



October 22, 2014

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
PO Box 3265
Harrisburg, PA 17105-3265

Ref: Astral Energy LLC – Electric Supplier License Application
Docket No. A-2014-2439632 Utility Code: 116862
Data Request dated Sep. 29, 2014

Dear Ms. Rosemary:

As per Penn PUC's data request dated Sep. 29, 2014, please see below:

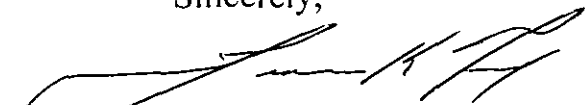
I, Jason K. Fox, President of Astral Energy LLC, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Enclosed please find the following response:

1. Astral Energy's Revised Application Form (Revised Application, Section 1.b)
2. Astral Energy's update financial statement as of June 2014 (Revised Application, Section 7.b)
3. Resumes for Jason K. Fox and Ashton Fox (Revised Application, Section 8.b)
4. Application Affidavit and Operations Affidavit (Revised Application, Section 11.a & 11.b)
5. Notarized proof for Astral Energy's publication on Williamsport Sun-Gazette with phone and fax numbers

If you have any questions, please contact our office.

Sincerely,


Jason K. Fox
President

RECEIVED
2014 OCT 27 AM 10:51
PA P.U.C.
SECRETARY'S BUREAU

Docket No. A-2014-2439632
Astral Energy, LLC
Data Request

1. Reference application, Section 1.b, Pennsylvania Address/Registered Agent – Applicant **has included the name and address of their registered agent, as required for a foreign business entity. However, the contact information is missing a phone number. Please provide an updated application page with the appropriate correction. Please provide an original document by using the submission method listed above.**
See revised application with Registered Agent's phone no.
2. Reference application, Section 7.b, Financial Records, Statements, and Ratings – Applicant has only provided a balance sheet for 2013. However, this is not sufficient to demonstrate financial fitness. Please provide additional financial information of the types listed in the application to demonstrate this company's financial fitness. Please provide any original documents by using the submission method listed above. Applicant can elect to mark submitted information as confidential.
See updated financial statement for June 2014
3. Reference Application, Section 8.b, Officers – Applicant has listed three officers, but they failed to provide professional resumes for them, which are required. Please provide an original document by using the submission method listed above. Applicant can elect to mark submitted information as confidential.
See revised application for Sec. 8.b. and resumes for the 2 officers.
4. Reference Application, Section 11.a & 11.b, Application & Operations Affidavit – Applicant provided both affidavits, but the Notary Seal on each of May 1, 2014 is outdated. Please resubmit the affidavits with a current notary date. Please provide original documents by using the submission method listed above.
See attached Application Affidavit & Operations Affidavit
5. Reference Application, Section 12, Newspaper Publications – Applicant has provided notarized proofs of publication for all required publications. However, the ad for the Williamsport Sun-Gazette omits the phone and fax number. Does the original contain the full ad? If so, please submit a copy of the ad with the lower portion showing the required contact information. If not, please provide another Proof of Publication with the entire ad visible and notarized. Please provide an original document by using the submission method listed above.
See attached proof of publication and copy of full ad from Sun-Gazette

RECEIVED
2014 OCT 27 AM 10:51
PA P.U.C.
SECRETARY'S BUREAU



16 Tyson Place, Bergenfield, NJ 07621
Tel: 888-850-1872 • Fax: 201-387-2882
www.AstralEnergyLLC.com

**Commonwealth of Pennsylvania Public Utility Commission
Electric Supplier License Application**

October 22, 2014

Docket No. A-2014-2439632
Astral Energy LLC
Data Request

1. Section 1.b – Registered Agent

Astral Energy LLC's revised application with phone number for Registered Agent

RECEIVED
2014 OCT 27 AH 10:51
PA P.U.C.
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Astral Energy LLC, d/b/a Astral Energy LLC, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Supplier of Electricity to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

1. IDENTIFICATION AND CONTACT INFORMATION

- a. **IDENTITY OF THE APPLICANT:** Provide name (including any fictitious name or d/b/a), primary address, web address, and telephone number of Applicant:

Astral Energy LLC
16 Tyson Place
Bergenfield, NJ 07621

Tel: 201-384-5552
Fax: 201-387-2882
Website: www.AstralEnergyLLC.com

- b. **PENNSYLVANIA ADDRESS / REGISTERED AGENT:** If the Applicant maintains a primary address outside of Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's secondary office within Pennsylvania. If the Applicant does not maintain a physical location within Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's Registered Agent within Pennsylvania.

Northwest Registered Agent, LLC
1150 First Ave, Ste 511
King of Prussia, PA 19406

Tel: 509-768-2249

- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application should be addressed.

Jason K. Fox, President
Astral Energy LLC
16 Tyson Place
Bergenfield, NJ 07621

Tel: 201-384-5552
Fax: 201-387-2882
Email: JasonFox@AstralEnergyLLC.com

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

Mr. Murray Bevan
Bevan, Mosca, Giuditta & Zarillo, PC)
222 Mount Airy Rd, Suite 200
Basking Ridge, NJ 07920

Tel: 908-753-8300
Fax: 908-753-8301

Email: MBevan@bmgzlaw.com

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, FAX number, and e-mail 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 the Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

Jason K. Fox, President
Ashton Fox, Chief Operating Officer

Astral Energy LLC
16 Tyson Place
Bergenfield, NJ 07621

Tel: 888-850-1872
Fax: 201-387-2882
Email: info@AstralEnergyLLC.com

2. BUSINESS ENTITY FILINGS AND REGISTRATION

a. **FICTITIOUS NAME:** *(Select appropriate statement and provide supporting documentation as listed.)*

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

Provide a copy of the Applicant's filing with Pennsylvania's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

or

The Applicant will not be using a fictitious name.

b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**

(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)

The Applicant is a sole proprietor.

- If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

or

The Applicant is a:

- domestic general partnership (*)
- domestic limited partnership (15 Pa. C.S. §8511)
- foreign general or limited partnership (15 Pa. C.S. §4124)
- domestic limited liability partnership (15 Pa. C.S. §8201)
- foreign limited liability general partnership (15 Pa. C.S. §8211)
- foreign limited liability limited partnership (15 Pa. C.S. §8211)

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- * 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 (15 Pa. C.S. §1308)
- 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 (Describe):

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

See Attachment 2b-1: Commonwealth of Pennsylvania – Department of State – Corporation Bureau – Filing Record

- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.

See Attachment 2b-2: Astral Energy LLC – State of NJ, Div. of Revenue – Public Records Filing for New Business Entity 2/26/2009)

- Give name and address of officers.

Jason K. Fox, President
Astral Energy LLC
16 Tyson Place
Bergenfield, NJ 07621

3. AFFILIATES AND PREDECESSORS

(both in state and out of state)

- a. AFFILIATES:** Give name and address of any affiliate(s) currently doing business and state whether the affiliate(s) are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are currently applying to do business in Pennsylvania.

N/A

- b. PREDECESSORS:** Identify the predecessor(s) of the Applicant and provide the name(s) under which the Applicant has operated within the preceding five (5) years, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

N/A

4. OPERATIONS

a. **APPLICANT'S PRESENT OPERATIONS:** *(select and complete the appropriate statement)*

- The Applicant is presently doing business in Pennsylvania as a
- municipal electric corporation
 - electric cooperative
 - local gas distribution company
 - provider of electric generation, transmission or distribution services
 - Other; Identify the nature of service being rendered.

or

- The Applicant is not presently doing business in Pennsylvania.

b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple)*:

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

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

Astral Energy LLC would like to become an electricity supplier for the electric distribution companies in PA to supply electricity to their customers.

d. **PROPOSED SERVICE AREA:** Provide a list of each Electric Distribution Company for which the Applicant proposes to provide service.

Citizens Electric
Duquesne Light
Metropolitan Edison
PECO Energy
Penelec

Penn Power
Pike County Light & Power
PPL Electric
UGI Utilities
Wellsboro Electric
West Penn Power

e. **CUSTOMERS:** Applicant proposes to provide services to:

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

f. **PROPOSED MARKETING METHOD** (*check all that apply*)

- Internal – Applicant will use its own internal resources/employees for marketing
- External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- Other (Describe):

g. **DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes
- No

If yes, will the Applicant be using a Third Party Verification procedure?

- Yes
- No

If yes, describe the Applicant's Third Party Verification procedures.

- h. **START DATE:** Provide the approximate date the Applicant proposes to begin services within the Commonwealth.

October 1, 2014

5. COMPLIANCE

- a. **CRIMINAL/CIVIL PROCEEDINGS:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

Identify all such proceedings (active or closed), by name, subject and citation; whether before an administrative body or in a judicial forum. If the Applicant has no proceedings to list, explicitly state such.

N/A

- b. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any such proceedings listed above.

N/A

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including *but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General*. If the Applicant has no actions or complaints to list, explicitly state such.

No actions taken against Astral Energy LLC

- d. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above.

N/A

6. PROOF OF SERVICE

(Example Certificate of Service is attached at Appendix C)

See Appendix C – Certificate of Service

- a.) **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

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

Office of the Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

- b.) **EDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Electric Distribution Companies the Applicant proposed to provide service in. 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. Contact information for each EDC is as follows.

Allegheny Power:

Legal Department
West Penn Power d/b/a Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601-1689

PECO:

Manager Energy Acquisition
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699

Duquesne Light:

Regulatory Affairs
Duquesne Light Company
411 Seventh Street, MD 16-4
Pittsburgh, PA 15219

PPL:

Legal Department
Attn: Paul Russell
PPL
Two North Ninth Street
Allentown, PA 18108-1179

Met-Ed, Penelec, and Penn Power:

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

UGI:

UGI Utilities, Inc.
Attn: Rates Dept. – Choice Coordinator
2525 N. 12th Street, Suite 360
Post Office Box 12677
Reading, Pa 19612-2677

Citizens' Electric Company:

Citizens' Electric Company
Attn: EGS Coordination
1775 Industrial Boulevard
Lewisburg, PA 17837

Pike County Light & Power Company:

Director of Customer Energy Services
Orange and Rockland Company
390 West Route 59
Spring Valley, NY 10977-5300

Wellsboro Electric Company:

Wellsboro Electric Company
Attn: EGS Coordination
33 Austin Street
P. O. Box 138
Wellsboro, PA 16901

7. FINANCIAL FITNESS

- a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

Furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.

See Appendix D – Bond (Original copy)

Furnishing the **original** (along with copies) of another initial security for Commission approval, to ensure financial responsibility.

Filing for a modification to the \$250,000 requirement and furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

- *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.*
- *Example version of a bond and letter of credit are attached at Appendix D & E, Applicant's security must follow language from these examples.*
- *Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.*

- b. **FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.

See Attachment 7b – Astral Energy LLC: Financial Statements for June 2014 [CONFIDENTIAL]

- 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, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements exhibiting accounts over a minimum two year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

- c. **ACCOUNTING RECORDS CUSTODIAN:** Provide the name, title, address, telephone number, FAX number, and e-mail address of Applicant's custodian for its accounting records.

Tom Grbelja, Burke Grbelja & Symeonides, LLC Tel: 201-845-7001
201 W. Passaic Street, Suite 301 Fax: 201-845-5054
Rochelle Park, NJ 07662 Email: tgrbelja@bgs-cpa.com

- d. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix F to this application. All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identifications numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.

Items 7A and 7C on the Tax Certification Statement are designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.

See Appendix F: Tax Certification Statement

8. 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.

- a.) **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

- Applicant's previous experience in the electricity industry.

Astral Energy LLC has been serving the NJ market for the last 2 years (Aug. 2012 to current), and the NY market from August 2013 to current.

- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.

See Attachment 8a-1: Astral Energy LLC: NJ Board of Public Utility Electric License

See Attachment 8a-2: Astral Energy LLC: NY Public Service Commission eligibility letter

- Type of customers and number of customers Applicant currently serves in other jurisdictions.

Astral Energy LLC services over 7,000 meters, comprised of commercial and residential accounts.

- Staffing structure and numbers as well as employee training commitments.

Astral Energy LLC has a staff of over 10 people. Our training methodology is comprised of (1) technical proficiency, (2) marketing, (3) customer relations, & (4) regulatory compliance.

- Business plans for operations within the Commonwealth.

Astral Energy LLC intends to enter the Penn State market working in conjunction with one or two utilities initially until we determine the economic viability of the marketplace.

- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.

See Attachment 8a-3: Astral Energy LLC: member of PJM approval documents

See Attachment 8a-4: Astral Energy LLC: member of NYISO approval email message

- Any other information appropriate to ensure the technical capabilities of the Applicant.

- b.) **OFFICERS:** Identify Applicant's chief officers including names and their professional resumes.

Jason K. Fox, President of Astral Energy LLC, performs energy audits for commercial and institutional clients.

Ashton D. Fox, COO of Astral Energy LLC, Field Coordinator of on-site energy audits.

c.) **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 ER14-519-000.
- Not applicable

9. DISCLOSURE STATEMENT:

Disclosure Statements: If proposing to serve Residential and/or Small Commercial (under 25 kW) customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix G to this Application.

- 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.

Not applicable for an applicant applying for a license exclusively as a broker/marketer.

See Appendix G – Sample Disclosure Statement Format for Electric Suppliers & Astral Energy LLC’s sample customer authorization form and Terms & Conditions

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:
- proof of registration as a PJM Load Serving Entity (LSE), or
 - proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

See Attachment 8a-3: Astral Energy LLC: member of PJM approval documents

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

(Select only one of the following)

- AGREED** - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- AGREED** - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED** - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

- b. **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. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43.

AGREED

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

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201--54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- 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.
- 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.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis:
- 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.

AGREED

d. **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.

AGREED

e. **ASSESSMENT:** The Commission does not presently assess Electric Generation Suppliers for the purposes of recovery of regulatory expenses; see *PPL Energyplus, LLC v. Commonwealth*, 800 A.2d 360 (Pa. Cmwlth. 2002).

ACKNOWLEDGED

f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

AGREED

g. 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.

AGREED

h. NOTIFICATION OF CHANGE: If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

AGREED

i. CEASING OF OPERATIONS: Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

AGREED

j. Electronic Data Interchange: The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at appendix J.

AGREED

k. FEE: The Applicant has enclosed or paid the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

PAYMENT ENCLOSED

11. AFFIDAVITS

a.) APPLICATION AFFIDAVIT: Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

See Appendix A – Application Affidavit

b.) OPERATIONS AFFIDAVIT: Provide an officially notarized 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. An example copy of this Affidavit can be found at Appendix B.

See Appendix B – Operations Affidavit

12. NEWSPAPER PUBLICATIONS

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. Below is a list of newspapers which cover the publication requirements for Electric Generation Suppliers looking to do business in Pennsylvania.

The newspapers in which proof of publication is required is dependent on the service territories the applicant is proposing to serve. The chart below dictates which newspapers are necessary for each EDC. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

Please file with the Commission the Certification of Publication, along with a photostatic copy of the notice to complete the notice requirements.

Proof of newspaper publications must be filed with the initial application. Applicants **do not** need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

	<u>Duquesne</u>	<u>Met Ed</u>	<u>PECO</u>	<u>Penelec</u>	<u>Penn Power</u>	<u>PPL</u>	<u>UGI</u>	<u>West Penn</u>	<u>Entire Commonwealth</u>
Philadelphia Daily News		X	X			X			X
Harrisburg Patriot-News		X		X		X		X	X
Scranton Times Tribune		X		X		X	X		X
Williamsport Sun Gazette				X		X		X	X
Johnstown Tribune Democrat				X				X	X
Erie Times-News				X	X				X
Pittsburgh Post-Gazette	X				X			X	X

(Example Publication is provided at Appendix H)

See Appendix H: Astral Energy LLC's newspaper publication and Notarized Proof of Publication from the above 7 newspapers

13. SIGNATURE

Applicant:

By:

Jason K. Fox

Oct 22, 2014

Title:

President of Astral Energy LLC



16 Tyson Place, Bergenfield, NJ 07621
Tel: 888-850-1872 • Fax: 201-387-2882
www.AstralEnergyLLC.com

**Commonwealth of Pennsylvania Public Utility Commission
Electric Supplier License Application**

October 22, 2014

Docket No. A-2014-2439632

Astral Energy LLC

Data Request

2. Section 7.b – Financial Records

Astral Energy LLC: Financial Statements for June 2014 **[CONFIDENTIAL]**

RECEIVED
2014 OCT 27 AM 10:52
PA P.U.C.
SECRETARY'S BUREAU



16 Tyson Place, Bergenfield, NJ 07621
Tel: 888-850-1872 • Fax: 201-387-2882
www.AstralEnergyLLC.com

**Commonwealth of Pennsylvania Public Utility Commission
Electric Supplier License Application**

October 22, 2014

Docket No. A-2014-2439632
Astral Energy LLC
Data Request

3. Section 8.b – officers

Astral Energy LLC's revised application and resumes for the 2 officers:

Resume for Jason K. Fox, President
Resume for Ashton Fox, Chief Operating Officer

RECEIVED
2014 OCT 27 AM 10:52
PA P.U.C.
SECRETARY'S BUREAU

JASON K. FOX, *President*

EXPERIENCE:

Astral Energy LLC – President – 2009 to Present

Company was founded to provide clean energy in the form of natural gas and renewable photovoltaic solar power. As president, I have sought opportunities for my clients to develop and integrate solar energy in their buildings. The company is now becoming an ESCO to market natural gas and electricity.

Astral Construction Corp. – President - 1983 to Present

As President established and operate Astral Construction. Company is engaged in general contracting/construction management, specializing in reconstruction and restoration of existing buildings, both interior and exterior, including historic landmarks.

- Started up company from zero, developing financing and setting up all facets of company.
- Conduct detailed technical seminars and manage several project managers within the region.
- Managed development of advertising, public relations/municipal meetings.
- Worked closely with architects, developers and public agencies to develop budgets and construction cost estimating/value engineering programs.
- Built staff to as many as ten, including engineers and project managers. Sourced marketplace for skilled artisans to provide hard to find craft capabilities.
- Successfully bid and completed projects with such organizations as the Department of Defense, the Housing and Urban Development Authority (HUD), hospitals, boards of education, the Port Authority, Palisades Interstate Park Commission, US Postal Service, and private owners.

Paul A. Fox and Associates, Inc. – Vice President (manufacturer's representative)

V.P. in charge of technical sales specializing in building products for commercial construction.

- Work with architects and engineers to develop specifications for major projects.
- Recruited and trained staff.
- Developed all technical sales literature.
- Attended professional trade shows on both regional and national levels.
- Developed all inside operations and systems. Installed PC's and evaluated software. Hired administrative staff and handled all accounting requirements.
- Over three year period, increased company gross sales from \$1 million per year to over \$2 million. Personally generated over half of that volume.

Tremco, Inc.

Started as an outside sales representative with this building products manufacturer. Product line included curtain wall glazing systems, structural sealants, above and below grade waterproofing. In short time was named District Sales Representative. Activities and accomplishments include:

- Interfaced with architects, specialty sub-contractors, builders and building owners.
- Managed Washington, D.C. and state of Virginia territory.
- Increased client base 25%.

Annual total sales of \$800,000.

EDUCATION:

MBA, Marketing/Finance -
B.S., Marketing/Psychology -

Fairleigh Dickinson University, Teaneck, NJ, 1987
University of Maryland, College Park, MD, 1978

ASHTON FOX, Chief Operating Officer

EXPERIENCE:

Astral Energy LLC – Chief Operating Officer – 2011 to Present

Job Description: Handling date to date operations of company, interfacing with energy traders, suppliers, governmental agencies, and utilities.

Astral Construction Corp. – Project Manager – 2007 to 2011

Job Description / Project List: Exterior Concrete Panel Seal & Panel Replacement
USPS: D.V. Daniels, P&DC/VMF, Newark NJ
Contract Amount: \$1,987,000.00

Exterior Rehabilitation for the James Townley House
Kean University, Union, NJ
Contract Amount: \$334,139.00

Façade Repairs at One Maple Drive, Great Neck, NY
Contract Amount: \$130,000.00

Exterior Restoration for the Natatorium
Bergen Community College, Paramus, NJ
Contract Amount: \$187,000

1775 Broadway, New York, NY
Contract Amount: \$560,000.00

EDUCATION: B.A. – Montclair State University, Montclair, NJ (2011)

COMPUTER LITERACY: Familiar with Internet access, web design, Windows & Microsoft project scheduling

RECEIVED
2014 OCT 27 AM 10:52
PA P.U.C.
SECRETARY'S BUREAU



16 Tyson Place, Bergenfield, NJ 07621
Tel: 888-850-1872 • Fax: 201-387-2882
www.AstralEnergyLLC.com

**Commonwealth of Pennsylvania Public Utility Commission
Electric Supplier License Application**

October 22, 2014

Docket No. A-2014-2439632
Astral Energy LLC
Data Request

4. Section 11. a & b – Application and Operations Affidavit

Appendix A – Application Affidavit
Appendix B – Operation Affidavit

RECEIVED
2014 OCT 27 AM 10:52
PA P.U.C.
SECRETARY'S BUREAU

Appendix A

APPLICATION AFFIDAVIT

State of New Jersey :

ss.

County of Bergen :

Jason K. Fox, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He is the President of Astral Energy LLC;

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

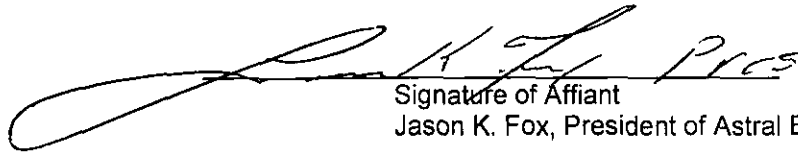
That the Applicant herein Astral Energy LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein Astral Energy LLC has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

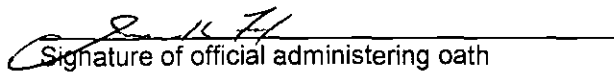
That the Applicant herein Astral Energy LLC acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein Astral Energy LLC acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.


Signature of Affiant
Jason K. Fox, President of Astral Energy LLC

Sworn and subscribed before me this 22 day of oct, 2014.


Signature of official administering oath

JOAN FOX
NOTARY PUBLIC OF NEW JERSEY
My commission expires My Commission Expires May 1, 2015

RECEIVED

OCT 27 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Appendix B

OPERATIONS AFFIDAVIT

RECEIVED
2014 OCT 27 AM 10:52
PA P.U.C.
SECRETARY'S BUREAU

State of New Jersey :

ss.

County of Bergen :

Jason K. Fox, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He is the President of Astral Energy LLC;

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

That Astral Energy LLC, the Applicant herein, acknowledges that [Applicant] may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That Astral Energy LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Astral Energy LLC, the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

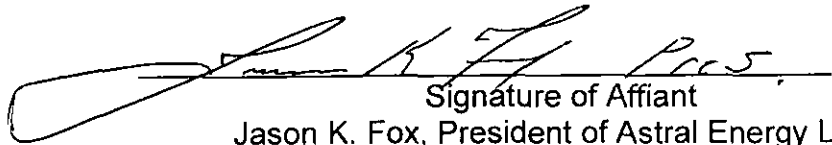
RECEIVED
OCT 27 2014
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Appendix B (Continued)

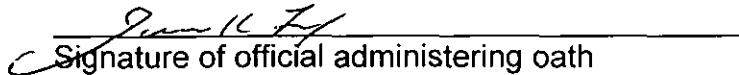
That Astral Energy LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.


Signature of Affiant
Jason K. Fox, President of Astral Energy LLC

Sworn and subscribed before me this 22 day of Oct, 2014.


Signature of official administering oath

JOAN FOX
NOTARY PUBLIC OF NEW JERSEY
My commission expires My Commission Expires May 1, 2015

RECEIVED
OCT 27 2014
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



16 Tyson Place, Bergenfield, NJ 07621
Tel: 888-850-1872 • Fax: 201-387-2882
www.AstralEnergyLLC.com

**Commonwealth of Pennsylvania Public Utility Commission
Electric Supplier License Application**

October 22, 2014

Docket No. A-2014-2439632
Astral Energy LLC
Data Request

5. Section 12 – Newspaper publications

Proof of Publication and copy of full ad for Williams Sun-Gazette

RECEIVED
2014 OCT 27 AM 10:53
PA P.U.C.
SECRETARY'S BUREAU

PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT
SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

SS:

Bernard A. Oravec Publisher of the Sun-Gazette Company, publishers of the Williamsport, Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

July 30, 2014

Affiant further deposes that he is an authorized agent of the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath of publication, and that all the allegations therein are true.

PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE

Applications of Astral Energy LLC (d/b/a "Astral Energy LLC") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Generation Services, To The Public In The Commonwealth Of Pennsylvania.

Bernard A. Oravec

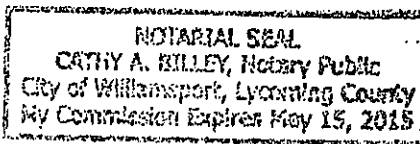
SUN-GAZETTE COMPANY

Sworn to and subscribed before me

the *31st* day of *July*, 2014

Cathy A. Billey

Notary Public



STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:
For publishing the notice attached
hereto on the above state dates.....\$ *776.44*
Probated same.....\$
Total.....\$ *776.44*

RECEIPT FOR ADVERTISING COSTS

I hereby acknowledge receipt of the aforesaid advertising and publication costs

SUN-GAZETTE COMPANY

BY Bernard A. Oravec

RECEIVED

OCT 27 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE

Applications of Astral Energy LLC (d/b/a "Astral Energy LLC") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Generation Services, To The Public In The Commonwealth Of Pennsylvania.

Astral Energy LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. Astral Energy LLC will also be filing an application with the PUC for a license to supply electricity. Astral Energy LLC proposes to sell electricity, natural gas, and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act and the 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 Astral Energy LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Astral Energy LLC's attorney at the address listed below.

By and through Counsel:
Mr. Murray Bevan
Bevan, Mosca, Gluditz & Zarillo, PC
222 Mount Airy Rd,
Suite 200
Basking Ridge, NJ 07920

Applications of Astral Energy LLC (d/b/a "Astral Energy LLC") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Generation Services, To The Public In The Commonwealth Of Pennsylvania.

Astral Energy LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. Astral Energy LLC will also be filing an application with the PUC for a license to supply electricity. Astral Energy LLC proposes to sell electricity, natural gas, and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act and the 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 Astral Energy LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Astral Energy LLC's attorney at the address listed below.

By and through Counsel:
Mr. Murray Bevan
Bevan, Mosca, Gluditz & Zarillo, PC
222 Mount Airy Rd,
Suite 200
Basking Ridge, NJ 07920
Tel: 908-753-8300
Fax: 908-753-8301

THE SUN
and certify

Astral Energy LLC
16 Tyson Place
Bergenfield, NJ 07621

Ms. Rosemary Chiavetta, Secretary
Penn Public Utility Commission
400 North Street
Harrisburg, PA 17120

PA P.U.C.
SECRETARY'S BUREAU

2014 OCT 27 AM 10:51

RECEIVED

