

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of OPEN MARKET ENERGY LLC, d/b/a \_\_\_\_\_, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) broker *as specified in item #4b below* 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:  
**Open Market Energy LLC**  
**7625 Wisconsin Ave Suite 250**  
**Bethesda Maryland 20814**  
**www.openmarketenergy.net**  
**240.482.4965**
- 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.  
**Registered Agent Inc. (CROP)**  
**1150 First Ave Suite 511**  
**King of Prussia, PA 19406**  
**610.456.2133**
- 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.  
**John P. Gardiner**  
**President**  
**Open Market Energy LLC**  
**7625 Wisconsin Ave Suite 250**  
**Bethesda Maryland 20814**  
**O: 240.482.4738**  
**F: 240.496.1111**  
**john@openmarketenergy.net**
- 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.  
**Brian Carlin**  
**4419 East West Hwy.**  
**Bethesda, Maryland 20814**  
**O: 301.656.5700**  
**F: 301.951.0555**  
**carlinlaw@verizon.net**
- 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.  
**Hayden Cullen**  
**Director of Marketing**  
**7625 Wisconsin Ave Suite 250**  
**Bethesda Maryland 20814**  
**O: 240.482.4965**  
**F: 240.496.1111**  
**hayden@openmarketenergy.net**

RECEIVED

APR - 2 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

## 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 EXHIBIT 1: Registration with Department of Pennsylvania**

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

**SEE EXHIBIT 2: Corporate Charter in Maryland with original primary address (official primary address has changed since the charter was issued)**

- Give name and address of officers.

**John Gardiner  
Open Market Energy LLC  
7625 Wisconsin Ave Suite 250  
Bethesda, Maryland 20814**

**Amy Gardiner  
5507 Albia Road  
Bethesda, Maryland 20816**

**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.

**Open Market Energy LLC DOES NOT have any affiliates.**

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.

**Open Market Energy LLC DOES NOT have any predecessors.**

#### 4. OPERATIONS

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

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.

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
- broker/marketer engaged in the business of supplying electricity 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
  - Check here to verify that your organization will not be taking title to the electricity, nor will you be making payments for customers.
- Electric Cooperative and supplier of electric power
- Other (Describe):

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

Open Market Energy LLC proposes to offer the following in PA to our clients:

- Energy Procurement from a Multi-supplier Network
- Budget Development
- Tariff Analysis
- Rate Analysis
- Quarterly reporting of usage and utility costs
- Data Management of Historical Usage Data
- Market Education and weekly newsletters
- Sustainable Energy Alternatives for energy procurement

SEE EXHIBIT 3: Business Plan: all services provided in MD/DC and purpose to provide in PA

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

- Citizens' Electric
- X Duquesne Light
- X Met-Ed
- X PECO
- X Penelec
- X Penn Power

- Pike
- X PPL
- UGI Utilities
- Wellsboro
- X West Penn

Entire Commonwealth of PA

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

- Residential Customers
- Small Commercial Customers - (25 kW and Under)
- Residential and Small Commercial as Mixed Meter ONLY (**CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE**)
- ✓ Large Commercial Customers - (Over 25 kW)
- ✓ Industrial Customers
- ✓ Governmental Customers
- All of above
- Other (Describe):

f. **START DATE:** Provide the approximate date the Applicant proposes to actively market within the Commonwealth.

**May 2015 or as soon as approved by PUC**

## 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.

NONE

- 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.

NONE

- 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

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

## 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** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- Furnishing the **original** of another initial security for Commission approval, to ensure financial responsibility.
- ✓ Filing for a modification to the \$250,000 requirement and furnishing the **original** 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.

**OPEN MARKET ENERGY LLC is applying as a broker and will not take title to electricity and will not pay electricity bills on behalf of its customers.**

### SEE APPENDIX D

- *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 EXHIBIT 4: Accounting Statements for past 2 years

- 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. **SUPPLIER FUNDING METHOD:** If Applicant is operating as anything other than Broker/Marketer only, explain how Applicant will fund its operations. Provide all credit agreements, lines of credit, etc., and elaborate on how much is available on each item.

N/A

- d. **BROKER PAYMENT STRUCTURE:** If applicant is a broker/marketer, explain how your organization will be collecting your fees.

**Open Market Energy LLC as a broker is compensated by the Energy Suppliers we represent.**

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

**Mark Railey  
Accountant  
Open Market Energy LLC  
7625 Wisconsin Ave Suite 300  
Bethesda Maryland 20814  
O: 240.482.3581  
F: 240.482.3599  
mark@openmarketenergy.net**

- f. **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.*

## **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:

**SEE EXHIBIT 3: Business Plan includes experience, plan and structure of Open Market Energy LLC**

- Applicant's previous experience in the electricity industry.
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.

**SEE EXHIBIT 5: Licenses for Energy Supply Services in Maryland and Virginia**

- Type of customers and number of customers Applicant currently serves in other jurisdictions.
- Staffing structure and numbers as well as employee training commitments.
- Business plans for operations within the Commonwealth.
- 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.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

b. **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):

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

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

d. **OVERSIGHT OF MARKETING:** Explain all methods Applicant will use to ensure all marketing is performed in an ethical manner, for both employees and subcontractors.

**Open Market Energy LLC endorses the principles of ethical marketing where all material shared is true and complies with regulations and standards established by governmental and professional organizations.**

e. **OFFICERS:** Identify Applicant's chief officers, and include the professional resumes for any officers directly responsible for operations.

**John Gardiner, President**  
**SEE EXHIBIT 3: Business Plan with experience and resume**

f. **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 \_\_\_\_\_.
- 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.*

**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.

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, as well as any future amendments.

✓ **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.
- Net Metering Reports: Applicant shall be responsible to report any Net Metering per the Standards on [http://www.puc.pa.gov/consumer\\_info/electricity/alternative\\_energy.aspx](http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx). Scroll down to the Net Metering Standards Section.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(d).
- 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

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

## 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.

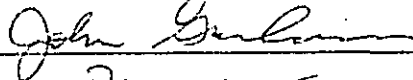
Proof of newspaper publications must be filed with the initial application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

|                     | Erie Times-News | Harrisburg Patriot-News | Philadelphia Daily News | Pittsburg Post-Gazette | Scranton Times-Tribune | Williamsport Sun-Gazette | Johnstown Tribune-Democrat |
|---------------------|-----------------|-------------------------|-------------------------|------------------------|------------------------|--------------------------|----------------------------|
| Citizens' Electric  |                 |                         |                         |                        |                        | X                        |                            |
| Duquesne            |                 |                         |                         | X                      |                        |                          |                            |
| Met Ed              |                 | X                       | X                       |                        | X                      |                          |                            |
| PECO                |                 |                         | X                       |                        |                        |                          |                            |
| Penelec             | X               | X                       |                         |                        | X                      | X                        | X                          |
| Penn Power          | X               |                         |                         | X                      |                        |                          |                            |
| Pike                |                 |                         |                         |                        | X                      |                          |                            |
| PPL                 |                 | X                       | X                       |                        | X                      | X                        |                            |
| UGI                 |                 |                         |                         |                        | X                      |                          |                            |
| Wellsboro           |                 |                         |                         |                        |                        | X                        |                            |
| West Penn           |                 | X                       |                         | X                      |                        | X                        | X                          |
| Entire Commonwealth | X               | X                       | X                       | X                      | X                      | X                        | X                          |

*(Example Publications are provided at Appendices H and I)*

## 13. SIGNATURE

Applicant: OPEN MARKET ENERGY LLC

By 

Title PRESIDENT

**14. CHECKLIST**

For the applicant's convenience, please use the following checklist to ensure all relevant sections are complete. The Commission Secretary's Bureau will not accept an application unless each of the following sections are complete.

**Applicant: Open Market Energy LLC**

|                 |   |  |  |
|-----------------|---|--|--|
| Applicant's Use | X | Signature  |  |
|                 | X | Filing Fee                                       |  |
|                 | X | Application Affidavit                            |  |
|                 | X | Operations Affidavit                             |  |
|                 | X | Proof of Publication                             |  |
|                 | X | Bond or Letter of Credit                         |  |
|                 | X | Tax Certification Statement                      |  |
|                 | X | Commonwealth Department of State<br>Verification |  |
|                 | X | Certificate of Service                           |  |

PUC Secretary's Bureau Use

Appendix A,

APPLICATION AFFIDAVIT

[Commonwealth/State] of Maryland :

: ss.

County of Montgomery :

John Gardiner, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of Open Market Energy LLC (Name of Applicant):]

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

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

That the Applicant herein Open Market 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 Open Market 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.

John Gardiner  
Signature of Affiant

Sworn and subscribed before me this 31<sup>th</sup> day of March, 2015.

[Signature]  
Signature of official administering oath

My commission expires 04/15/2015



Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of Maryland :  
County of Montgomery : ss.

John Gardiner, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:  
[He/she is the President (Office of Affiant) of Open Market Energy LLC (Name of Applicant);]  
[That he/she is authorized to and does make this affidavit for said Applicant;]

That Open Market 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 Open Market 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 Open Market 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.

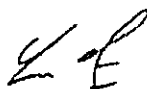
That Open Market Energy LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA, Code Chapter 56

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

Sworn and subscribed before me this 31 day of MAY, 20 15.

  
Signature of official administering oath

My commission expires 04/15/2015.

Appendix C

CERTIFICATE OF SERVICE

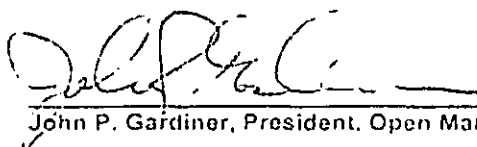
On this the 31<sup>st</sup> day of March 2015, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

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

Office of the Attorney General  
Bureau of Consumer Protection  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120

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



John P. Gardiner, President, Open Market Energy LLC

## Appendix D

Page 1 of 2

### Electric Generation Supplier License Bonds

Bonds submitted in order to satisfy the licensing process must comply with the following:

The bond in the amount of \$250,000 should name the Pennsylvania Public Utility Commission as the obligee or beneficiary, and should contain the following language:

This bond is written in accordance with Section 2809(c)(1)(i) of the Public Utility Code, 66 Pa. C.S. § 2809(c)(1)(i), to assure compliance with applicable provisions of the Public Utility Code, 66 Pa. C.S. §§101, et seq., and the rules and regulations of the Pennsylvania Public Utility Commission by the Principle 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. § 2810; and to ensure the supply of electricity at retail in accordance with contracts, agreements or arrangements. Payment of claims shall have the following priority: (i) The Commonwealth; (ii) Electric Distribution Companies for the reimbursement of Gross Receipts Tax; and (iii) Private individuals. Proceeds of the bond may not be used to pay any penalties or fines levied against the Principal for violations of the law, or for payment of any other tax obligations owed to the Commonwealth.

The original and two copies of the bond must be submitted to the Office of the Secretary, Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. The entry date of the Commission's Order will be the effective date for the license.

**Appendix H**  
**Proof of Publication**

Proof of Publication in The Philadelphia Daily News  
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

Florence Devlin being duly sworn, deposes and says that The Philadelphia Daily News is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

June 18, 2014

Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

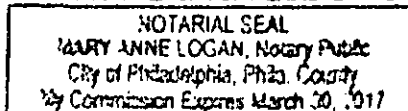


Sworn to and subscribed before me this 18th day of  
June, 2014.

  
Notary Public

My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA



Copy of Notice of Publication

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION NOTICE  
Application of Open Market Energy LLC (d/b/a  
"Open Market Energy") For Approval To Offer,  
Render, Furnish Or Supply Electricity Or Electric  
Generation Services As A Generator And Sup-  
plier Of Electric Power, A Marketer/Broker En-  
gaged In The Business Of Supplying Electricity,  
And An Aggregator Engaged In The Business Of  
Supplying Electricity, To The Public In The Com-  
monwealth Of Pennsylvania.  
Open Market Energy will be filing an applica-  
tion with the Pennsylvania Public Utility Com-  
mission ("PUC") for a license to supply electric-  
ity or electric generation services as (1) a gener-  
ator 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. Open Market  
Energy 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 Open Market Energy may be  
filed within 15 days of the date of this notice  
with the Secretary of the PUC, P.O. Box 3205,  
Harrisburg, PA 17105-3205. You should send  
copies of any protest to Open Market Energy  
attorney at the address listed below.  
By and through Counsel: G. Brian Gartin, Esq.,  
OPPENHEIMER, FLEISCHER & QUIGLEY, P.C.  
4416 East West Highway  
Bethesda, MD 20814  
Tel: (301) 696-3000 Fax: (301) 961-0555

### Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss K. Elgherty, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

18 of June, 2014

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

[Signature]  
PG Publishing Company  
Sworn to and subscribed before me this day of:  
June 18, 2014

[Signature]  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Linda M. Gaertner, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Jan. 31, 2015  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

STATEMENT OF ADVERTISING COSTS  
Open Market Energy LLC  
7625 WISCONSIN AVE STE 300  
Attn: Hayden Collin  
Bethesda MD 20814-6565

To PG Publishing Company

Total ..... \$424.35

#### Publisher's Receipt for Advertising Costs

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office  
31 Boulevard of the Allies  
PITTSBURGH, PA 15222  
Phone 412-263-1338

PG Publishing Company, a Corporation, Publisher of  
Pittsburgh Post-Gazette, a Newspaper of General Circulation  
By [Signature]

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

#### COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
NOTICE  
Application of Open Market Energy LLC (OMB Energy) For Approval To Offer, Render, Furnish or Supply Electricity or Electric Generation Services as a Generator and Supplier of Electric Power. A Market 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  
OMB Energy will be filing an application with the Pennsylvania Public Utility Commission (PUC) for a license to supply electricity, or electric generation services, as its generator and supplier of electric power. (1) a broker market broker engaged in the business of supplying electricity, and of an aggregator engaged in the business of supplying electricity. OMB Energy proposes to sell electricity and related services throughout all of Pennsylvania and a portion of the rest of the United States. OMB Energy has filed an application with the PUC with our 2014 filing. Requests directed to the Director of Administration of the PUC may be filed on the 15 day of the date of the notice with the Secretary of the PUC, P.O. Box 2700, Harrisburg, PA 17105-0270. You should send copies of any comments on the notice to the address listed on the notice.  
By: \_\_\_\_\_  
Director, Market Services  
PUC

The Patriot-News Co.  
2020 Technology Pkwy  
Suite 300  
Mechanicsburg, PA 17050  
Inquiries - 717-255-8213

The Patriot-News  
Now you know

OPEN MARKET ENERGY  
7625 WISCONSIN AVE, #300

BETHESDA MD 20814

THE PATRIOT NEWS  
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929  
Commonwealth of Pennsylvania, County of Dauphin} ss

Marianne Miller, being duly sworn according to law, deposes and says:

That she is a Staff Accountant of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 2020 Technology Pkwy, Suite 300, in the Township of Hampden, County of Cumberland, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 1900 Patriot Drive, in the City, County and State aforesaid, that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/Community Weekly editions which appeared on the date(s) indicated below. That neither she nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

she acknowledges the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of the said Company and subsequently duly recorded in the office for the Recording of Deeds in Miscellaneous Book "M", Volume 14, Page 317.

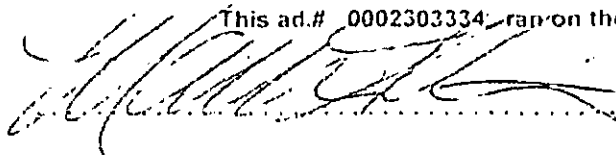
Miscellaneous Notices

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE  
Application of Open Market Energy LLC (d/b/a "Open Market Energy") For Approval To Offer, Render, Furnish Or Supply Electric 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  
Open Market Energy will be filing 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. Open Market Energy proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

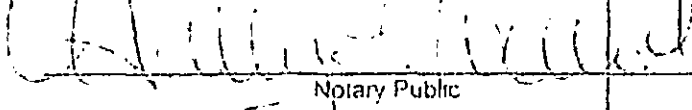
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Open Market Energy must be filed with the Secretary of the PUC, P. O. Box 228, Harrisburg, PA 17165-0228. You should send copies of any protest to Open Market Energy attorney at the address listed below.

By and through Counsel:  
C. Brian Corbin, Esq.  
OPPENHEIMER FLEISCHER &  
QUIGGLE, P.C.  
4419 East West Highway  
Bethesda, MD 20814  
Tel: 301-462-1100  
Fax: 301-462-1101

This ad.# 0002303334 ran on the dates shown below:  
June 12, 2014



Sworn to and subscribed before me this 12 day of June, 2014 A.D



Notary Public



COMMONWEALTH OF PENNSYLVANIA }  
 County of Cambria } SS

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
 NOTICE

Application of Open Market Energy LLC (with "Open Market Energy") 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.

Open Market Energy will be filing 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. Open Market Energy 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 Open Market Energy 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 Open Market Energy attorney at the address listed below.

By and through Counsel: C. Brian Carlin, Esq.  
 OPPENHEIMER, FLEISCHER & QUIGGLE, P.C.  
 4419 East West Highway  
 Bethesda, MD 20814  
 Tel: (301) 950-3800 Fax: (301) 951-0555

published  
 that the in  
 of The Job  
 the subject  
 said public

On this 18th day of June A.D. 2014, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Christine Marhefka, who being duly sworn according to law, deposes and says as Classified Advertising Manager of the Tribune-Democrat, Johnstown, PA, a newspaper of general circulation as defined by the "Newspaper Advertising Act", a merger September 8, 1952, of the Johnstown Tribune, established December 7, 1853; and of the Johnstown Democrat, established March 5, 1863,

of Cambria, and Commonwealth of Pennsylvania and matter published in said publication in the regular issues on June 17, 2014; and that the Affiant is not interested in all of the allegations as to time, place and character of

*Christine Marhefka*

STATEMENT OF ADVERTISING COSTS

Sworn and Subscribed before me this  
 18th day of June, 2014.

*Julian O...*

|                               |               |
|-------------------------------|---------------|
| 0.00 Lines @ \$2.50 per line  | 0.00          |
| 6.5 Inches @ \$25.00 per inch | 162.50        |
| Notary Fee                    | 5.00          |
| Clerical Fee                  | 2.50          |
| <b>Total Cost</b>             | <b>170.00</b> |

COMMONWEALTH OF PENNSYLVANIA  
 Notarial Seal  
 Vivian OHS, Notary Public  
 City of Johnstown, Cambria County  
 My Commission Expires Dec. 6, 2016  
MEMBER PENNSYLVANIA ASSOCIATION OF NOTARIES

To The Tribune-Democrat, Johnstown, PA  
 For publishing the notice or publication  
 attached hereto on the above stated dates.

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

\_\_\_\_\_ for publisher of \_\_\_\_\_  
 a newspaper of general circulation, hereby acknowledges receipt of the aforesaid  
 and publication costs and certifies that the same has been duly paid.

\_\_\_\_\_  
 (Name of Newspaper)

By \_\_\_\_\_

**EXHIBIT 1**  
**REGISTRATION OF FOREIGN LLC**

EXHIBIT 1

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

Open Market Energy LLC

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

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE 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: 4325186

Gardiner, John  
7625 Wisconsin Avenue  
Bethesda, MD 20814

**EXHIBIT 2**  
**MARYLAND CHARTER DOCUMENT**

ARTICLES OF ORGANIZATION OF

OPEN MARKET ENERGY LLC

A Maryland Limited Liability Company

The undersigned, being authorized to execute and file these Articles, hereby certifies that:

FIRST: The name of the limited liability company (hereinafter referred to as the "Company") is "Open Market Energy LLC."

SECOND: The purposes for which the Company is formed are to (i) to serve as a broker for the sale of energy, (ii) to have and exercise all powers now or hereafter conferred by the laws of the State of Maryland on limited liability companies formed pursuant to the Act, and (iii) to do any and all things necessary, convenient or incidental to the achievement of the foregoing.

THIRD: The address of the principal office of the Company in this State is 5507 Albia Road, Bethesda, Maryland 20816.

FOURTH: The name and address of the manager and resident agent of the Company are John P. Gardiner, 5507 Albia Road, Bethesda, Maryland 20816.

FIFTH: The Company shall continue in existence perpetually.

IN WITNESS WHEREOF, I have signed these Articles of Organization and acknowledged them to be my act this 29<sup>TH</sup> day of June, 2007.



John P. Gardiner, Manager

I hereby consent to act as Resident Agent in Maryland for the entity named in this instrument.



John P. Gardiner, Manager

CUST ID: 0001999835  
WORK ORDER: 0001438873  
DATE: 07-19-2007 02:18 PM  
AMT. PAID: \$150.00

# CORPORATE CHARTER APPROVAL SHEET

\*\*EXPEDITED SERVICE\*\*

\*\* KEEP WITH DOCUMENT \*\*

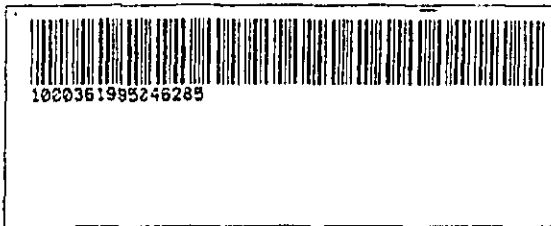
DOCUMENT CODE 40 BUSINESS CODE \_\_\_\_\_

# \_\_\_\_\_  
Close \_\_\_\_\_ Stock \_\_\_\_\_ Nonstock \_\_\_\_\_

P.A. \_\_\_\_\_ Religious \_\_\_\_\_

Merging (Transferor) \_\_\_\_\_

Surviving (Transferee) \_\_\_\_\_



ID # W12031902 ACK # 1000361995246285  
LIBER: 001142 FOLIO: 0388 PAGES: 0002  
OPEN MARKET ENERGY LLC

07/13/2007 AT 11:35 A MO # 0001438873

New Name \_\_\_\_\_

### FEES REMITTED

|                            |       |            |
|----------------------------|-------|------------|
| Base Fee:                  | _____ | <u>100</u> |
| Org. & Cap. Fee:           | _____ |            |
| Expedite Fee:              | _____ | <u>50</u>  |
| Penalty:                   | _____ |            |
| State Recordation Tax:     | _____ |            |
| State Transfer Tax:        | _____ |            |
| Certified Copies:          | _____ |            |
| Copy Fee:                  | _____ |            |
| Certificates:              | _____ |            |
| Certificate of Status Fee: | _____ |            |
| Personal Property Filings: | _____ |            |
| Mail Processing Fee:       | _____ |            |
| Other:                     | _____ |            |
| <b>TOTAL FEES:</b>         | _____ | <u>150</u> |

|       |  |
|-------|--|
| _____ | Change of Name   |
| _____ | Change of Principal Office                                 |
| _____ | Change of Resident Agent                                   |
| _____ | Change of Resident Agent Address                           |
| _____ | Resignation of Resident Agent                              |
| _____ | Designation of Resident Agent and Resident Agent's Address |
| _____ | Change of Business Code                                    |
| _____ | Adoption of Assumed Name                                   |
| _____ | Other Change(s)  |

Credit Card \_\_\_\_\_ Check  Cash \_\_\_\_\_

\_\_\_\_\_ Documents on \_\_\_\_\_ Checks

Approved By: 19

Keyed By: \_\_\_\_\_

COMMENT(S):

Code \_\_\_\_\_

Attention: \_\_\_\_\_

Mail Name and Address

C. BRIAN CARLIN, P.A., ATTORNEY AT LAW  
SUITE 800  
7700 OLD GEORGETOWN RD.  
BETHESDA MD 20814

|                           |
|---------------------------|
| CUST ID: 0201995035       |
| WORK ORDER: 0001438873    |
| DATE: 07-19-2007 02:16 PM |
| AMT. PAID: 5150.00        |

**EXHIBIT 3  
BUSINESS PLAN**

# OPEN MARKET ENERGY LLC

## 2015 BUSINESS PLAN

---

### PAST EXPERIENCE OF CHIEF OFFICER & STAFF

---

John Gardiner, President of Open Market Energy LLC, has a BS in Mechanical Engineering from Massachusetts Maritime Academy and work in the energy transportation industry from 1987 to 1995. In this capacity, John developed thorough knowledge of facility management and hands on experience in the transportation of the natural gas, crude oil, and refine fuels through his work with supporting LNG and Oil tankers. For the next 12 years, John worked in the high tech industry selling enterprise solutions to the Dept of Energy, Homeland Security, other federal Agencies and has help appropriate security clearance to support these accounts. In 2007, Open Market Energy was formed as a result of the deregulation of electricity and the opportunity to return to his mechanical engineering roots by providing independent consulting to property management and building owners. Since 2007, John has provided unbiased energy analysis and procurement recommendations to leverage energy wholesale providers such as Pepco Energy Services, UGI, Direct Energy (Hess), Constellation New Energy and Washington Gas Energy Services.

OME has assembled a team with a unique set of experiences to include mechanical engineering, information management, lobbyists, business development, financial management, commercial real estate and enterprise solutions architecture. Open Market Energy has of decades of expertise in commercial, leasing and property management, financial management and lending, lobbying and law expertise.

---

### CURRENT EXPERIENCE

---

OME has a dozen brokers with an office administrator marketing team and comptroller over the past 7 years with a client base in the Washington D.C. and Maryland while becoming one of WGES's top 5 brokers. OME as of 2014 has two locations, a main office in Bethesda, MD and a satellite office in Baltimore MD. OME has approximately 400 customers under contract for natural gas and electricity.

We execute bi-weekly meetings to discuss and train employees on regulations and market conditions. Since 2013, Open Market Energy has 12 brokers supporting our customers today. Three of these brokers each have over 20 years of experience working for energy suppliers and 10 years as energy brokers.

OME is currently licensed in the State of Maryland and the District of Columbia. OME provides electric and gas account procurement services and account management for a client profile, which is mainly comprised, of commercial businesses, industrial customers and mid-size real estate developers. The clients' energy usage is anywhere from 1 to 50 million kWh per year over multiple accounts, with the majority of our clients carrying an average load profile of 10 million kWhs. We currently manage approximately 2500 electric accounts and 3500 natural gas accounts. Our clients include Panera Bread, Washington Properties, Associated Press, CSPAN and Matan Development. Open Market Energy has developed significant relationships with the major property managers, industrial customers and government agencies in the Washington Metropolitan Area.

---

### SERVICES

---

OME has developed a supplier network consisting of WGL, CNE, GDF Suez, Direct Energy, PPL, UGI and others to ensure the very best competitive pricing and products for our clients. Our energy procurement process is simple and effective. OME engages our customers to understand their business and energy profile allowing the entire process to be transparent our clients. The local utility continues to deliver the energy and in many cases, directly bill the customer.

We have procured energy for a single account within a building, a single building with several accounts, several buildings in a campus environment and multiple locations aggregated under one procurement contract. More is generally better but many factors affect a single building rates such as quantity, load profile, location, the time of day energy is consumed, and consistency of load or rate of consumption.

OME reviews and analyzes the facilities energy consumptions and load profile to determine the optimal procurement strategy. Then we assess your organization's risk tolerance and budget constraints to establish energy saving targets and goals. These targets and goals will determine the procurement options that best meet your long terms budgets by purchasing energy through fixed based contracts, indexed





# OPEN MARKET ENERGY LLC

## 2015 BUSINESS PLAN

based contracts, or a blended approach. If green energy is required, OME will configure the optimal percentages from 10% to 100% green power that meets your sustainable goals.

OME services include existing contract review, billing validation, reviewing load profile and usage, map current expenditures and savings (if any), and the development of a strategic energy procurement plan. We work with customers to understand their business objectives to deliver a strategic plan with the most advantageous terms, predict market changes, risk assessment, and budget for short and long-term sustainability.

### SERVICES PROVIDED:

1. Budget Development
  - a. Past Usage is tracked to better inform the client of potential future costs and the load profile of all accounts.
2. Rate and Tariff Analysis
3. Market Intelligence
4. Quarterly Reporting
  - a. Each quarter every client receives a report that displays the rate OME locked the client in at in comparison to the standard Utility company rates in the area.
5. Data Management
  - a. All clients Historical Usage Data (HUD) is reviewed and observed for spikes and irregularities to assist in energy management
6. Strategic Sourcing
7. Multi-Supplier Network
  - a. To ensure competitive bidding and best pricing for our clients we have a network of suppliers to ensure lowest pricing
8. Sustainable Alternatives
  - a. For Clients interested in green or alternative energy sources we have a network of suppliers and consultants to meet those requests
9. Energy Management Alternatives
  - a. Demand response energy management
  - b. Building monitoring software and third party monitoring to assist larger scale budgeting
10. Benchmarking for DC Clients

OME strives for not only the lowest rate possible for each client but has made recommendations that specific clients return to the Public Utility until market conditions have corrected. At times OME will advise clients to lock for one-month intervals or leverage the index for several months, rather than the typical 1-3 year rate lock, to secure the clients the best rates that the fluctuating market will offer. We will develop a detailed budget outlining monthly costs off prior years loads so our clients know what to allocate during the annual planning process.

---

### MARKETING AND SALES

---

Open Market Energy will leverage over 80 years of Mid-Atlantic business relationships to engage large and medium commercial companies to continue to grow our customer base. We have developed extensive partnerships with commercial real estate and property management companies allowing us to consistently deliver quality services and satisfaction for our customers. Open Market will continue to grow our client base by leveraging an enterprise-marketing plan consisting of web, media and mailing to drive interest and secure new relationships.

At Open Market, we believe in meeting with every customer to understand their business objectives allowing us to be an unbiased advocate in the energy market who always focuses on our customer's best interest. All brokers/sales associates are reviewed and trained on ethical marketing practices. Working with Open Market Energy (OME) provides your organization with the expertise without the direct cost. The suppliers we represent in our network compensate OME. It is analogous to an insurance broker who provides guidance and recommendations regarding which health care provider to use. Their expertise and guidance is built into the cost of specialist/broker. We strive at all times to be honest and serve the needs of our customers



# OPEN MARKET ENERGY LLC

## 2015 BUSINESS PLAN

Open Market Energy issues a weekly e-newsletter, the Open Market Energizer, to inform our clients about the energy market. Customers receive the newsletter weekly and are welcome to unsubscribe at any time.

---

### EXPANDING IN PENNSYLVANIA

---

In the Mid-Atlantic region our clients have savings ranging from 6% to 20% compared to remaining with the utility. The process begins with the electric account numbers. This usually means a building per account number but can mean several account numbers for one building. It expands from there. We have done single accounts within a building, single buildings with several accounts, several buildings in a campus environment and multiple locations aggregated under one procurement contract.

We specialize in providing energy management solutions that measure and map risks associated with our customer's energy expenses by professionally managing how, when and from whom their clients purchase electricity. OME has developed a goal oriented strategic energy plan for their clients that is measured and tracked on a continual basis through detailed reporting.

When organizations purchase electricity from an alternative suppliers they are usually motivated by the savings and cost predictability. Energy is sold at either a guaranteed on a fixed rate for a specific period of time or on a floating basis. Under a fixed contract your energy cost is fixed at an exact rate per kilowatt hour (kWh) and when purchased through Open Market Energy including transmission, capacity line loss and all the other ancillary charges. If the energy market goes up and down your cost remains constant over the term of the agreement. This type of agreement is best for organizations that have heavy peak period usage, budget driven and risk adverse. The other type of agreement is call an index or Locational Marginal Pricing (LMP) contract. It is better for organizations that have heavy non-peak consumption of energy and are less risk adverse. Under an Index on a LMP contract a portion of the price is locked. Purchased through OME, the locked portion includes transmission, capacity, line loss, and all the other ancillary costs associated with supplying electricity. The actual cost of the generated electricity floats with the market. The key to an index on LMP solution is monitoring the market and taking action to move to a fixed rate solution when appropriate.

Our energy management services include energy procurement, energy risk management and utility consulting. Open Market is focused on helping clients capitalize on opportunities and implement a strategic approach to energy risk management.

The goal is to launch a similar strategy in the Commonwealth of Pennsylvania and to hire a sales person in the Commonwealth of PA to representative our future customers.



**EXHIBIT 4**  
**ACCOUNTING STATEMENT FOR PAST 2 YEARS**

03/18/15

# Open Market Energy, LLC Balance Sheet Standard

As of December 31, 2014

|                                       | Dec 31, '14        | Dec 31, '13        |
|---------------------------------------|--------------------|--------------------|
| <b>ASSETS</b>                         |                    |                    |
| <i>Current Assets</i>                 |                    |                    |
| <i>Checking/Savings</i>               |                    |                    |
| Bank of Georgetown                    | 156,182.08         | 58,793.21          |
| <b>Total Checking/Savings</b>         | <b>156,182.08</b>  | <b>58,793.21</b>   |
| <i>Other Current Assets</i>           |                    |                    |
| <i>Loan</i>                           |                    |                    |
| Scott Miller                          | 7,500.00           | 7,500.00           |
| <b>Total Loan</b>                     | <b>7,500.00</b>    | <b>7,500.00</b>    |
| <b>Total Other Current Assets</b>     | <b>7,500.00</b>    | <b>7,500.00</b>    |
| <b>Total Current Assets</b>           | <b>163,682.08</b>  | <b>66,293.21</b>   |
| <i>Other Assets</i>                   |                    |                    |
| Clubhouse 4400 LLC                    | 50,000.00          | 50,000.00          |
| <b>Total Other Assets</b>             | <b>50,000.00</b>   | <b>50,000.00</b>   |
| <b>TOTAL ASSETS</b>                   | <b>213,682.08</b>  | <b>116,293.21</b>  |
| <b>LIABILITIES &amp; EQUITY</b>       |                    |                    |
| <i>Liabilities</i>                    |                    |                    |
| <i>Current Liabilities</i>            |                    |                    |
| <i>Other Current Liabilities</i>      |                    |                    |
| <i>Loans</i>                          |                    |                    |
| WGES Loan                             | 64,907.30          | 0.00               |
| John Gardiner                         | 55,000.00          | 0.00               |
| <b>Total Loans</b>                    | <b>119,907.30</b>  | <b>0.00</b>        |
| <b>Total Other Current Liabili...</b> | <b>119,907.30</b>  | <b>0.00</b>        |
| <b>Total Current Liabilities</b>      | <b>119,907.30</b>  | <b>0.00</b>        |
| <b>Total Liabilities</b>              | <b>119,907.30</b>  | <b>0.00</b>        |
| <i>Equity</i>                         |                    |                    |
| <i>Amy Gardiner Equity</i>            |                    |                    |
| Amy Gardiner Investments              | 14,905.28          | 14,905.28          |
| Amy Gardiner Draws                    | -167,306.28        | -167,306.28        |
| <b>Total Amy Gardiner Equity</b>      | <b>-152,401.00</b> | <b>-152,401.00</b> |

03/18/15

# Open Market Energy, LLC Balance Sheet Standard

As of December 31, 2014

|                                       | <u>Dec 31, '14</u>       | <u>Dec 31, '13</u>       |
|---------------------------------------|--------------------------|--------------------------|
| Opening Bal Equity                    | 12,698.03                | 12,698.03                |
| Retained Earnings                     | 255,996.18               | 183,678.12               |
| Net Income                            | -22,518.43               | 72,318.06                |
| Total Equity                          | <u>93,774.78</u>         | <u>116,293.21</u>        |
| <b>TOTAL LIABILITIES &amp; EQUITY</b> | <b><u>213,682.08</u></b> | <b><u>116,293.21</u></b> |

03/18/15

**Open Market Energy, LLC**  
**Profit and Loss Standard**  
 January through December 2014

|                                 | Jan - Dec '14 | Jan - Dec '13 |
|---------------------------------|---------------|---------------|
| Ordinary Income/Expense         |               |               |
| Income                          |               |               |
| Consulting Income               | 1,000.00      | 0.00          |
| Energy Sales Commissions        |               |               |
| Constellation                   | 25,676.89     | 0.00          |
| Direct Energy(Hess)             | 45,652.16     | 0.00          |
| Gexa(NextEra)                   | 26,645.81     | 0.00          |
| WGES                            | 980,511.44    | 0.00          |
| Energy Sales Commissions - O... | 0.00          | 891,585.44    |
| Total Energy Sales Commissions  | 1,078,486.30  | 891,585.44    |
| Total Income                    | 1,079,486.30  | 891,585.44    |
| Cost of Goods Sold              |               |               |
| Customer Refunds                | 25,010.00     | 1,015.05      |
| Total COGS                      | 25,010.00     | 1,015.05      |
| Gross Profit                    | 1,054,476.30  | 890,570.39    |
| Expense                         |               |               |
| Legal                           | 3,975.00      | 0.00          |
| Advertising                     | 3,611.35      | 3,130.02      |
| Automobile Expense              | 94.10         | 1,019.94      |
| Bank Service Charges            | 105.00        | 131.00        |
| Contributions                   | 0.00          | 2,700.00      |
| Donations                       | 3,300.00      | 500.00        |
| Dues and Subscriptions          | 11,504.65     | 9,794.81      |
| Insurance                       |               |               |
| Medical                         | 0.00          | 1,046.16      |
| Total Insurance                 | 0.00          | 1,046.16      |
| Interest Expense                |               |               |
| Loan Interest                   | 1,868.39      | 0.00          |
| Total Interest Expense          | 1,868.39      | 0.00          |
| Licenses and Permits            | 4,739.82      | 1,697.71      |
| Marketing                       | 2,554.36      | 20,092.95     |
| Miscellaneous                   | 0.00          | 100.00        |
| Office Equipment                | 124.02        | 1,201.94      |
| Office Supplies                 | 8,247.96      | 5,033.53      |
| Outside Services                | 6,373.00      | 0.00          |
| Payroll Expenses                |               |               |
| Employee Salary                 | 183,333.26    | 0.00          |
| SS and Medicare Payroll Taxes   | 11,958.30     | 0.00          |
| MD SUTA Taxes                   | 221.00        | 0.00          |
| FUTA Taxes                      | 42.00         | 0.00          |
| Total Payroll Expenses          | 195,554.56    | 0.00          |

03/18/15

**Open Market Energy, LLC**  
**Profit and Loss Standard**  
 January through December 2014

|                                | Jan - Dec '14     | Jan - Dec '13     |
|--------------------------------|-------------------|-------------------|
| Parking                        | 2,842.72          | 2,947.81          |
| Postage and Delivery           | 1,069.71          | 271.68            |
| Printing and Reproduction      | 264.62            | 590.14            |
| Professional Fees              |                   |                   |
| KwEfficiency                   | 0.00              | 1,931.00          |
| Accounting                     | 5,800.00          | 3,300.00          |
| Consulting                     |                   |                   |
| M Henden                       | 2,500.00          | 0.00              |
| Andrew Henden                  | 2,500.00          | 0.00              |
| C Gardiner                     | 2,020.00          | 0.00              |
| Melissa Croce                  | 5,000.00          | 0.00              |
| M Virostek                     | 16,820.00         | 0.00              |
| S Miller                       | 15,500.00         | 0.00              |
| S Shannon                      | 4,285.00          | 3,997.00          |
| M Cullen                       | 2,808.00          | 19,764.00         |
| T Gammon                       | 0.00              | 988.00            |
| VAR                            | 394,333.00        | 411,350.00        |
| M Railey                       | 13,353.39         | 12,762.00         |
| D Leonard                      | 113,659.49        | 85,876.00         |
| M Burke                        | 150,125.76        | 116,017.00        |
| Consulting - Other             | 1,070.00          | 34,878.46         |
| <b>Total Consulting</b>        | <b>723,974.64</b> | <b>685,632.46</b> |
| <b>Total Professional Fees</b> | <b>729,774.64</b> | <b>690,863.46</b> |
| Rent                           | 17,605.76         | 19,600.00         |
| Repairs                        |                   |                   |
| Computer Repairs               | 0.00              | 200.00            |
| <b>Total Repairs</b>           | <b>0.00</b>       | <b>200.00</b>     |
| Software                       | 413.94            | 500.93            |
| Surety Bond Fee                | 424.90            | 920.00            |
| Taxes                          |                   |                   |
| Property                       | 300.00            | 0.00              |
| <b>Total Taxes</b>             | <b>300.00</b>     | <b>0.00</b>       |
| Telephone                      |                   |                   |
| Internet                       | 0.00              | 1,500.00          |
| Telephone - Other              | 5,958.91          | 597.89            |
| <b>Total Telephone</b>         | <b>5,958.91</b>   | <b>2,097.89</b>   |
| Travel & Ent                   |                   |                   |
| Entertainment                  | 14,004.39         | 7,407.11          |
| Meals                          | 46,428.43         | 32,818.70         |
| Travel                         | 15,854.50         | 13,659.24         |
| Travel & Ent - Other           | 0.00              | 1,295.80          |
| <b>Total Travel &amp; Ent</b>  | <b>76,287.32</b>  | <b>55,180.85</b>  |

03/18/15

Open Market Energy, LLC  
Profit and Loss Standard  
January through December 2014

|                      | Jan - Dec '14 | Jan - Dec '13 |
|----------------------|---------------|---------------|
| Total Expense        | 1,076,994.73  | 819,620.82    |
| Net Ordinary Income  | -22,518.43    | 70,949.57     |
| Other Income/Expense |               |               |
| Other Income         |               |               |
| Interest Income      | 0.00          | 1,368.49      |
| Total Other Income   | 0.00          | 1,368.49      |
| Net Other Income     | 0.00          | 1,368.49      |
| Net Income           | -22,518.43    | 72,318.06     |



**EXHIBIT 5**  
**LICENSES FOR ENERGY SUPPLY SERVICES IN MARYLAND AND D.C.**

DOUGLAS R. M. NAZARIAN  
CHAIRMAN

HAROLD D. WILLIAMS  
SUSANNE BRIGAN  
LAWRENCE BRENNER  
THURSEL M. GOLDSMITH



PUBLIC SERVICE COMMISSION

#34, 7/21/10 AM; ML#s 123562 and 123957  
License Reference No.: IR-1981

July 21, 2010

John Gardiner  
Open Market Energy, LLC  
7625 Wisconsin Ave, Suite 300  
Bethesda, MD 20814

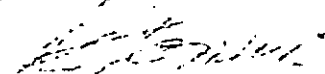
Dear Mr. Gardiner:

On June 8, 2010, Open Market Energy, LLC filed an Application for a license to supply electricity or electric generation services in Maryland under COMAR 29.51. The Company proposes to provide electricity broker services in Maryland for residential, commercial and industrial customers without restrictions on the number and size of end use customers as described in the application.

After considering this matter at the July 21, 2010 Administrative Meeting, the Commission granted Open Market Energy, LLC a license to supply electricity or electric generation services in Maryland in accordance with its Application (License Reference Number IR-1981). The license granted by the Commission under this Letter Order is limited solely to electricity broker services to residential, commercial and industrial customers. Additionally, the Commission directed the Company to pay a civil penalty in the amount of \$100. Payment shall be made to "Maryland Public Service Commission" before August 20, 2010.

Finally, Open Market Energy, LLC is reminded that it is under a continuing obligation to notify the Commission of any substantial changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

  
Terry J. Romine  
Executive Secretary

IJR/gid  
Phil VanderHeyden, Electricity Division

EA - 10 - 19 - 5 *AH*

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
1333 H STREET N.W., 2ND FLOOR, WEST TOWER  
WASHINGTON, D.C. 20005

2011 APR 25 PM 3:43 *AH*

ORDER

April 25, 2011

FORMAL CASE NO. EA 10-19, IN THE MATTER OF THE APPLICATION OF  
OPEN MARKET ENERGY, LLC FOR AN ELECTRICITY LICENSE, Order No.  
16335

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") grants a license to Open Market Energy, LLC ("OME" or "Applicant") to function as an electricity supplier in the District of Columbia.<sup>1</sup> Specifically, OME intends to operate as a broker of electricity for residential, commercial and industrial customers in the District of Columbia, pursuant to Section 34-1505 of the "Retail Electric Competition and Consumer Protection Act of 1999 ("Act")."<sup>2</sup>

2. On October 18, 2010, OME filed its license application.<sup>3</sup> Pursuant to the Commission's licensing requirements as set forth in Order No. 11796,<sup>4</sup> OME has provided the following information:

- a) Proof of technical and managerial competence;
- b) An affidavit of compliance with applicable Federal and District of Columbia environmental laws and regulations dated September 29, 2010;
- c) Proof of financial integrity to include financial statements;
- d) Proof that OME has registered with the Department of Consumer and Regulatory Affairs to do business in the District of Columbia;
- e) An affidavit that OME is subject to all applicable taxes; and

<sup>1</sup> D.C. Official Code § 34-1501(17)(2010 Supp.) defines, in part, an electricity supplier as "a person, including an aggregator, broker, or marketer, who generates electricity; sells electricity; or purchases, brokers, arranges or markets electricity for sale to customers."

<sup>2</sup> D.C. Official Code § 34-1505: *see generally* §§ 34-1501-1520.

<sup>3</sup> *Formal Case No. EA 10-19, In the Matter of the Application of Open Market Energy, LLC for an Electricity License*. Application of Open Market Energy, LLC filed October 18, 2010. Open Market Energy submitted supplemental information regarding this application on December 20, 2010 and March 29, 2011.

<sup>4</sup> *Formal Case No. 945, In the Matter of the Investigation into Electric Service Market Competition and Regulatory Practices*, Order No. 11796 at Attachment C, rel. September 20, 2000.

- f) An affidavit dated September 29, 2010, stating that OME will comply with all the requirements of all orders and regulations of the Commission.
- g) Applicant's website address: [www.openmarketenergy.com](http://www.openmarketenergy.com).

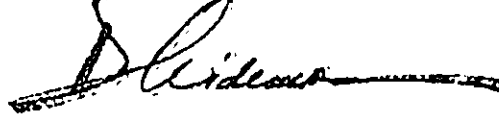
3. After a complete review of the application, the Commission finds that granting the application of Open Market Energy, LLC will serve the public interest. The information contained in its application demonstrates that the Applicant has the ability and the financial integrity to serve electricity customers in the District of Columbia.

**THEREFORE, IT IS ORDERED THAT:**

4. The application of Open Market Energy, LLC for a license to conduct business in the District of Columbia as an electricity supplier is hereby **GRANTED**.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:



CHIEF CLERK:

DOROTHY WIDEMAN  
COMMISSION SECRETARY

Appendix C

CERTIFICATE OF SERVICE

On this the 22<sup>ND</sup> day of APRIL 2015 I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

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

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

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

Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

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

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

Office of the Attorney General  
Bureau of Consumer Protection  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120

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

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

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

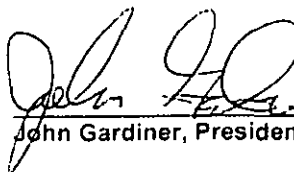
UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12th Street, Suite 360  
Post Office Box 12677  
Reading, Pa 19612-2677

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

RECEIVED

APR 22 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



John Gardiner, President Open Market Energy LLC

148329