

January 2, 2015

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

RE: Natural Gas Supplier License Application of Achieve Energy Solutions, LLC

To whom it may concern,

Attached are the responses to your data request letter that was dated December 23, 2014 (Please see attached copy of the letter for your reference). These responses are in reference to our *Natural Gas Supplier License Application that we filed on October 28, 2014*. The Docket number is A-2014-2450025. If you have any questions, please feel free to contact me at your earliest convenience.

Respectfully,



Douglas R. Berry
President & CEO
Achieve Energy Solutions, LLC
Phone: 717-571-1151
Email: DBerry@AESLLC.com

RECEIVED
2015 JAN -2 PM 3:48
SECRETARY'S BUREAU

Docket No. A-2014-2450025
Achieve Energy Solutions, LLC
Data Request

1. Reference application, Section 7.a, Financial Fitness - Applicant has provided the NGDC bonding letters from all the gas companies it plans on offering broker/marketer services in, except for a letter from Peoples Gas – Equitable Division. Please provide an original document by using the submission method listed above.
 - a. Please see attached letter from Peoples Gas- Equitable Division.
 - b. I, Douglas R. Berry, 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. section 4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink, appearing to read 'Doug R. Berry'.

2. Reference application Section 7.b, Financial Fitness – Applicant has provided a bank account statement for the month of September. Please provide two additional months of bank statements equaling a total of three consecutive months of bank statements. Please provide an original document by using the submission method listed above. Applicant can elect to mark submitted information as confidential.
 - a. Please see attached bank account statements for the month of September, October, and November 2014; totaling three consecutive months.
 - b. I, Douglas R. Berry, 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. section 4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink, appearing to read 'Doug R. Berry'.

3. Reference application, Section 7.f, Financial Fitness – Applicant has checked the N/A box next to 7.C on the Tax Certification Form. If applicant believes they do not need a Corporate Box Number or a Revenue ID number, it will need documentation from the Department of Revenue stating this. Otherwise, Applicant will need to resubmit a fully completed Tax Certification Form, including either a 7 digit Corporate Box Number or a 10 digit Revenue ID Number. Please provide an original document by using the submission method listed above. Applicant can elect to mark submitted information as confidential.
 - a. Please see attached fully completed Tax Certification Form, including our 7 digit Corporate box Number. We also included the form we received from the state that validates this number.
 - b. I, Douglas R. Berry, 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. section 4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink that reads 'Douglas R. Berry'.

4. Reference application Section 11, Affidavits – As required, applicant has provided the two Affidavits included in the application package. However, the Affidavit provided on page 12 is missing some critical language. In the third paragraph beginning “ That Achieve Energy Solutions, LLC the Applicant herein, certifies to the Commission...”, the second sentence should read “ 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’s Affidavit is missing the Chapter 28 wording and this will need to be added to the Affidavit. These affidavits are intended to be legally binding documents so they must be correct in their entirety. Please provide an original document by using the submission method listed above.
- Please see the attached correct Application Affidavit and Operations Affidavit.
 - I, Douglas R. Berry, 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. section 4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink, appearing to read 'Douglas R. Berry'.

5. Reference application, Section 12, Newspaper Publications – Applicant has provided the required notarized proofs of publications for the newspapers, however the Notary Stamp for the Scranton Times in not legible on the copy sent to the Commission. Please provide any original documents by using the submission method listed above.
- Please see the attached proof of publication for the Scranton Times. This version clearly shows the notary stamp.
 - I, Douglas R. Berry, 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. section 4904 (relating to unsworn falsification to authorities).

A handwritten signature in black ink, appearing to read 'Douglas R. Berry'.



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

IN REPLY PLEASE
REFER TO OUR FILE

December 23, 2014

Docket No. A-2014-2450025
Utility Code: 1217030

DOUGLAS R BERRY PRESIDENT
ACHIEVE ENERGY SOLUTIONS LLC
4550 LENA DR STE 102
MECHANICSBURG PA 17055

RE: Natural Gas Supplier License Application of Achieve Energy Solutions, LLC

Dear Mr. Berry:

On October 28, 2014, Achieve Energy Solutions, LLC's application for a Natural Gas Supplier license was accepted for filing and docketed with the Public Utility Commission. The application was incomplete. In order for us to complete our analysis of your application, the Energy Industry Group requires answers to the attached question(s).

Please forward the information to the Secretary of the Commission at the address listed below **within ten (10) working days** from the date of this letter. Please note that some responses may be e-filed to your case, <http://www.puc.pa.gov/efiling/default.aspx>. A list of document types allowed to be e-filed can be found at <http://www.puc.pa.gov/efiling/DocTypes.aspx>.

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

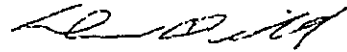
Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, Douglas R. Berry, 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).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

In addition, to expedite completion of the application, please also e-mail the information to Debra Backer at dbacker@pa.gov. Please direct any questions to Debra Backer, Bureau of Technical Utility Services, at dbacker@pa.gov or (717) 783-9787.

Sincerely,



Darren D. Gill, Deputy Director
Bureau of Technical Utility Services

Enclosure

cc: Debra Backer

Docket No. A-2014-2450025
Achieve Energy Solutions, LLC
Data Request

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4. Reference application, Section 11, Affidavits – As required, applicant has provided the two Affidavits included in the application package. However, the Affidavit provided on page 12 is missing some critical language. In the third paragraph beginning “That Achieve Energy Solutions, LLC, the Applicant herein, certifies to the Commission...”, the second sentence should read “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’s Affidavit is missing the Chapter 28 wording and this will need to be added to the Affidavit. These affidavits are intended to be legally binding documents, so they must be correct in their entirety. Please provide an original document by using the submission method listed above.
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PEOPLES NATURAL GAS



PEOPLES TWP

375 N. Shore Drive, Suite 600
Pittsburgh, PA 15212

Lynda W. Petrichevich
Manager, Rates and Regulatory Affairs

Peoples Service Company LLC
Phone: 412-208-6528; Fax: 412-208-6577
Email: lpetrichevich@peoples-gas.com

December 30, 2014

Douglas R. Berry
President & CEO
Achieve Energy Solutions, LLC
4550 Lena Drive, Suite 102
Mechanicsburg, PA 17055

Dear Mr. Berry:

We are pleased that Achieve Energy Solutions, LLC has applied for a license to provide natural gas broker/marketer services on the Peoples Group of Companies. Specifically you have requested to be licensed as a supplier on the distribution systems of Peoples Natural Gas Company LLC, and Peoples Natural Gas LLC – Equitable Division (“the Companies”).

Since Achieve Energy Solutions, LLC is not currently operating, and has no immediate plan to operate a Pool on the Peoples systems, we have determined at this time that Achieve Energy Solutions, LLC does not need a bond or other financial security requirement to provide these services to the Company’s customers.

If the creditworthiness requirement or the Company’s exposure to Achieve Energy Solutions, LLC provision of services on the Peoples’ system changes in the future, the Companies may deem it appropriate to require a bond or other financial instrument.

If you have any questions feel free to contact me at 412-208-6528 or by email at Lynda.W.Petrichevich@peoples-gas.com.

Sincerely,

Lynda W. Petrichevich
Manager, Rates and Regulatory Affairs
Peoples Natural Gas Company LLC

Cc: Steven Kolich
Carol Miller

SAFETY

CUSTOMER
COMMITMENT

TRUST

COMMUNITY

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

Achieve Energy Solutions, LLC

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

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

ENTITY NUMBER: 4112285

Butler, Ronald D
1007 Mumma Road , Suite 101
Lemoyne, PA 17043

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Certificate of Organization
Domestic Limited Liability Company
(15 Pa.C.S. § 8913)

Name Ronald D. Butler, Esquire		
Address 1007 Mumma Road, Suite 101		
City Lemoyne	State PA	Zip Code 17043

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



Commonwealth of Pennsylvania
CERTIFICATE OF ORGANIZATION 3 Page(s)

Fee: \$125



In compliance with the requirements of 15 Pa.C.S. § 8913 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

1. The name of the limited liability company (<i>designator is required, i.e., "company", "limited" or "limited liability company" or abbreviation</i>): Achieve Energy Solutions, LLC				
2. The (a) address of the limited liability company's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:				
(a) Number and Street 4550 Lena Drive, Suite 102	City Mechanicsburg	State PA	Zip 17055	County Cumberland
(b) Name of Commercial Registered Office Provider c/o:				County
3. The name and address, including street and number, if any, of each organizer is (<i>all organizers must sign on page 2</i>):				
Name Ronald D. Butler	Address 1007 Mumma Drive, Suite 101, Lemoyne, PA 17043			

2012 MAY 30 AM 8:40
PA DEPT OF STATE

4. *Strike out if inapplicable term*
~~Management of the company is vested in a manager or managers.~~

5. *Strike out if inapplicable:*
Management of the company is vested in a manager or managers.

6. The specified effective date, if any is: _____
month date year hour, if any

7. *Strike out if inapplicable:* ~~Management of the company is vested in a manager or managers.~~

8. For additional provisions of the certificate, if any, attach an 8 1/2 x 11 sheet.

IN TESTIMONY WHEREOF, the organizer(s) has (have)
signed this Certificate of Organization this
29th day of May, 2012.

Signature

Signature

Signature

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of Pennsylvania :

ss.

County of Cumberland :

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

[He/she is the President & CEO (Office of Affiant) of Achieve Energy Solutions, LLC (Name of Applicant);]

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

That the Applicant herein Achieve Energy Solutions, LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an natural gas supplier pursuant to 66 Pa. C.S. § 2208 (c)(1).

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

That the Applicant herein Achieve Energy Solutions, 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 Achieve Energy Solutions, 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.

Douglas R. Berry
Signature of Affiant

Sworn and subscribed before me this 31 day of December, 2014.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Ashley Rhoads, Notary Public
Lower Allen Twp., Cumberland County
My Commission Expires July 9, 2018
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Ashley Rhoads
Signature of official administering oath

My commission expires July 9, 2018.

Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of Pennsylvania :

: ss.

County of Cumberland :

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

[He/she is the President & CEO (Office of Affiant) of Achieve Energy Solutions, LLC (Name of Applicant);]

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

That Achieve Energy Solutions, 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 Achieve Energy Solutions, LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply 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 Achieve Energy Solutions, 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 22 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 natural gas 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).

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.

Appendix B (Continued)

That Achieve Energy Solutions, LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506 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 Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

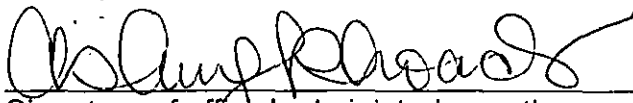
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.



Signature of Affiant

Sworn and subscribed before me this 31 day of December, 2014.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Ashley Rhoads, Notary Public
Lower Allen Twp., Cumberland County
My Commission Expires July 9, 2018
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



Signature of official administering oath

My commission expires July 9, 2018.

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)
Commonwealth of Pennsylvania, County of Lackawanna

SOLAR RENEWABLE ENERGY LLC
LINDA BERRY
SUITE 102 4550 LENA DRIVE
MECHANICSBURG PA 17055

Account # 562901
Order # 81595544
Ad Price: 229.40

LEGAL NOTICE PENNSYLVANIA

Gina Krushinski

Being duly sworn according to law deposes and says that (s)he is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

09/05/2014 09/05/2014

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Gina Krushinski

Sworn and subscribed to before me
this 5th day of September A.D., 2014

Sharon Venturi
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Sharon Venturi, Notary Public
City of Scranton, Lackawanna County
My Commission Expires Feb. 12, 2015
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

LEGAL NOTICE
PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
Application of Achieve Energy Solutions, LLC For Approval To Offer, Render, or Furnish Natural Gas Services as a Market/Broker Engaged In The Business Of Supplying Natural Gas Supply Services To The Public In The Commonwealth Of Pennsylvania.

Achieve Energy Solutions, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/market engaged in the business of providing natural gas services. Achieve Energy Solutions, LLC proposes to sell natural gas and related services in Columbia Gas, Equitable Gas, Northern Fuel Gas, PECO, Peoples Natural Gas, Peoples TWP LLC, Philadelphia Gas Works, UGI, UGI Central Penn, UGI Penn Natural, and Valley Energy, under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Achieve Energy Solutions, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 2266, Harrisburg, PA 17106-3266. You should send copies of any protest to Achieve Energy Solutions, LLC offices at the address listed below.

Achieve Energy Solutions, LLC
4550 Lena Drive, Suite 102
Mechanicsburg, PA 17055
Phone: 1-800-225-3613
Fax: 1-800-671-1584
Email: info@AEELLC.com