

Secretary of the Commonwealth

RECEIVED

JUN 29 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

APPENDIX A

1. Description of the applicant's authorized business structure, identifying the state authorizing such structure and the date thereof:

American PowerNet Management, LP is a Limited Partnership, certified in the State of Pennsylvania on November 12, 1999, with its principal office located in Wyomissing, Pennsylvania.

To further explain the organizational structure, American PowerNet Management, LP has several affiliates, including American PowerNet Management, LC, which manages the activities of Management, LP. Another Affiliate is American PowerNet Services, LP which provides aggregation electric procurement services, and is managed by PowerNet Services, LLC and APN Starfirst, LP set up to provide energy management services, including energy procurement services for one specific client.

2. Name and Business addresses of all principal corporate officers and directors, partners, and LLC members, as appropriate:

R. Scott Helm, President:	867 Berkshire Blvd Suite 101 Wyomissing, PA 19610
Angel Lee Helm, Partner	867 Berkshire Blvd Suite 101 Wyomissing, PA 19610
American PowerNet Management, LLC	867 Berkshire Blvd. Suite 101 Wyomissing, PA 19610

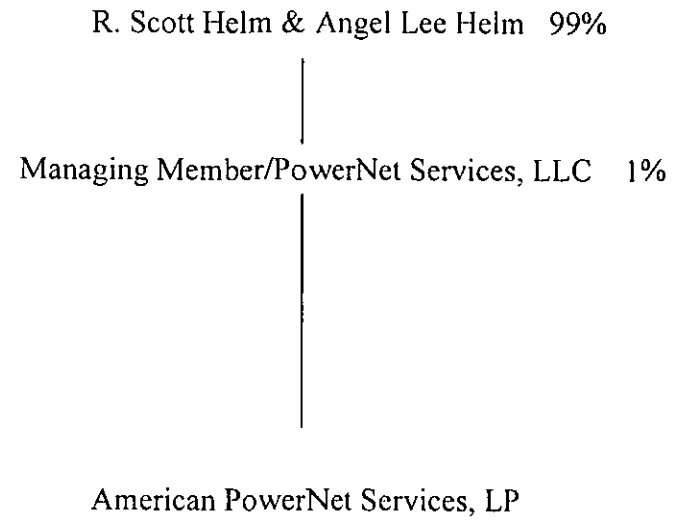
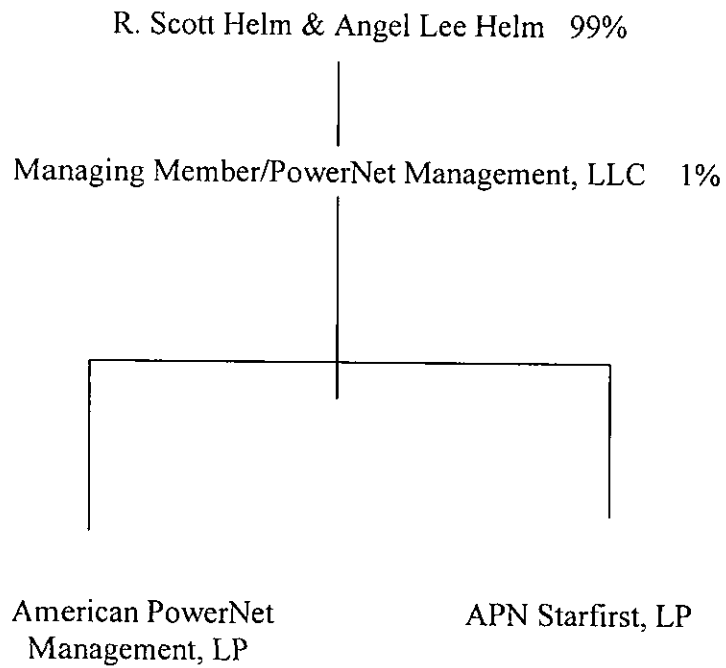
Physical Business Address and telephone numbers of the applicant's principal Office.

**Pennsylvania Office:
867 Berkshire Blvd, Suite 101
Wyomissing, PA 19610
Phone: 610-372-8500
Fax: 610-372-9100**

RECEIVED
JUN 29 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

APPENDIX A

ORGANIZATIONAL CHART



APPENDIX B

**COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

**TAX CERTIFICATION
STATEMENT**

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A completed Tax Certification Statement must accompany all applications for new licenses, renewals or transfers and 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 denied. If additional space is needed, please use white 8 1/2" x 11" paper. Type or print all information requested.

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

1. CORPORATE OR APPLICANT NAME American PowerNet Management, L.P.	2. BUSINESS PHONE NO. (610) 372-8500 CONTACT PERSON(S) FOR TAX ACCOUNTS: Linda Jablonski, Office Manager, David Butsack, VP Logistics & Analysis
--	--

3. TRADE/FICTITIOUS NAME (IF ANY)
None

4. LICENSED ADDRESS (STREET, RURAL ROUTE, P.O. BOX NO.) (POST OFFICE) STATE (ZIP)
867 Berkshire Blvd., Suite 101, Wyomissing, PA 19610

5. TYPE OF ENTITY SOLE PROPRIETOR PARTNERSHIP CORPORATION

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

NAME (PRINT) PowerNet Management, LLP	SOCIAL SECURITY NUMBER (OPTIONAL) _____ - _____ - _____
NAME (PRINT) R. Scott Helm, President	SOCIAL SECURITY NUMBER (OPTIONAL) _____ - _____ - _____
NAME (PRINT) Angel-Lee Helm, Partner	SOCIAL SECURITY NUMBER (OPTIONAL) _____ - _____ - _____
NAME (PRINT)	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 N/A [8][4] [1][1][4][0][7] - [2] <input type="checkbox"/> <input type="checkbox"/>	C. CORPORATE BOX NUMBER (7 DIGITS) APPLICATION PENDING N/A _____ <input type="checkbox"/> <input type="checkbox"/>
B. EMPLOYER ID (EIN) (9 DIGITS): APPLICATION PENDING N/A [2][3] - [3][0][2][1][7][7][1] <input type="checkbox"/> <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
Robert Shaner, CPA 610/396-9896

PA SALES AND USE TAX Linda Jablonski, 610/372-8500	EMPLOYER TAXES Robert Shaner, CPA	CORPORATE TAXES
PHONE	PHONE 610/396-9896	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)

**Sample Disclosure Statement Format
for Electric Generation Suppliers**

This is an agreement for electric generation service, between American PowerNet Management, L.P. and customer's name and full address.

Background

- We at American PowerNet Management, L.P. are licensed by the Pennsylvania Public Utility Commission to offer and supply electric generation services in Pennsylvania. Our PUC license number is A-110XXX.
- We set the generation prices and charges that you pay. The Public Utility Commission regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.
- If you ask us, we can bill you directly for our service.
- Right of Recision - You may cancel this agreement at any time before midnight of the third business day after receiving this disclosure.

Definitions

- Generation Charge - Charge for production of electricity.
- Transmission Charge - Charge for moving high voltage electricity from a generation facility to the distribution lines of an electric distribution company.
- Nonbasic Charges - *Define each nonbasic service being offered.*

Terms of Service

1. (a) **Basic Service Prices** - *Itemize Basic Services you are billing for and their prices.*

You will pay EGS rate per kWh for electric generation service.
Suppliers are to include any variable pricing conditions and limits, if charging a variable rate.

You will pay EGS rate per kWh for electric transmission service.
Suppliers are to include transmission service prices if billed.

- (b) **Nonbasic Service Prices** - *Itemize Nonbasic Services you are offering and their prices.*

2. **Length of Agreement**

You will buy your electricity generation service for the above street address from EGS's name beginning date through date of expiration, if any.

3. **Special Terms and Conditions** - *List and explain all that apply.*

Sign-up bonuses
Add-ons
Limited time offers
Other Sales Promotions
Exclusions

4. **Special Services** - *Provide explanation of price, terms and conditions, including advanced metering deployment, if applicable.*

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5. **Penalties, Fees and Exceptions** - List any that apply including a late payment charge. The print size for this section must be larger than the print in the rest of the agreement.

6. **Cancellation Provisions** - This category may consist of both customer initiated cancellation provisions and supplier initiated cancellation provisions.

7. **Renewal Provision** - If this is a fixed term agreement with automatic renewal, explain the procedure here.

8. **Agreement Expiration/Change in Terms**

If you have a fixed term agreement with us and it is approaching the expiration date or if we propose to change our terms of service, we will send you written notice in each of our last three bills or in separate mailings before either the expiration date or the effective date of the changes. We will explain your options in these three advance notices.

9. **Dispute Procedures**

Contact us with any questions concerning our terms of service. You may call the PUC if you are not satisfied after discussing your terms with us.

10. **Contact Information**

Generation Supplier Name: David Butsack
 Address: 867 Berkshire Blvd
 Suite 101
 Wyomissing, PA 19610
 Phone Number: (610) 372-8500
 Internet Address: dbutsack@americanpowernet.com

Electric Distribution Company Name: _____

Provider of Last Resort Name: _____

Address: _____

Phone Number: _____

Public Utility Commission (PUC)
 Address: P.O. Box 3265 Harrisburg, PA 17105-3265
 Electric Competition Hotline Number: 1-888-782-3228

Universal Service Program Name: _____

Phone Number: _____

**“APPENDIX D”
Example Form of Notice**

**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-

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-

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

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

ACORD CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 3/2/2007
PRODUCER (610)376-7342 FAX: (610)376-4151 The Dunlop Berkshire Group 575 Van Reed Road Wyomissing PA 19610		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED American Powernet Services LP 867 Berkshire Blvd Ste 101 Wyomissing PA 19610		INSURERS AFFORDING COVERAGE INSURER A: Selective Insurance 12572 INSURER B: Selective Ins Co of 20354 INSURER C: Houston Casualty Co INSURER D: INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	B1577832	3/6/2007	3/6/2008	EACH OCCURRENCE \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PROP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC7241683	11/11/2006	11/11/2007	WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
C	OTHER e & O Insurance	X70611135	3/6/2007	3/6/2008	\$1,000,000 LIMIT

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

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CERTIFICATE HOLDER Southeastern Public Service Authority Regional Office Building 723 Woodlake Drive Chesapeake, PA 23320	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Kathy A. Morgan</i>
--	---

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

" APPENDIX F "

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

D R A F T

Date: Revised 6/13/07

**IRREVOCABLE STANDBY LETTER OF CREDIT
NUMBER: _____**

BENEFICIARY
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

AMOUNT: USD250,000.00
EXPIRATION: At our counters on: (one year from date of issue), or any automatically extended expiration date

We hereby establish in your favor our Irrevocable Standby Letter of Credit No. _____ 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: 1. Payments made pursuant to this Letter of Credit shall ensure first to the benefit of the Commonwealth, second, to any and all retail electric generation customers to whom American Powernet Management, LP may be held legally liable for failure to supply electric generation pursuant to contract, agreements or arrangements. 2. Any claims made by the Commonwealth shall have priority over claims made by private individuals. 3. 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".

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

D R A F T

IRREVOCABLE STANDBY LETTER OF CREDIT NO. _____
DATE OF ISSUE: Month, Date, Year

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 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. _____, dated _____."

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. 500 (1993 Revision)."

SOVEREIGN BANK

Witness/Attest

Authorized Signature
Anna Cibenko/Banking Officer
267.685.4080

Art Weinstein/AVP

We have read, understood and fully agree with the entire language of this draft, and instruct Sovereign Bank to issue its Irrevocable Standby Letter of Credit accordingly. This draft is an integral part of Sovereign's Application and Agreement for Standby Letter of Credit form.

American Powernet Mgmt., LP

Relationship Manager

Authorized Signature/R. Scott Helm Date

Authorized Signature Date

APPENDIX G

R. SCOTT HELM, President

Scott's energy expertise is built on over sixteen years experience in the energy industry, including eight years operating the successful energy auditing firm, *Expense Audit & Consulting Co. (EA&C)*, which he founded. He merged EA&C with American Energy in anticipation of electricity deregulation and to offer his existing client base more energy-related services such as electric and natural gas procurement (supply-side) and energy efficiency projects (demand-side). On behalf of American Energy, he conceived and developed American Energy's largest project to date, a propane-to-natural gas conversion project at East Penn Manufacturing in Pennsylvania. Scott was also responsible for developing the company's Electric Aggregation Business. Scott has since purchased American Energy's assets forming his new company, American PowerNet. He was instrumental in guiding American PowerNet to the forefront of electric procurement in the U.S. American PowerNet enjoys a leading position in the retail electric aggregation business and is the first independent company in the country to develop and provide wholesale electric procurement services to large retail clients. Scott has presented numerous workshops on electric deregulation throughout the U.S. and in Singapore. He has written articles for trade publications and presented oral and written comments to several state Public Utility Commissions (PUC) and the Federal Energy Regulatory Commission (FERC). He earned a B.F.A. from the Rochester Institute of Technology, and is a member of the Association of Energy Engineers.

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APPENDIX G

David Butsack
555 Valley Road
Mohrsville, PA 19541
T:610-926-9690
M: 484-955-8852

1991 to Date: American PowerNet (Vice President Logistics and Analysis)

Over 15 years experience in the electric and natural gas industries focusing primarily on mitigating electric costs for Commercial and Industrial clients throughout the United States in regulated and deregulated markets. In deregulated electric markets the focus is primarily on the procurement of wholesale power supply.

Responsible for all ISO/RTO Daily operations including but not limited to:

- Daily Hourly Load Scheduling (eMkt)
- Load Forecasting
- Billing Reconciliation
- Dispute Resolution
- Demand Bidding
- Load Response Programs
- eCapacity,
- eFTR
- OASIS
- FERC and State Reporting
- and EDI communications

Performed these functions since 2003 in PJM, 2005 in ISO-NE, and 2005 in ERCOT. In addition, in all three ISO's I serve as the Company Account Manager overseeing the management of our ISO accounts.

Responsible for Client Power Cost Management including:

- Utility Bill and Rate Analysis
- Cost Analysis
- Tariff Compliance
- Error Correction
- Utility Contract Negotiations
- Electric Power Supply Aggregation

Performed these functions since 1991 throughout the expansion of deregulation across the US.

I have served on the Advanced Metering Working Group of the Pennsylvania Public Utility Commission (PUC), as well as the Pennsylvania Jersey Maryland Interconnection (PJM) Planning and Engineering Committee, and the Tariff Advisory and Operating Committee.

Prior to 1991 :Financial Planning for New York Life and Morgan Stanley

BS Finance: Millersville University of Pennsylvania 1988

APPENDIX G

BRIAN M. VAYDA
16 Amy Lane
Sugarloaf, PA 18249
(570) 788-7413
Email: brian_vay@yahoo.com

SUMMARY: Management level analyst with an MBA in Finance and a solid background in the energy industry, securities consulting, regulatory consulting, financial statement reporting and PJM accounting.

PROFESSIONAL EXPERIENCE: **AMERICAN POWERNET, Wyomissing, PA** **2005 – Present**

Vice President, Market Strategies

- Responsible for identifying favorable trading positions within the daily/monthly ISO/RTO financial markets.
- Responsible for back office activities including credit policy development and administration, power enabling agreement development and administration, and contract administration.
- Responsible for all facets of electric procurement for clients.
- Company representative on various ISO/RTO committees.
- Responsible for all ISO/RTO operations including scheduling, settlements and billing.

STRATEGIC ENERGY, Pittsburgh, PA **2004-2005**

Manager, Regulatory Affairs, Mid-Atlantic Region

- Responsible for monitoring, influencing, and analyzing events and legislation within the energy industry that impacts or has a potential effect on the Company's business model at FERC, Pennsylvania and New Jersey.
- Responsible for analyzing intricacies of market proposals and rules, participating in the process of developing market rules, and disseminating information to internal groups for competitive pricing analyses and other business issues prior to entering new competitive energy markets including cost discovery.
- Assist internal and external sales teams in recommending sales techniques with regard to changes in the marketplace (rules, regulations both RTO and State, etc.)
- Conducts analysis on cost discovery and calculation for new and existing markets.
- Assist trading desk and structure desk in assessing potential impact of alternative wholesale procurement methods on company sales volume, profitability, risk profile and competitive position.

PJM INTERCONNECTION, Norristown, PA **2001 – 2004**

Senior Analyst, Market Settlements

- Support project teams in design, development, implementation and testing of new energy settlement systems, products and processes, utilizing SQL programming language.
- Manage SAS70 outside audit for Market Settlements Department.
- Assist PJM legal department in Federal Energy Regulatory Commission filings.
- Provide analytical and/or systems expertise in PJM market settlements to internal and external customers.
- Conducts studies in order to develop and recommend new or revised systems, methods, or procedures that require a broad knowledge of the concepts, principles, theories and practices of PJM markets.
- Monitor and analyze the power flows of the PJM bulk power system with other power systems in the NERC interconnected eastern region to ensure reliability of service.
- Monitor virtual market bids/offers and FTR positions for PJM tariff rule violations.

BRIAN M. VAYDA

Page Two

PECO ENERGY POWER TEAM, King of Prussia, PA

1999 – 2001

Principal Analyst, Energy Trading and Risk Management

- Engaged in financial energy trading within PJM Interconnect, for day-ahead electricity desk, including capacity, virtual, FTR.
- Monitored and reported risk-taking activities and ensure existence of an effective system of control over market, operational, credit and strategic business risk.
- Create, calibrate and validate risk exposure using forward curves and mark-to-market valuations.
- Monitored limit structure ensuring organization does not engage in transactions for greater than aggregate risk expected.
- Prepared management reports including financial results and disclosures on financial statements detailing transactions, designated hedge vs. non-hedge, and the methods of valuation used.

DELOITTE & TOUCHE REGULATORY/

LITIGATION CONSULTING, New York, NY

1994 - 1999

Senior Consultant

- Worked extensively on securities fraud engagements in connection with SIPC Act.
- Prepared detailed procedures/control study of back office securities clearing function, trade processing and cash management of international broker/dealer.
- Provided operational and compliance audits to financial service organizations with respect to SEC Regulations 15c3-1, 15c3-3 and Regulation T.
- Prepared detailed financial analysis and evaluation of damages claimed and lost profits for intellectual property dispute.
- Engaged in electricity de-regulation risk management consulting.

**EDUCATION/
INTERNSHIP:**

MBA, Finance

TEMPLE UNIVERSITY, Philadelphia, PA – 1996

GPA: 3.91/4.0

BS, Accounting

KING'S COLLEGE, Wilkes-Barre, PA – 1992

GPA: 3.46/4.0~Cum Laude

City of Philadelphia Mayor's MBA Internship Program – **Budget Department**- 1996
Dean's List- each semester; ranked in upper 5% of graduate class

**COMMUNITY
SERVICE/BOARD
MEMBERSHIP:**

Coach Little League Baseball

Member of Board of Directors (Advisory Board) for Metropolitan Edison/Pennsylvania Electric Sustainable Development Fund

Restructuring Today



1-800-486-8201

Friday, September 29, 2006

What about users buying at wholesale?

Market volatility seen since last year's hurricanes has shown that the wholesale portfolio model for buying power works well in an unpredictable market, Scott Helm told us yesterday.

He's president of American PowerNet, a Wyomissing, Pa, firm that helps large industrial and institutional customers buy power directly in the wholesale market.

Wholesale customers can typically

save 5-10% head-to-head over retail prices, Helm noted.

Yet flexibility might be the bigger advantage from his portfolio-buying model.

Buying at wholesale lets customers split up loads over varying contract lengths -- something you can't do at retail, he reminded.

It spreads risks and doesn't put customers fully in or out of the market.

Retail buying, though, forces customers into an all-or-nothing position, Helm noted.

Layering contract lengths and load amounts gives customers a better chance to respond to falling prices, he explained.

Clients can take shorter-term deals for smaller amounts of load when prices are high.

They're more nimble to react to

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market dips with those shorter pacts.

The portfolio models give customers a chance to lock in some load at lower prices while keeping the rest on shorter deals for the possibility of even greater price drops.

That's where the model really shines, Helm observed.

Wholesale pacts can range from five-year deals to seasonal, on-peak positions and anything in between, he told us.

Many customers are most comfortable with one- to two-year deals for about 25% of their load.

The wholesale model unlocks value from the ancillary services market as well, Helm explained.

Customers can actively manage congestion risk to get the benefits of auction revenue rights (ARRs) -- a financial tool to hedge congestion.

Retail customers typically don't

get the benefits of congestion rights associated with their load, he noted.

More customers are buying at wholesale, Helm told us.

He thinks it's because they are more familiar with the retail model and understand where marketers get their power and how power gets to their meters.

Thus the wholesale market isn't a "scary unknown" anymore, he noted.

How big is the opportunity now in Illinois?

Suez Energy Resources NA calculates it can save Commonwealth Edison's 5,600 customers who use from 400 kw-3 mw about \$600 million over 15 months if all of them choose from Suez smorgasbord of offers.

The firm is selling everything from all-in, fixed-rate power to hybrid deals that let customers lock in blocks of load at a fixed price and follow the market for the rest of their needs, explained Mike Liskey, Suez's regional sales manager.

Suez -- one of the biggest C&I marketers in North America -- began selling in Illinois in January, said Rick Wirth and Lanette Johnson, both Suez directors of marketing.

marketers about the market up ahead -- especially since auction-based rates were revealed last week.

They're getting proposals from two or three marketers before making up their minds, he noted.

Are customers prepared for the change in utility rates?

To some degree, Liskey noted.

Utility reps called ComEd's 5,600 large and largest customers to explain new pricing but most of the media coverage has focused on residential customers -- not C&Is.

Much of the selling job, he told RT, is educating customers on what their choices are, what's included, what to look for and what extra costs may be

Liskey doesn't want customers to get "burned."

He tells shoppers to watch for how contracts handle capacity and ancillary services charges along with losses.

These items may be pass-throughs not included in the kwh price some marketers offer.

It's more a matter of semantics -- part of our "hidden fee economy" -- but buyers should beware, he stressed.

Liskey expects the large C&I market to "take off" given ComEd's high rates.

Suez hasn't pushed into Ameren's Illinois territories yet.

Ameren's CILCO, CIPS and Illinois Power have different rules and are Midwest ISO rather than PJM members.

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Restructuring Today



1-800-486-8201

Tuesday, September 20, 2005

Harvard learns how to buy power at wholesale

Learns to like it

Retail competition has brought countless benefits to large customers — even Harvard University — but what if you can't get a retail marketer to make an attractive offer?

Harvard energy buyer, Mary Smith, tried to buy at wholesale and got a quick education in a different way of life.

Scott Bryant, top power buyer from the paper firm Mead Westvaco, told why his firm prefers the risks and gain from buying direct from generators.

Scott Helm, president of American PowerNet, a pioneer of direct buying at wholesale, joined a Restructuring Today audio conference yesterday exploring the value and process of buying power from in the wholesale market.

Mead Westvaco just couldn't find a

retail marketer that met the firm's needs, Bryant said.

The company's unusual load profile didn't entice much savings from retailers, so Bryant explored the wholesale market, with Scott Helm's guidance.

What he found was a range of benefits, including more willing suppliers and greater flexibility and a lot more offers.

It's easier to buy at retail, Helm admitted, but the "name of the game now is flexibility."

Wholesale buying best positions customers to take advantage of all the benefits of open markets, he added.

Wholesale buying gives customers greater opportunity to take advantage of market prices, Helm noted.

The wholesale market lets customers buy in portfolios to hedge against market timing.

By splitting load on different schedules — an option not available at retail — customers have leverage in the market and spread risk among several providers.

Customers are never fully in or out of the market with portfolio buying.

Wholesale buying exposes customers to negative prices — when dispatchers scare generators off the grid by making them pay power buyers for the power they use.

Wholesale buying spreads credit risk, expands price transparency and boosts liquidity, panelists noted.

The start-up costs and process of wholesale buying were explained along with how to set up hedges.

If you're interested in hearing the full views and comments of the panelists, including questions and answers, call Theresa Varuolo at 1-800-486-8201 or email her at tvaruolo@ghinews.com.

CEC has grim outlook for state's energy

Transmission congestion and related reliability services cost California over \$1 billion last year, the California Energy Commission (CEC) found.

California, said CEC, lacks a well-integrated grid-planning and permitting process.

The process would merge G&T needs, evaluate non-wire alternatives, plan for grid corridors long before they're needed and allow access to renewable resources.

CEC wants a transfer of line-siting authority from the PUC to itself.

It listed challenges facing the state from high prices to thin reserves.

The report blames inaction on earlier unheeded CEC warnings.

CEC gave its sister agency a pat on the back for progress in setting resource adequacy for IOUs but cited the PUC's lack of authority over government generation.

Government utilities provide up to 25% of the state's power, CEC added.

The CEC urged lawmakers to

adopt resource adequacy requirements for all load-serving entities.

More than 7,000 mw of approved generation is in limbo, the CEC warned, because generators won't build without long-term power contracts.

IOUs are vulnerable to wild price spikes without long-term agreements, CEC claimed.

Short-term contracts keep IOUs reliant on aging plants that are costlier than new, more efficient plants.

Hotter summers and drier winters could doom the state to more blackouts, CEC cautioned, with boosted demand and less hydro output while retirement of aging plants could cut reserve margins.

The CEC urged more DG incentives as a solution.

Meanwhile cogenerators are struggling to find power buyers and utilities are unwilling to renew existing QF contracts, the CEC noted.

Some cogenerators, CEC added, have even scrapped their systems in favor of less efficient boilers.

Requiring utilities to buy DG power at prevailing wholesale prices could solve

the problem, the report argues.

The CEC offered rate incentives for utilities promoting cogeneration.

Demand-response programs, CEC claimed, are the most promising and cost-effective options to cut peak use.

The commission thinks California power demand will grow 1.2% to 1.6% annually. We've heard higher.

New metering technology will be the main way to implement either voluntary or mandatory demand response, the CEC forecast.

The state's process for getting green power is overly complex and is delaying the ability to meet renewable deadlines, the CEC discovered.

The report urged the PUC and CEC to simplify, streamline and expedite the Renewable Portfolio Standard (RPS) process.

The two agencies should set RPS rules to let energy service providers and community choice aggregators participate in the program.

CEC thinks rules for limited trading of renewable energy certificates should be adopted.

Restructuring Today



1-800-486-8201

Friday, July 8, 2005

Scott Helm's customers sometimes get negative prices

He runs AmericanPowerNet from Wyomissing, Pa, a firm that links large buyers with large sellers — at retail and at wholesale.

We reported how the wholesale approach works (RT, 2/18).

One customer, he explained, got just two offers from retailers but at wholesale won 28 offers from eight wholesalers.

We tried to zero in on the difference between retail and wholesale suppliers.

A retail firm sells power to consumers who use the power themselves. A wholesale marketer is one that may sell in PJM, NEPOOL or MISO markets to those who don't use the power themselves.

But large retail buyers can buy at wholesale even for their own use and typically can save 5-10% over retail deals and find lots more suppliers, Helm said, if they have at least a 10-mw load and good credit.

Wholesale is a "whole vibrant market most customers don't see," he noted, because most retail customers don't test the wholesale waters.

The first consumer he guided to wholesale markets was a large paper

firm in Luke, Md, along the West Virginia border in the Allegheny Power footprint.

At first scheduling and balancing were provided by a retailer but Helm's firm now does that for further fun and profit.

Retailers would typically charge 2-5 mills/kwh as the retail license holder.

But isn't settling and balancing risky?

"The way PJM is set up there's not penalties for over- and under-scheduling or over- and under-buying. It's simply settling at the hourly spot price."

AmericanPowerNet believes it's the first firm to switch a customer from zonal to nodal pricing (BOC Gases).

The nodal price he found was significantly lower but that's not always the case. It's hit or miss.

"If you see the zonal price as the average of all the nodal prices in that zone, roughly 50% are going to be lower and 50% higher.

"We've taken two of the first three to switch to nodal from zonal," Helm added.

Occidental Chemical was the one that got the law changed for a plant in Delaware via filing with FERC and

winning the right to switch.

The third plant to go nodal is the Mead Westvaco Luke plant aided by AmericanPowerNet getting a 15% savings for the consumer, he added.

Is this now a trend?

Each case has to be weighed on its merits, he replied, depending on where the property is located vis-a-vis congestion.

One plant sold by Mead Westvaco to NewPage at Dayton, Ohio, the new name for Cerberus Capital Management, generates negative pricing and when that happens the firm actually gets paid to take power.

We had reported that phenomenon for NEPOOL buyers when the ISO changed pricing to negative to encourage generators to cut back on output.

"That must come as a big thrill for your customer?" we asked.

"They quickly learn to shut down their own generation and take more power when the prices go negative," he responded. "And that helps the system too," Helm added.

Helm works with companies in ERCOT, New York, NEPOOL and now MISO.

DC shopping slow despite market-based price-to-beat

Though customers in the nation's capital began paying market-based rates in February the change from below-market rates hasn't made much of a difference in shopping, the PSC reports.

Pepco still sells generation to 96.2% (195,283) of its residential customers, serves 96% of demand and sells 94.5% of the power.

Just over 21% of business customers shopped (5,675) but those are the bigger users.

Marketers are serving 77% of business customer demand and selling nearly 72% of the power businesses use.

Two suppliers are competing with Pepco for residential customers — Washington Gas Energy Services and Pepco Energy Services — but most offerings are for premium green power.

Choices have narrowed as well on the gas side.

ECONergy, Washington Gas Energy Services and NOVEC Energy

Solutions were making offers but Pepco Energy Services wasn't accepting new customers in May.

Four marketers were serving 10% of residential customers — 12,804 shoppers — while 10 marketers had signed up 4,149 commercial accounts representing 31% of business customers.

Shopping for business and residential customers peaked in 2003 and has been declining ever since.

Restructuring Today



1-800-486-8201

Friday February 18 2005

Energy bill outlook unknown today

The four-seat GOP gain in the US Senate does not necessarily mean the president will get what he wants in an energy bill.

Some of the Democratic Party losses include the minority leader Tom Daschle of South Dakota plus John Breaux of Louisiana along with Zell Miller of Georgia.

Those who watch the Congress aggressively think the president may have in all picked up only one vote.

Then too John Ensign of Nevada

who had supported the measure said publicly that he would oppose it if it comes back to the Senate.

Another energy problem is that some of the new members are vigorously Republican — opposed to the tax-and-spend branch of the GOP.

When the energy bill lost the vote was 58 for cloture and 42 opposed. That means 42 did not want to see that energy bill adopted including six Republicans.

Bush needed 60 votes to overcome

the Democratic filibuster.

GOP leadership announced recently that it will leave out drilling at the Alaska National Wildlife Refuge so that may be good for a vote or two.

From a competitive standpoint the bill is likely to be a major step backwards in the federal-state tensions department.

The forces of monopoly are able to get their way with lawmakers although the measure is likely to be a major step forwards in reliability.

What's next for big industrial power buyers?

Buying at wholesale, says Scott Helm, president of American PowerNet. "It's the next logical step for large retail users," Helm believes (www.americanpowernet.com).

It's a company that has been quietly finding sizable savings for five years for Fortune 500 companies and soon a major university.

An industrial firm with at least a 10-mw load and good credit can save 5-10% over retail deals and find lots more suppliers.

One customer, he explained, got just two offers from retailers but at wholesale won 28 offers from eight wholesalers.

Wholesale is a "whole vibrant market most customers don't see," he noted, because most retail customers don't test the wholesale waters.

"They're not going to come to you," he added from his office in Wyomissing, Pa, a suburb of Reading.

Regulators and RTO administrators have been "generally supportive" of large

users seeking wholesale buying licenses, Helm said, and his firm helps with the process.

American PowerNet has been working with companies for several years, helping them apply for and negotiate member licensing, collect and aggregate account data, develop and award bids as well as negotiate and maintain supply contracts in several RTOs.

So far, PJM has been the easiest for retail customers buying wholesale, Helm told RT, but his firm has worked with clients in ERCOT, New York and NEPOOL and will operate in MISO when it opens.

The company helps assemble a portfolio of short- and long-term supply contracts with spot buying then manages the back-office scheduling and balancing.

American PowerNet's staff is made up of utility and power marketing veterans with decades of experience, said Helm, who himself has been with the firm for a dozen years, moving from retail energy management to what he sees as a potentially huge wholesale business.

Customers often say:

"Looks great. Prove it to us."

The concept does work, he said, and savings are considerable even with ISO/RTO fees.

American PowerNet does most of the work. The wholesale market opens up a whole new world of price transparency and liquidity besides being the cheapest way to buy power (610-372-8500), he added.

Northwest power planners not worried about snowpack

The good news is the Pacific Northwest has a 1,500-mw surplus to cope with what looks to be a subnormal hydropower year, the Northwest Power & Conservation Council predicts.

The bad news is running those new natural gas-power plants will bump up power prices this summer, though not as high as during the last bad summer, 2001, when the region suffered a 4,000-mw shortage.

"The worst we would face is slightly higher prices this summer," said NPCC Chair Melinda Eden from Oregon. Snow pack in British Columbia — source of the Columbia

River, is 90-100% of normal but is off 25-50% elsewhere on the river system, an NPCC analysis found, but even if rainfall is light this summer it's still well above levels during 2001.

The council is upset that the Bush Administration wants to boost BPA prices by selling at market prices rather than the subsidy price (cost) about 30% below market prices.

The White House's Office of Management & Budget wants to change the way BPA's borrowing limit is calculated as well, a change that would reduce how much Bonneville has to spend on grid upgrades, conservations and fish and wildlife projects.

Restructuring Today



1-800-486-8201

Friday, June 21, 2003

American PowerNet can get it for you wholesale

American PowerNet launches Monday a first-of-its-kind service where large electric users can get a retail license allowing them to buy directly from the wholesale market.

Scott Helm, president of the Wyomissing [near Reading], Pa, firm, considers the move a logical next step in a mature marketplace. The process for an industrial to get a license won't be different from a retailer, said Helm.

American PowerNet has a license as a third-party supplier and offers back-office support such as scheduling and balancing services that free a buyer from having to hire skilled staff.

To prove the soundness of the service, Helm put in identical PJM bids for retail and wholesale power for a client and found

a significant price difference.

Alternative suppliers pay extra fees plus recoup the high cost of up-front credit, he explains, while wholesale buyers don't have such burdens.

An industrial with good credit can save up to a \$1/mwh, Helm finds.

American PowerNet's charges are added to the cost of the wholesale power yet keep the price well below third-party suppliers, he said.

Helm forecasts having customers in three RTOs in a year.

Buying direct from generators is most economical for one-site, 10-mw companies or firms with multiple sites up to 20 mw.

Large users need a marketer license from FERC and regulators have been "generally supportive" of the idea, Helm reports, since the commission sees the practice as another way to add liquidity to wholesale markets.

The RTOs agree, plus industrial members get a vote that will help balance market power, he added.

Yet some day, he suggests, questions will rise about the need for industrials to have licenses just to buy their own power even maybe in a year, he predicts.

Is Helm concerned that's he's making enemies among retailers? He believes that only a "niche" of large users will elect to be their own supplier, those who are already low-margin customers.

Wind power found competitive right now

Xcel Energy yesterday chose seven offers to supply power in the upper Midwest between 2005 and 2009.

The strong showing of wind — just one-tenth what it cost a decade ago, according to Navigant Consulting — makes it highly competitive with traditional sources of electricity right now.

Navigant has a report that looked at 13 renewable-energy technologies along with storage and inverter technologies and found onshore wind would be the leader in new plants with 1,000-1,500 mw/year of new capacity.

Next most popular will be offshore wind projects and biomass including landfill gas, co-firing with coal and gasification but government incentives for renewables will remain crucial, Navigant noted.

Xcel chose 450 mw of wind, 648 mw of gas-fired generation and 115 mw supplied by Minnesota Power from within MAAP.

The proposals add up to 1,213 mw or 808 mw rated MAAP's way because wind power is not always available.

Lower costs mean renewable energy will double over the next 10 years in the US and Canada, as Navigant sees it, with wind and biomass making up 85% of new renewables.

No longer is it simply the noble thing to do, said Lisa Fratzis, Navigant's renewable power director.

She calls wind now "an essential part of a diversified energy supply portfolio."

Gas, the most popular power source, is no longer an alternative, said Puget Sound Energy's Eric Markell, because

prices are "on a year-long price spiral" while getting permits for new hydro, nuclear or coal plants is "difficult or impossible."

A Navigant study "really drives home the importance of renewable energy certificates" to make the economics work, said Jeff Anthony, manager of alternative energy programs at We Energies.

Those certificates capture the non-energy value of green power.

Government policies matter but so does consumer demand for clean energy, Ontario Power Generation's Brice Boland noted.

Standardized interconnection policies and upgrading regional grids will support growth in renewables resource-rich areas, Navigant found (www.navigantconsulting.com).

We're working for you:

That's what Editor George Spencer reminds us about. You send us the checks. We only send you checks where we fail. Help us help you. We're putting together a series of audio conferences for this summer and early fall. Tell us what questions you need answered. Think about it. Drop editor@restructuringtoday.com a line. If we pick up your idea, you can sign up free.

Gas shortage called a policy decision

The nation is not running out of gas nor places to look for it but has simply chosen a policy not to develop it, Questar's Keith Rattie told a House Energy & Mineral Resources subcommittee yesterday.

He urged Congress to remove the unnecessary barriers to domestic development, taking a cue from Federal Reserve Chairman Alan Greenspan.

Imports of LNG will only supply half of the projected 35 bcf/day rise in demand over the next two decades,

Rattie warned.

He called it a "colossal mistake" for policy makers to rely on LNG. Given the NIMBY factor, getting terminals built would be "a tall order." For him the "inescapable conclusion is that much of the incremental gas supply ... must come from the US lower-48 onshore and offshore."

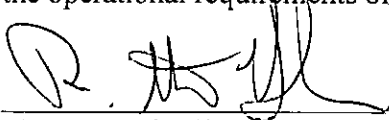
The US gross domestic product (GDP) will fall by up to 2% if gas prices continue at their current level, predicted Stephen Brown, director of energy

ATTACHMENT H

VERIFICATION

State of : Pennsylvania
County of: Berks County

I Scott Helm, President of American PowerNet Management, L.P., being duly sworn, will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and agree to comply with the operational requirements of the control area(s) within which you provide retail service.



Signature of Affiant

Sworn and subscribed before me this 7th day of June, 192007



Signature of official administering oath

My commission expires July 30, 2009

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Vivian M. Parzanese, Notary Public
City of Reading, Berks County
My Commission Expires July 30, 2009
Member, Pennsylvania Association of Notaries

RECEIVED
JUN 29 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

IN REPLY PLEASE
REFER TO OUR FILE

July 5, 2007

A-110173

SCOTT HELM PRESIDENT
AMERICAN POWERNET MANAGEMENT LP
867 BERKSHIRE BLVD SUITE 101
WYOMISSING PA 19610

DOCUMENT
FOLDER

Dear Mr. Helm:

Receipt is acknowledged of the Application of American PowerNet Management, LP, for approval to supply Broker/Marketer services to the public in the Commonwealth of Pennsylvania.

Upon review, the Application has been determined to be deficient for the following reasons:

- 1) Section 10 of the application asks to specify the service area. The applicant states "All Territories of Pennsylvania."

Section 14 states "A copy of the application must be served upon all parties listed in number 14 of the application, as well as any of the Electric Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers (relating back to Section 10 of the application).

Pursuant to 52 Pa Code, §1.57 and §1.58, you must serve a copy of the Application upon the parties listed in Section 14 of the Application, **and provide proof of such service with this Commission.**

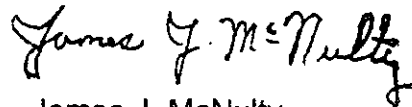
Please serve the appropriate parties and file a Certificate of Service with this Commission as required.

Pursuant to 52 Pa. Code, §1.4(d), you are being advised of these deficiencies and are required to correct them.

Failure to correct the foregoing deficiencies within 30 days of the date of this letter will result in the Application being returned as unfiled.

Should you need assistance in perfecting the application, please contact the Commission's Bureau of Fixed Utility Services at 717-787-8763 or 717-783-6185.

Sincerely,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty
Secretary

JJM:ddt

cc: Linda Jablonski, Office Manager
Bureau of Fixed Utility Services w/copy of Application

**ELECTRIC GENERATION SUPPLIER APPLICATIONS
LIST OF NEWSPAPERS FOR PUBLICATION**

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400 North Broad Street
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Williamsport, PA 17701-6102
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Advertising Manager: John Yahner

American PowerNet

ORIGINAL

A-110173

RECEIVED

JUL 17 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

To: James J. McNulty, Secretary
From: Linda Jablonski
Date: July 17, 2007
Subject: Response to Deficiency for American PowerNet Management, L.P.
Application to Supply in the Commonwealth of Pennsylvania

I have attached a response to your letter dated July 5, 2007 in connection with providing Proof of Service in the Application submitted on behalf of American PowerNet Management, L.P.

Please do not hesitate to contact me with any questions.

Thank you

DOCUMENT
FOLDER

DOCKETED

AUG 06 2007

Managing the Energy Evolution.®

RECEIVED

JUL 17 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Applicant: American PowerNet Management, L.P.

I hereby certify that I have this day served a true copy of the foregoing document upon the parties listed below, in accordance with the requirements of Code 1.54 (relating to service by a party).

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

Frank M. Nadolny
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 of PA Electric Company
Blaine W. Uplinger, Jr.
Director of Governmental and Regulatory Affairs
FirstEnergy
100 APC Building
800 North Third Street
Harrisburg, PA 17102-2025

Paul E. Russell
Associate General Counsel
PPL
Two North Ninth Street
Allentown, PA 18108-1179

Carlo L. Ciabattoni
Manager Energy Acquisition
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699

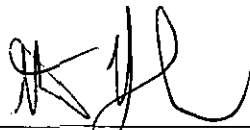
Page -2-

Applicant: American PowerNet Management, L.P.

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

Dated this 13th day of July, 2007

A handwritten signature in black ink, appearing to read 'R. Scott Helm', is written over a horizontal line.

R. Scott Helm, President

-H.A.-----S WITHIN U.S. ONLY

1 Sender Account Number 182357171		Preprint Format No. 86200534		3 Payment Sender will be billed unless marked otherwise Bill to:		Origin ROG		Waybill Number 72633945543	
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Account No. (Required)		4 Service Type One box must be checked Assume noon unless noted. 10:30 am Extra charge	
Street Address 375 101				<input type="checkbox"/> Paid in Advance		Check No.		Amount	
City WYOMISSING				Billing Reference (will appear on invoice)				Next Day 10:30 10:30	
State PA		ZIP CODE (Required) 19610						Next Day 12:00 12:00	
Sent by (Name/Dept) LINDA JABLONSKI		Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) 3		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>	
TO (Company) PLEASE PRINT NEATLY SMALL BUSINESS ADVOCATE				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations.		<input type="checkbox"/> Hold at DHL		Next Day 3:00 3:00	
Street Address 300 NORTH SECOND ST.				<input type="checkbox"/> Lab Pack Service				2nd Day 5:00	
City HARRISBURG		State PA		ZIP CODE (Required) 17101		Shipment Valuation		*Service may vary by destination, visit www.dhl-usa.com	
Attention: (Name/Dept) William LLOYD JR		Phone (Required)		Shipment Value Protection <input type="checkbox"/> \$.00		Payment Details (Credit Card)		ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL.	
Description				No.		Type		Expires	
Sender's Signature <i>L. Jablonski</i>		Date 6/14/07		DHL Signature		Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL	

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Street Address 375 101				<input type="checkbox"/> Paid in Advance		Check No.		Amount	
City WYOMISSING				Billing Reference (will appear on invoice)				Next Day 10:30 10:30	
State PA		ZIP CODE (Required) 19610						Next Day 12:00 12:00	
Sent by (Name/Dept) LINDA JABLONSKI		Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) 3		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>	
TO (Company) PLEASE PRINT NEATLY OFFICE OF CONSUMER ADVOCATE				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations.		<input type="checkbox"/> Hold at DHL		Next Day 3:00 3:00	
Street Address 555 WALNUT ST.				<input type="checkbox"/> Lab Pack Service				2nd Day 5:00	
City HARRISBURG		State PA		ZIP CODE (Required) 17120		Shipment Valuation		*Service may vary by destination, visit www.dhl-usa.com	
Attention: (Name/Dept) IRWIN POPOWSKY		Phone (Required)		Shipment Value Protection <input type="checkbox"/> \$.00		Payment Details (Credit Card)		ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL.	
Description				No.		Type		Expires	
Sender's Signature <i>L. Jablonski</i>		Date 6/14/07		DHL Signature		Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL	

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Street Address 101 867 BERKSHIRE BLVD				<input type="checkbox"/> Paid in Advance		Check No.		Amount			
City WYOMISSING		State PA		ZIP CODE (Required) 19610		Billing Reference (will appear on invoice)					
Sent by (Name/Dept) LINDA TABLONSKI				Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) REQUIRED 3		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>	
TO (Company) PLEASE PRINT NEATLY DUQUESNE Light Company				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge <input type="checkbox"/> Lab Pack Service		<input type="checkbox"/> Hold at DHL		4 Service Type One box must be checked Assume noon unless noted. 10:30 am Extra charge			
Street Address 411 SEVENTH ST. P.O. BOX 1930				City PITTSBURGH		State PA		ZIP CODE (Required) 15230-1930		8 2nd Day 5X6	
Attention: (Name/Dept) FRANK MAOLNY				Phone (Required)		Shipment Valuation Protection <input type="checkbox"/> \$.00		*Service may vary by destination, visit www.dhl-usa.com			
Description				Payment Details (Credit Card) No. _____ Type _____ Expires _____		Auth. _____		ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL			
Sender's Signature <i>Linda Tablonski</i>		Date 6/14/07		DHL Signature		Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL			

SENDER'S COPY

Sender Account Number 162357171		Preprint Format No. 86200534		Payment Sender will be billed unless marked otherwise Bill to:		Origin RDG		Waybill Number 72633945742			
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Account No. (Required)		4 Service Type One box must be checked Assume noon unless noted. 10:30 am Extra charge			
Street Address 101 867 BERKSHIRE BLVD				<input type="checkbox"/> Paid in Advance		Check No.		Amount			
City WYOMISSING		State PA		ZIP CODE (Required) 19610		Billing Reference (will appear on invoice)					
Sent by (Name/Dept) LINDA TABLONSKI				Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) REQUIRED 3		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>	
TO (Company) PLEASE PRINT NEATLY BUREAU OF CONSUMER PROTECTION OFFICE OF ATTORNEY GENERAL				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge <input type="checkbox"/> Lab Pack Service		<input type="checkbox"/> Hold at DHL		4 Service Type One box must be checked Assume noon unless noted. 10:30 am Extra charge			
Street Address STRAWBERRY SQUARE 14TH FL				City HARRISBURG		State PA		ZIP CODE (Required) 17120		8 2nd Day 5X10	
Attention: (Name/Dept)				Phone (Required)		Shipment Valuation Protection <input type="checkbox"/> \$.00		*Service may vary by destination, visit www.dhl-usa.com			
Description				Payment Details (Credit Card) No. _____ Type _____ Expires _____		Auth. _____		ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL			
Sender's Signature <i>Linda Tablonski</i>		Date 6/14/07		DHL Signature		Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL			


SENDER'S COPY

Sender Account Number 182357171		Preprint Format No. 86200534		Payment Sender will be billed unless marked otherwise Bill to:		Origin RDG		Waybill Number 72633944342	
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Check No. _____ Amount _____		4 Service Type One box must be checked unless noted. 10:30 am Extra charge	
Street Address 101 867 BERKSHIRE BLVD				<input type="checkbox"/> Paid in Advance		Billing Reference (will appear on invoice)		Next Day 10:30 10:30 Next Day 12:00 12:00 Next Day 3:00 3:00	
City WYOMISSING		State PA		ZIP CODE (Required) 19610		5 # of Pkgs 1		6 Weight (LBS) <small>REQUIRED</small> 3	
Sent by (Name/Dept) LINDA JABLONSKI		Phone (Required) 610-372-8500		7 Packaging <input checked="" type="checkbox"/> Express Envelope <input type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging		Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations <input type="checkbox"/> Lab Pack Service		One box must be checked	
TO (Company) PLEASE PRINT NEATLY FIRST EMERGENCY CORPORATION				Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$ _____ .00		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____		8 Service may vary by destination, visit www.dhl-usa.com	
Street Address 76 SOUTH MAIN ST.				City AKRON		State OH		ZIP CODE (Required) 44308	
Attention: (Name/Dept) STEPHEN FELD				Phone (Required)		Description ATTORNEY		ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL	
Sender's Signature <i>[Signature]</i>		Date 6/14/07		DHL Signature		Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL	

SENDER'S COPY


Sender Account Number 182357171		Preprint Format No. 86200534		Payment Sender will be billed unless marked otherwise Bill to:		Origin RDG		Waybill Number 72633944740	
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Check No. _____ Amount _____		4 Service Type One box must be checked unless noted. 10:30 am Extra charge	
Street Address 101 867 BERKSHIRE BLVD				<input type="checkbox"/> Paid in Advance		Billing Reference (will appear on invoice)		Next Day 10:30 10:30 Next Day 12:00 12:00 Next Day 3:00 3:00	
City WYOMISSING		State PA		ZIP CODE (Required) 19610		5 # of Pkgs 1		6 Weight (LBS) <small>REQUIRED</small> 3	
Sent by (Name/Dept) LINDA JABLONSKI		Phone (Required) 610-372-8500		7 Packaging <input checked="" type="checkbox"/> Express Envelope <input type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging		Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations <input type="checkbox"/> Lab Pack Service		One box must be checked	
TO (Company) PLEASE PRINT NEATLY U.G.I UTILITIES / ELECTRIC DIVISION				Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$ _____ .00		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____		8 Service may vary by destination, visit www.dhl-usa.com	
Street Address 400 STEWART ED.				City WILKES BARRE		State PA		ZIP CODE (Required) 18773-3200	
Attention: (Name/Dept) JOHN LITZ				Phone (Required)		Description APPLICATION		ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL	
Sender's Signature <i>[Signature]</i>		Date 6/14/07		DHL Signature		Date		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL	

SENDER'S COPY

1 Sender Account Number 182357171		Preprint Format No. 86200534		3 Payment Sender will be billed unless marked otherwise Bill to:		Origin RDG		Waybill Number 72633944946									
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Account No. (Required)		4 Service Type One box must be checked unless noted. 10:30 am Extra charge.									
Street Address 101 867 BERKSHIRE BLVD				<input type="checkbox"/> Paid in Advance		Check No.		Amount									
City WYOMISSING		State PA		ZIP CODE (Required) 19610		Billing Reference (will appear on invoice)		<table border="1"> <tr><td>Next Day 10:30</td></tr> <tr><td>10:30</td></tr> <tr><td>Next Day 12:00</td></tr> <tr><td>12:00</td></tr> <tr><td>Next Day 3:00</td></tr> <tr><td>3:00</td></tr> <tr><td>2nd Day</td></tr> <tr><td>5:00</td></tr> </table>		Next Day 10:30	10:30	Next Day 12:00	12:00	Next Day 3:00	3:00	2nd Day	5:00
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Next Day 3:00																	
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2nd Day																	
5:00																	
Sent by (Name/Dept) LINDA TABLOWSKI				Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) REQUIRED 3									
2 TO (Company) PLEASE PRINT NEATLY REGULATORY AFFAIRS				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations.		<input type="checkbox"/> Hold at DHL		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>									
Street Address 800 NORTH THIRD ST. 100 APC BUILDING				City HARRISBURG		State PA		ZIP CODE (Required) 17108-2025									
Attention: (Name/Dept) BLAINE UPLINGER				Phone (Required)		Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$.00		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____									
Sender's Signature <i>Linda Tablowski</i>		Date 6/14/07		DHL Signature		Date		 DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL									

SENDER'S COPY

SHIPMENT

1 Sender Account Number 182357171		Preprint Format No. 86200534		3 Payment Sender will be billed unless marked otherwise Bill to:		Origin RDG		Waybill Number 72633945042									
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Account No. (Required)		4 Service Type One box must be checked unless noted. 10:30 am Extra charge.									
Street Address 101 867 BERKSHIRE BLVD				<input type="checkbox"/> Paid in Advance		Check No.		Amount									
City WYOMISSING		State PA		ZIP CODE (Required) 19610		Billing Reference (will appear on invoice)		<table border="1"> <tr><td>Next Day 10:30</td></tr> <tr><td>10:30</td></tr> <tr><td>Next Day 12:00</td></tr> <tr><td>12:00</td></tr> <tr><td>Next Day 3:00</td></tr> <tr><td>3:00</td></tr> <tr><td>2nd Day</td></tr> <tr><td>X:00</td></tr> </table>		Next Day 10:30	10:30	Next Day 12:00	12:00	Next Day 3:00	3:00	2nd Day	X:00
Next Day 10:30																	
10:30																	
Next Day 12:00																	
12:00																	
Next Day 3:00																	
3:00																	
2nd Day																	
X:00																	
Sent by (Name/Dept) LINDA TABLOWSKI				Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) REQUIRED 3									
2 TO (Company) PLEASE PRINT NEATLY PECO ENERGY COMPANY				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations.		<input type="checkbox"/> Hold at DHL		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>									
Street Address DHL CANNOT DELIVER TO PO BOX 2301 MARKET ST.				City PHILA		State PA		ZIP CODE (Required) 19101-8699									
Attention: (Name/Dept) CARLO CIABATTONI				Phone (Required) (215) 841-4210		Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$.00		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____									
Sender's Signature <i>Linda Tablowski</i>		Date 6/14/07		DHL Signature		Date		 DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL									

SENDER'S COPY

1 Sender Account Number 182357171		Preprint Format No. 86200534		3 Payment Sender will be billed unless marked otherwise Bill to: RDG		Origin RDG		Waybill Number 7263394445			
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Account No. (Required)		4 Service Type One box must be checked Assume noon unless noted. 10:30 am Extra charge.			
Street Address 37E 101 867 BERKSHIRE BLVD				Paid in Advance <input type="checkbox"/>		Check No. _____		Amount _____			
City WYOMISSING		State PA		ZIP CODE (Required) 19610		Billing Reference (will appear on invoice)					
Sent by (Name/Dept) LINDA TABLONSKI				Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) 3		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>	
TO (Company) PLEASE PRINT NEATLY ALLEGHENY POWER				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations <input type="checkbox"/> Lab Pack Service		<input type="checkbox"/> Hold at DHL		8 Service may vary by destination, visit www.dhl-usa.com			
Street Address 800 CABIN HILL DR				DHL CANNOT DELIVER TO PO BOX		Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$ _____ .00		9 ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL.			
City GREENSBURG		State PA		ZIP CODE (Required) 15601		Phone (Required) 610-689-1689		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____			
Attention: (Name/Dept) John Munsch				Description ESQUIRE		Date 6/29/07		Sender's Signature Linda Date 6/15/07			
DHL Signature				Date		SENDER'S COPY		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL			

1 Sender Account Number 182357171		Preprint Format No. 86200534		3 Payment Sender will be billed unless marked otherwise Bill to: RDG		Origin RDG		Waybill Number 72633944246			
FROM (Company) AMERICAN POWERNET				Receiver 3rd Party <input type="checkbox"/>		Account No. (Required)		4 Service Type One box must be checked Assume noon unless noted. 10:30 am Extra charge.			
Street Address 37E 101 867 BERKSHIRE BLVD				Paid in Advance <input type="checkbox"/>		Check No. _____		Amount _____			
City WYOMISSING		State PA		ZIP CODE (Required) 19610		Billing Reference (will appear on invoice)					
Sent by (Name/Dept) LINDA TABLONSKI				Phone (Required) 610-372-8500		5 # of Pkgs 1		6 Weight (LBS) 3		7 Packaging Express Envelope <input checked="" type="checkbox"/> Express Pack <input type="checkbox"/> Other Packaging <input type="checkbox"/>	
TO (Company) PLEASE PRINT NEATLY PPL				Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Not available for all services and locations. <input type="checkbox"/> Lab Pack Service		<input type="checkbox"/> Hold at DHL		8 Service may vary by destination, visit www.dhl-usa.com			
Street Address Two NORTH WINTH ST.				DHL CANNOT DELIVER TO PO BOX		Shipment Valuation Shipment Value Protection <input type="checkbox"/> \$ _____ .00		9 ABSENT A HIGHER SHIPMENT VALUATION, CARRIER'S LIABILITY IS LIMITED TO \$100 PER SHIPMENT, OR ACTUAL VALUE, WHICHEVER IS LESS. SPECIAL OR CONSEQUENTIAL DAMAGES ARE NOT RECOVERABLE. SEE TERMS AND CONDITIONS ON REVERSE SIDE OF THIS NON-NEGOTIABLE WAYBILL.			
City ATTENT TOWN		State PA		ZIP CODE (Required) 18108		Phone (Required) 1179		Payment Details (Credit Card) No. _____ Type _____ Expires _____ Auth. _____			
Attention: (Name/Dept) PAUL RUSSELL				Description		Date 6/14/07		Sender's Signature Linda Date 6/14/07			
DHL Signature				Date		SENDER'S COPY		DHL Express (USA), Inc., 1200 South Pine Island Road, Plantation, FL 33324 1 800 Call-DHL			

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
A-110173

August 6, 2007

LINDA JABLONSKI, OFFICER MANAGER
AMERICAN POWERNET MANAGEMENT LP
867 BERKSHIRE BLVD
SUITE 101
WYOMISSING PA 19610

Dear Ms. Jablonski:

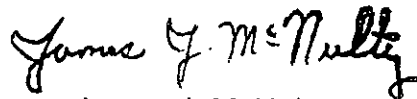
The Application of American PowerNet Management, LP, received in this Office on June 29, 2007, and the required Certificate of Service received in this Office on July 17, 2007, for approval to supply electric generation services as a Broker and Marketer engaged in the business of supplying electricity to the public in the Commonwealth of Pennsylvania is hereby acknowledged.

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.

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 Office.

Sincerely,



James J. McNulty
Secretary

DOCUMENT
FOLDER

JJM:ddt

Enclosure

Cc: Scott Helm, President
Elizabeth Whittle, Esquire

COMMONWEALTH OF PENNSYLVANIA

DATE: August 6, 2007
SUBJECT: A-110173
TO: Bureau of Fixed Utility Services
FROM: James J. McNulty, Secretary *ddt*

DOCUMENT
FOLDER

Application of American PowerNet Management, LP

Attached is a copy of the Application of American PowerNet Management, LP, 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.

Attachments

cc: Law Bureau

ddt