



NEW WAVE
Energy Corporation

Ride the Wave
to our Energy Future

August 29, 2015

VIA U.S. MAIL & ELECTRONIC SUBMISSION

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

Re: Application of New Wave Energy Corp. for Approval to Offer, Render, Furnish, or Supply Natural Gas Services

Dear Secretary Chiavetta:

Enclosed for filing please find an original plus one (+1) copy of the tendered Application of New Wave Energy Corp. for the Commission's consideration to Offer, Render, Furnish or Supply Natural Gas services, coupled with all required affidavits and attachments. **Please note that Exhibit 4, Exhibit 6, Exhibit 7 (Financial Fitness) as well as the Tax Certification for this filing contain Confidential Information; have been marked as such; and have been placed in separate envelopes within the adjoined/mailed Application.**

Also enclosed within this communication is the applicable cashier's check for the Applicant filing fee in the amount of **\$350.00** USD.

Copies of the Application have been served in accordance with the attached Certificate of Service. Additionally, this Application has been filed electronically through the Commission's electronic filing system via their website. Please acknowledge receipt of such filing(s).

We would like to take this time to thank the Commission in advance for their consideration of our Application. Thank you, and should you need anything further, or if you have any questions, please feel free to contact me directly.

Sincerely,

Nicholas Jerge

Executive Vice President
New Wave Energy Corporation
Ph. 716-713-9154
Fx. 866-316-9366

nick@nwaveenergy.com

www.nwaveenergy.com

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of **New Wave Energy Corp.** for approval to offer, render, furnish, or supply natural gas supply services as a(n) Supplier of Natural Gas services 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:

NEW WAVE ENERGY CORP.
434 Delaware Ave.
Buffalo, NY 14202
Telephone Number: (716) 887-9700
Fax: 1-(866) 316-9366
www.nwaveenergy.com

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

Registered Agent: InCorp Services, Inc.
7208 Red Top Road
Hummelstown, PA 17036
Telephone Number: 702-866-2500
Fax: 1-702-866-2689

- 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.

Robert Knoer
The Knoer Group
424 Main St #1820
Buffalo, NY 14202
Telephone Number: (716) 332-0032
Fax: 1(866)-316-9366
rknoer@knoergroup.com

Nicholas Jerge
Executive Vice President
NEW WAVE ENERGY CORP.
434 Delaware Ave.
Buffalo, NY 14202
Telephone Number: (716) 713-9154
Fax: 1-(866) 316-9366
nick@nwaveenergy.com

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

Robert Knoer
The Knoer Group
424 Main St #1820
Buffalo, NY 14202
Telephone Number: (716) 332-0032
Fax: 1(866)-316-9366
rknoer@knoergroup.com

*****Applicant is not using an attorney to complete this application*****

- 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 (2 REQUIRED) responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Natural Gas 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 NGSS.

James Schuster
Director of Operations
NEW WAVE ENERGY CORP.
434 Delaware Ave.
Buffalo, NY 14202
Telephone Number: (716) 887-9700 ext. 105
Fax: 1-(866) 316-9366
jschuster@nwaveenergy.com

Chad Griffin
Customer Service
NEW WAVE ENERGY CORP.
434 Delaware Ave.
Buffalo, NY 14202
Telephone Number: (716) 887-9700 ext. 101
Fax: 1-(866) 316-9366
chad@nwaveenergy.com

2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

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

Provide a copy of the Applicant's filing with Pennsylvania's Department of State Pursuant to 54 Pa. C.S. §311.

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

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.

Not Applicable

- 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.

Not Applicable

4. OPERATIONS

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

Definitions

- Supplier – an entity which provides natural gas supply services to retail gas customers utilizing the jurisdictional facilities of an natural gas distribution company
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of natural gas but does not take title to the natural gas.

The Applicant is presently doing business in Pennsylvania as a

- natural gas interstate pipeline
- municipality providing service outside its municipal limits
- local gas distribution company
- retail supplier of natural gas services in the Commonwealth
- a natural gas producer

- a broker/marketer engaged in the business of supplying natural gas services
- Other. (Identify the nature of service being rendered)

or

X The Applicant is not presently doing business in Pennsylvania.

b. APPLICANT'S PROPOSED OPERATIONS: The Applicant proposes to operate as a:

- X** Supplier or Aggregator of natural gas services
- Municipal supplier of natural gas services
- Cooperative supplier of natural gas services
- Broker/Marketer engaged in the business of supplying natural gas services
 - Check here to verify that your organization will not be taking title to the natural gas nor will you be making payments for customers.
- Other (Describe):

c. PROPOSED SERVICES: Describe in detail the natural gas supply services which the Applicant proposes to offer.

Applicant will provide natural gas supply services to residential and commercial customers initially in National Fuel Gas Distribution territory only within Pennsylvania as it already does in New York State. Applicant offers both variable rate, fixed rate, and value added products to both residential and commercial customers.

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

- | | |
|---------------------------------------|---|
| <input type="checkbox"/> Columbia | <input type="checkbox"/> Philadelphia Gas Works |
| X National Fuel Gas | <input type="checkbox"/> UGI Central Penn |
| <input type="checkbox"/> PECO | <input type="checkbox"/> UGI Penn natural |
| X Peoples Gas – Equitable Div. | <input type="checkbox"/> UGI Utilities |
| X Peoples Natural Gas | <input type="checkbox"/> Valley Energy |
| X Peoples TWP | <input type="checkbox"/> All of the above |

e. CUSTOMERS: Applicant proposes to provide services to:

- X** Residential Customers
- X** Small Commercial Customers - (Less than 6,000 Mcf annually)
- X** Residential and Small Commercial as Mixed Meter ONLY (CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)

- Large Commercial Customers - (6,000 Mcf or more annually)
- Industrial Customers
- Governmental Customers
- All of above (Except Mixed Meter)
- Other (Describe):

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

Upon approval by the Commission.

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.

The Applicant, nor any person identified in this Application, has been convicted of a crime involving fraud or similar activity.

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

Not Applicable.

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.

See Exhibit 3 hereto for a listing of formal customer complaints filed against New Wave Energy Corp. in the past five (5) years, including a summary of the status and/or resolution of each. During its operations in New York State, New Wave Energy has had a total of nine (9) customer complaints in six (6) years all of which are related to the Polar Vortices of 2013/2014.

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

See Exhibit 3 hereto for a listing of formal customer complaints filed against New Wave Energy Corp. in the past five (5) years, including a summary of the status and/or resolution of each.

6. PROOF OF SERVICE

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.
(Example Certificate of Service is attached at Appendix C)

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

Bureau of Investigation & Enforcement
 Pennsylvania Public Utility Commission
 Commonwealth Keystone Building
 400 North Street, 2 West
 Harrisburg, PA 17120

b.) **NGDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Natural Gas Distribution Companies the Applicant proposed to provide service in. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14. Contact information for each NGDC is as follows.

<p>Columbia Gas of PA, Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 theckathorn@nisource.com</p>	
<p>Peoples Natural Gas – Equitable Division Lynda Petrichevich 225 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6528 FAX: 412.208.6577 e-mail: Lynda.w.petrichevich@peoples-gas.com</p>	<p>National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 e-mail: wolfordd@natfuel.com</p>
<p>The Peoples Natural Gas Company Lynda Petrichevich 225 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6528</p>	<p>PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103</p>

FAX: 412.208.6577 e-mail: Lynda.w.petricevich@peoples-gas.com	PH: 215.841.6452 Email: carlos.thillet@exeloncorp.com
Peoples TWP LLC (Formerly T. W. Phillips) Lynda Petricevich 225 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6528 FAX: 412.208.6577 e-mail: Lynda.w.petricevich@peoples-gas.com	Philadelphia Gas Works Nicholas LaPergola 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.684.6278 email: nicholas.lapergola@pgworks.com
UGI Central Penn David Lahoff 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: dlahoff@ugi.com	UGI David Lahoff 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: dlahoff@ugi.com
Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: bobc@ctenterprises.org	UGI Penn Natural David Lahoff 2525 N. 12 th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: dlahoff@ugi.com

7. FINANCIAL FITNESS

- a. **BONDING:** In accordance with 66 Pa. C.S. Section 2208(c), no natural gas supplier license shall be issued or remain in force unless the applicant or holder furnishes a bond or other security in a form and amount to ensure the financial responsibility of the natural gas supplier. The criteria used to determine the amount and form of such bond or other security shall be set by each NGDC. Provide documentation that the applicant has met the security requirement of each NGDC by submitting the letters sent by the NGDCs stating what bonding amounts they require.
- 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: **See Exhibit 7.**
- 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.
 - 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.

Not Applicable.

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

Not Applicable.

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.

Bruce Zgoda, CPA
 Chief Accountant
 4848 Smiley Terrace
 Clarence, NY 14031
 Telephone Number: (716) 759-8358
 Fax: (716) 759-6996
 bmz4848@aol.com

f. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix D 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 natural gas distribution companies does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

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

- Applicant's previous experience in the natural gas industry.
- Summary and proof of licenses as a supplier of natural gas services in other states or jurisdictions.
- 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.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

See summary of technical fitness attached hereto as **Exhibit 6**

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

- Internal – Applicant will use its own internal resources/employees for marketing
- External NGS – Applicant will contract with a **PUC LICENSED NGS**
- Affiliate – Applicant will use a **NON-NGS affiliate that is a nontraditional marketer and/or marketing services consultant**
- External Third-Party – Applicant will contract with a **NON-NGS third party nontraditional marketer and/or non-selling marketer**
- 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.

See summary of technical fitness and marketing procedures attached hereto as **Exhibit 6**

- e. **OFFICERS:** Identify Applicant's chief officers, and include the professional resumes for any officers directly responsible for operations. All resumes should include date ranges and job descriptions containing actual work experience.

See summary of technical fitness attached hereto as Exhibit 6

9. DISCLOSURE STATEMENT:

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

DISCLOSURE STATEMENTS: If proposing to serve Residential and/or Small Commercial (less than 6,000 Mcf annually) Customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix E to this Application.

- Natural gas 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.

See summary of **DISCLOSURE STATEMENT** and **SAMPLE CONTRACT** attached hereto as Exhibit 4

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **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 § 62.114.

AGREED

- b. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission:

- Reports of Gross Receipts: Applicant shall file an annual report with the Commission on an annual basis no later than April 30th following the end of the calendar year per 52 Pa. Code § 62.110.

AGREED

- c. **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. § 2208(d). Transferee will be required to file the appropriate licensing application.

AGREED

- d. **ASSESSMENT:** The Public Utility Code authorizes the PUC to assess suppliers, brokers, marketers, and aggregators selling natural gas in the Commonwealth of PA by assessing a \$350 annual fee to maintain a license, and a separate assessment of a percentage of annual gross intrastate revenues, applicable to suppliers only.

ACKNOWLEDGED

- e. **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 § 62.105.

AGREED

- f. **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

- g. **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 thirty (30) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 62.105.

AGREED

- h. **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

- i. **FEE:** The Applicant has enclosed or paid the required filing fee by **CERTIFIED CHECK OR MONEY ORDER** in the amount of \$350.00 payable to the Commonwealth of Pennsylvania. The Commission does not accept corporate or personal checks for filing fees.

PAYMENT ENCLOSED

11. AFFIDAVITS

(All affidavits must be notarized before filing.)

- 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.
- b.) **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the Public Utility Code of Pennsylvania and applicable federal and state laws. An example copy of this Affidavit can be found at Appendix B.

12. NEWSPAPER PUBLICATIONS

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.

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 Natural Gas Suppliers looking to do business in Pennsylvania.

The newspapers in which proof of publication are required is dependent on the service territories the applicant is proposing to serve. The chart below dictates which newspapers are necessary for each NGDC. 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	Pittsburgh Post- Gazette	Scranton Times- Tribune	Williamsport Sun-Gazette	Johnstown Tribune- Democrat
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Columbia Gas	X	X		X		X	X
Equitable Gas	X			X			
National Fuel Gas				X			
PECO			X				
Peoples Natural Gas	X			X			X
Peoples TWP LLC				X			
Philadelphia Gas Works			X				
UGI		X	X		X		
UGI Central Penn	X	X	X	X	X	X	X
UGI Penn Natural		X			X	X	
Valley Energy					X	X	
Entire Commonwealth	X	X	X	X	X	X	X

(Example Publications are provided at Appendices F and G)

13. SIGNATURE

New Wave Energy Corp.
 Applicant: Nicholas Terge
 By: [Signature]
 Title: Executive V.P.

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 is complete.

Applicant: New Wave Energy Corp.

Applicant's Use	Signature	PUC Secretary's Bureau Use
	Filing Fee (ONLY CERTIFIED CHECK OR MONEY ORDER)	
	Application Affidavit	
	Operations Affidavit	

	Proof of Publication	
	Tax Certification Statement	
	Commonwealth Department of State Verification	
	Certificate of Service	

PROOF OF PUBLICATION
In
THE ERIE TIMES-NEWS
COMBINATION EDITION

New Wave Energy Corp
434 Delaware Ave
Buffalo NY 14202

REFERENCE: 86830 156649
PUC Notice

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Debra McGraw, being duly sworn, deposes and says that: (1) he/she is a designated agent of the Times Publishing Company (TPC) to execute Proofs of Publication on behalf of the TPC; (2) the TPC, whose principal place of business is at 205 W. 12th Street, Erie, Pennsylvania, owns and publishes the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, and published at Erie, Erie County Pennsylvania; (3) the subject notice or advertisement, a true and correct copy of which is attached, was published in the regular edition(s) of said newspaper on the date(s) referred to below. Affiant further deposes that he/she is duly authorized by the TPC, owner and publisher of the Erie Times-News, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 08/28/15

TOTAL COST: \$409.00 AD SPACE: 0 Lines

FILED ON: 08/28/15

NOTICE

Application of **NEW WAVE ENERGY CORP.** For Approval To Offer, Render, or Furnish Natural Gas Services as a *Supplier, Aggregator, or Marketer/Broker* Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

New Wave Energy Corp. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as (1) a supplier or aggregator of natural gas, and (2) a broker/marketer-engaged in the business of providing natural gas services. New Wave Energy Corp. proposes to sell natural gas and related services in National Fuel Gas Distribution, and Peoples Natural Gas territories 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 New Wave Energy Corp. 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 New Wave Energy Corp. attorney at the address listed below.

By and through Counsel: Robert Knoer
NEW WAVE ENERGY CORP.
434 Delaware Ave., Buffalo, NY 14202
T: 716-887-9700 F: 1-866-316-9366

2808-156649

Sworn to and subscribed before me this 31st day of August 2015

Affiant: Debra McGraw

NOTARY: Barbara J. Mase

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Barbara J. Mase, Notary Public
Erie County
My Commission Expires March 23, 2016
PENNSYLVANIA ASSOCIATION OF NOTARIES

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

NOTICE
 Application of **NEW WAVE ENERGY CORP.** For Approval to Offer, Render, or Furnish Natural Gas Services as a Supplier, Aggregator, or Marketer/Broker, Engaged in the Business of Supplying Natural Gas Supply Services, To The Public in The Commonwealth of Pennsylvania.

New Wave Energy Corp. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services, as (1) a supplier or aggregator of natural gas, and (2) a broker/marketer engaged in the business of providing natural gas services. New Wave Energy Corp. proposes to sell natural gas and related services in National Fuel Gas Distribution, Peoples Natural Gas, and UGI territory(ies) 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 New Wave Energy Corp. may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3205, Harrisburg, PA 17105-9205. You should send copies of any protest to New Wave Energy Corp. attorney at the address listed below.

By and through Counsel:
 Robert Knoer
NEW WAVE ENERGY CORP.
 434 Delaware Ave.
 Buffalo, NY 14202
 T: 716-887-0700
 F: 1-800-816-9300

published continue that the annexes of The Johnstown in the subject matter of said publicati

Sworn and Subscribed
 2nd day of Sept

[Signature]



in the County of Cambria, and Commonwealth of Pennsylvania and in the above matter published in said publication in the regular issues of The Johnstown, PA, on August 28, 2015; and that the Affiant is not interested in advertising and that all of the allegations as to time, place and character

Christine Marhefka

STATEMENT OF ADVERTISING COSTS

57 Lines @ \$2.50 per line	142.50
0.00 Inches @ \$25.00 per inch	0.00
Notary Fee	5.00
Clerical Fee	2.50
Total Cost	150.00

On this 2nd day of September A. D. 2015, 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.

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 _____

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 H. Java, 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:

25 of August, 2015

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

COPY OF NOTICE OR PUBLICATION

NOTICE
 Application of NEW WAVE ENERGY CORP For Approval To Offer, Render or Furnish Natural Gas Services as a Supplier, Aggregator, or Marketer/Broker Engaged in The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

New Wave Energy Corp. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as (1) a supplier or aggregator of natural gas, and (2) a broker, marketer engaged in the business of providing natural gas services. New Wave Energy Corp. proposes to sell natural gas and related services in National Fuel Gas Distribution Territory under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protest directed to the technical or financial fitness of New Wave Energy Corp. 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 New Wave Energy Corp. attorney at the address listed below.

By and through Counsel:
 Robert Knoer
 NEW WAVE ENERGY CORP
 434 Delaware Ave
 Buffalo, NY 14202
 T. 716-837-9700
 F. 1 866-316-9366

H. Java
 PG Publishing Company
 Sworn to and subscribed before me this day of:
 August 25, 2015

Linda M. Gaertner
 COMMONWEALTH OF PENNSYLVANIA
 NOTARIAL SEAL
 Linda M. Gaertner, Notary Public
 City of Pittsburgh, Allegheny County
 My Commission Expires Jan. 31, 2019
 MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

STATEMENT OF ADVERTISING COSTS
 New Wave Energy Corporation
 434 Delaware Ave
 Attn: Nicholas Jerge
 BUFFALO NY 14202-1534

To PG Publishing Company

Total ----- \$397.50

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
 34 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.

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of _____ New York _____ :

: ss.

County of _____ Erie _____ :

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

[He/she is the Executive Vice President (Office of Affiant) of New Wave Energy Corp.;

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

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

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

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

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

Signature of Affiant

Sworn and subscribed before me this 25th day of August, 2015.

Signature of official administering oath

Rena Weininger
01WE6318747

Notary Public, State of New York
Qualified In Erie County

My commission expires _____ / commission expires FEBRUARY 2nd, 2019



Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of _____ New York _____ :

: ss.

County of _____ Erie _____ :

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

[He/she is the Executive Vice President (Office of Affiant) of New Wave Energy Corp.;

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

That **New Wave Energy Corp.**, 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 **New Wave Energy Corp.**, 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 **New Wave Energy Corp.**, 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 **New Wave Energy Corp.**, 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

Nicholas J. Jerge

Sworn and subscribed before me this 25th day of August, 2015.



Signature of official administering oath

Rara Weininger
01WE6318747

Notary Public, State of New York
Qualified in Erie County

My commission expires _____.

Commission expires FEBRUARY 2nd, 2019

Appendix C

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.

Example CERTIFICATE OF SERVICE

On this the 29 day of August 2015, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as a Natural Gas Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

<p>Office of Consumer Advocate 5th Floor, Forum Place 555 Walnut Street Harrisburg, PA 17120</p>	<p>Office of the Attorney General Bureau of Consumer Protection Strawberry Square, 14th Floor Harrisburg, PA 17120</p>
<p>Office of the Small Business Advocate Commerce Building, Suite 1102 300 North Second Street Harrisburg, PA 17101</p>	<p>Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance Harrisburg, PA 17128-0946</p>
<p>Columbia Gas of PA, Inc. Thomas C. Heckathorn 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.4996 FAX: 614.460.6442 theckathorn@nisource.com</p>	<p>Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2 West Harrisburg, PA 17120</p>
<p>Peoples Natural Gas – Equitable Division Lynda Petrichevich 225 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6528 FAX: 412.208.6577 e-mail: Lynda.w.petrichevich@peoples-gas.com</p>	<p>National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 e-mail: wolfordd@natfuel.com</p>
<p>The Peoples Natural Gas Company Lynda Petrichevich 225 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6528 FAX: 412.208.6577 e-mail: Lynda.w.petrichevich@peoples-gas.com</p>	<p>PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 PH: 215.841.6452 Email: carlos.thillet@exeloncorp.com</p>
<p>Peoples TWP LLC (Formerly T. W. Phillips) Lynda Petrichevich 225 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6528 FAX: 412.208.6577 e-mail: Lynda.w.petrichevich@peoples-gas.com</p>	<p>Philadelphia Gas Works Nicholas LaPergola 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.684.6278 email: nicholas.lapergola@pgworks.com</p>

<p>UGI Central Penn David Lahoff 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: dlahoff@ugj.com</p>	<p>UGI David Lahoff 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: dlahoff@ugj.com</p>
<p>Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: bobc@ctenterprises.org</p>	<p>UGI Penn Natural David Lahoff 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: dlahoff@ugj.com</p>



Nicholas J. Jerge, Executive VP, New Wave Energy Corp.

EXHIBIT 1: New York S-Corp Registration & Other Incorporation Documents

New York State Department of
Taxation and Finance

Tax Registration



1103236412Z700-AP00



NEW WAVE ENERGY CORP
PO BOX 42
BOWMANSVILLE NY 14026-0042



Cut along this line

New York State Department of Taxation and Finance
Certificate of Authority

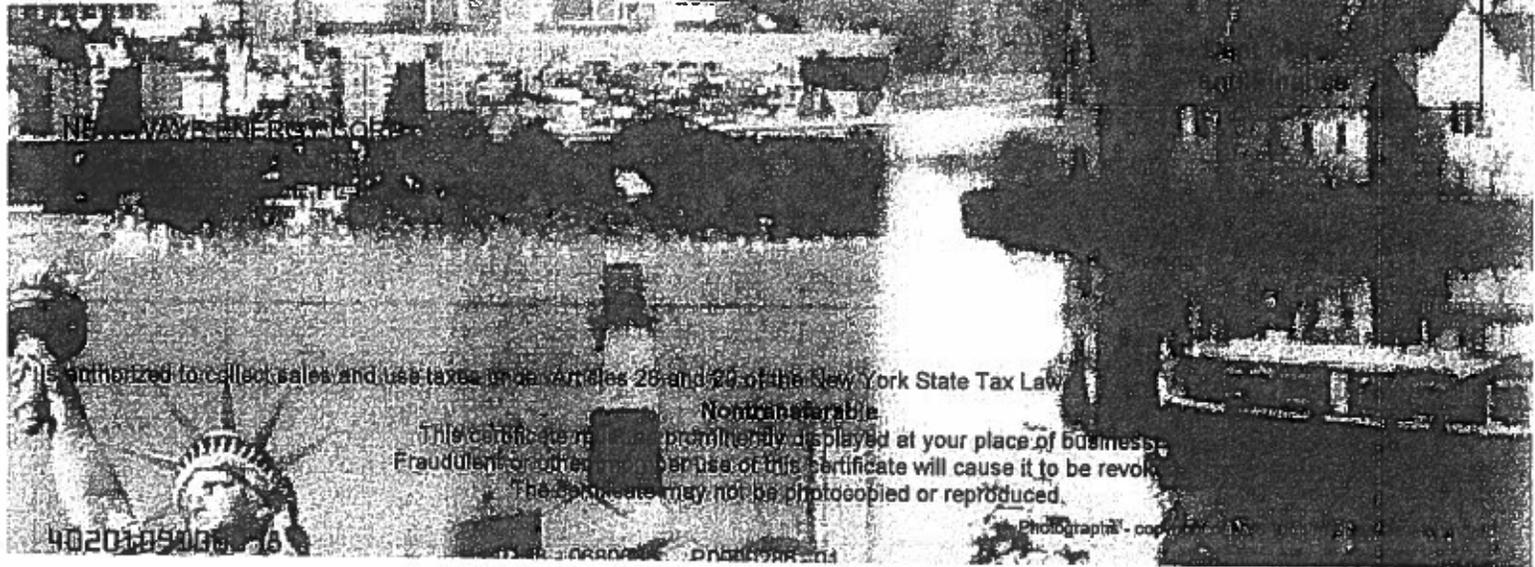
Identification number

61-1607145

(Use this number on all returns and correspondence)



VALIDATED



is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law

Nontransferable

This certificate must be prominently displayed at your place of business.
Fraudulent or other improper use of this certificate will cause it to be revoked.

The certificate may not be photocopied or reproduced.

40201091000-16

Photographia.com



**Department of the Treasury
Internal Revenue Service
PO Box 606
Buffalo, NY 14225**

In reply refer to: 0153642719
Nov 19, 2009 LTR 147C
61-1607145

**NEW WAVE ENERGY CORP
% JOHN M LUDTKA
3250 NE 28TH ST STE 408
FT LAUDERDALE FL 33308**

Taxpayer Identification Number: 61-1607145

Form(s):

Dear Taxpayer:

This letter is in response to your telephone inquiry of November 19th, 2009.

Your Employer Identification Number (EIN) is 61-1607145. Please keep this number in your permanent records. You should enter your name and your EIN, exactly as shown above, on all business federal tax forms that require its use, and on any related correspondence documents.

If you have any questions regarding this letter, please call our Customer Service Department at 1-800-829-0115 between the hours of 7:00 AM and 10:00 PM. If you prefer, you may write to us at the address shown at the top of the first page of this letter. When you write, please include a telephone number where you may be reached and the best time to call.

Sincerely,

**E LEHNER
1605846
Customer Service Representative**

State of Florida

Department of State

I certify from the records of this office that NEW WAVE ENERGY CORP is a corporation organized under the laws of the State of Florida, filed on October 26, 2009.

The document number of this corporation is P09000088200.

I further certify that said corporation has paid all fees due this office through December 31, 2013, that its most recent annual report/uniform business report was filed on April 13, 2013, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this is
the Thirteenth day of April, 2013*



Ken Peterson
Secretary of State

Authentication ID: CC1310558613

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>

100305000195

APPLICATION FOR AUTHORITY
OF

New Wave Energy Corp

(insert corporate name)

Under Section 1304 of the Business Corporation Law

Filed by: John M. Ludtka
(Name)

3250 NE 28th St Suite 408
(Mailing address)

Fort Lauderdale, Florida 33308
(City, State and Zip code)

Note: This form was prepared by the New York State Department of State for filing an application for authority for a business corporation. It does not contain all optional provisions under the law. You are not required to use this form. You may draft your own form or use forms available at legal stationery stores. The Department of State recommends that legal documents be prepared under the guidance of an attorney. Annexed to the application for authority must be a Certificate of Existence from the official who files and maintains incorporation records in the jurisdiction of the corporation's incorporation. (Please note: This official is generally the Secretary of State and many jurisdictions refer to the Certificate of Existence as a Certificate of Good Standing.) The application must be submitted with a \$225 filing fee. Checks should be made payable to the Department of State.

ICC

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED MAR 05 2010

TAXES _____
FR: _____

ERIE

FILED
2010 MAR 5 AM 11:11

211

2/10/2010

**Electronic Articles of Incorporation
For**

P09000088200
FILED
October 26, 2009
Sec. Of State
Ipole

NEW WAVE ENERGY CORP

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

Article I

The name of the corporation is:

NEW WAVE ENERGY CORP

Article II

The principal place of business address:

3250 NE 28TH ST
408
FORT LAUDERDALE, FL. US 33308

The mailing address of the corporation is:

3250 NE 28TH ST
408
FORT LAUDERDALE, FL. US 33308

Article III

The purpose for which this corporation is organized is:

TO PROVIDE LOW COST ENERGY SUPPLY AND CONSULTING SERVICES
TO INDIVIDUAL BUSINESSES AND CORPORATIONS.

Article IV

The number of shares the corporation is authorized to issue is:

100

Article V

The name and Florida street address of the registered agent is:

JOHN M LUDTKA
3250 NE 28TH ST
408
FORT LAUDERDALE, FL. 33308

I certify that I am familiar with and accept the responsibilities of registered agent.

P09000088200
FILED
October 26, 2009
Sec. Of State
Ipole

Registered Agent Signature: JOHN M. LUDTKA

Article VI

The name and address of the incorporator is:

JOHN M. LUDTKA
3250 NE 28TH ST
408
FORT LAUDERDALE, FL 33308

Incorporator Signature: JOHN M. LUDTKA

Article VII

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P
JOHN M LUDTKA
3250 NE 28TH ST
FORT LAUDERDALE, FL. 33308 US

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350
www.dps.ny.gov

PUBLIC SERVICE COMMISSION

AUDREY ZIBELMAN
Chair
PATRICIA L. ACAMPORA
GARRY A. BROWN
GREGG C. SAYRE
DIANE X. BURMAN
Commissioners



KIMBERLY A. HARRIMAN
Acting General Counsel
KATHLEEN H. BURGESS
Secretary

January 23 2014

Nicholas J. Jerge
New Wave Energy Corp.
2805 E Oakland Park Blvd., #351
Fort Lauderdale, FL 33306

RE: New Wave Energy Corp. – January Compliance 2014

Dear Mr. Jerge:

Thank you for your recent submittal pursuant to Section 2.D.1 of the New York State Department of Public Service's Uniform Business Practices (UBP). This letter is to inform you that the documentation submitted has been reviewed by Staff and determined to be in compliance with the UBP.

Be advised that to maintain your ESCO eligibility, you must notify Staff of any contact changes, substantive legal, financial or business related changes to your company as they occur. If your business plan changes and you decide to expand your service offerings, you must immediately submit the appropriate documentation for Staff review and determination of how it affects your current eligibility.

If you are using vendors to provide ESCO related services (e.g., EDI), the ESCO remains fully responsible for any activities the vendors perform. If you have not already done so, or if you have changed vendors since last reporting them to us, please provide Staff a list with contact information for all vendors that you are now using.

Please do not hesitate to contact me with any further questions or concerns at (518) 473-8175 or Robin.Taylor@dps.ny.gov.

Sincerely,

A handwritten signature in cursive script that reads "Robin Taylor".

Robin Taylor
Retail Access Section
Office of Consumer Policy

EXHIBIT 2: Pennsylvania Foreign Corporation Registration

Energy Choice Consulting

199 New Road
Suite 61-187
Linwood, NJ 08221
www.energychoiceconsulting.com
T: 609.365.7072
F: 609.365.2437



April 2, 2012

Department of State
Corporation Bureau
PO Box 8722
Harrisburg, PA 17105-8722

Re: Application and Docketing Statement of *New Wave Energy Corp* for Certificate of Authority to transact business as a foreign for-profit corporation

To Whom It May Concern,

Our firm has been retained by the above captioned Applicant (“NWEC”) to assist them with regulatory matters in various jurisdictions.

Pursuant to 15 Pa. C.S § 4124, *et. seq.*, enclosed please find NWEC’s Application for Certificate of Authority to conduct business as a foreign for-profit corporation and accompanying Docketing Statement.

Enclosed please also find the requisite filing fee of \$250 (two hundred fifty dollars).

Should you have any questions or require any additional documentation, please do not hesitate to contact this office at your convenience.

Respectfully Submitted,

A handwritten signature in cursive script that reads 'Sean P. Morrissey'.

Sean P. Morrissey *o/b/o*
New Wave Energy Corp

Encl: \$250 filing fee
Docketing Statement
Application for Certificate of Authority (15 Pa. C.S.)

One (1) required

BUREAU USE ONLY:	
Dept. of State Entity #	_____
Dept. of Rev. Box #	_____
Filing Period _____	Date 3 4 5 _____
SIC/NAICS _____	Report Code _____

Check proper box:

Pennsylvania Entities

<input type="checkbox"/> business stock
<input type="checkbox"/> business non-stock
<input type="checkbox"/> professional
<input type="checkbox"/> nonprofit stock
<input type="checkbox"/> nonprofit non-stock
<input type="checkbox"/> statutory close
<input type="checkbox"/> management
<input type="checkbox"/> cooperative
<input type="checkbox"/> insurance
<input type="checkbox"/> limited liability company
<input type="checkbox"/> restricted professional
<input type="checkbox"/> limited liability company
<input type="checkbox"/> business trust

Foreign Entities

State/Country Florida, USA Date 10/26/09

<input checked="" type="checkbox"/> business
<input type="checkbox"/> nonprofit
<input type="checkbox"/> limited liability company
<input type="checkbox"/> restricted professional
<input type="checkbox"/> limited liability company
<input type="checkbox"/> business trust

Other

<input type="checkbox"/> domestication
<input type="checkbox"/> division
<input type="checkbox"/> consolidation

1. Entity Name: <u>New Wave Energy Corp</u>
--

2. Individual name and mailing address responsible for initial tax reports:				
<u>Nicholas Jerge</u>	<u>434 Delaware Ave</u>	<u>Buffalo</u>	<u>NY</u>	<u>14202</u>
Name	Number and street	City	State	Zip

3. Description of business activity: <u>Energy Supply Services</u>

4. Specified effective date, if any: <u>May 15, 2012</u> month/day/year hour, if any

5. EIN (Employer Identification Number), if any: <u>61-1607145</u>

6. Fiscal Year End: <u>December 31</u>

7. Fictitious Name (only if foreign corporation is transacting business in PA under a fictitious name): <u>n/a</u>

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Application for Certificate of Authority
(15 Pa.C.S.)

- Foreign Business Corporation (§ 4124)
 Foreign Nonprofit Corporation (§ 6124)

Name	New Wave Energy Corp		
Address	434 Delaware Ave.		
City	State	Zip Code	
Buffalo	NY	14202	

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



Fee: \$250

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned, hereby states that:

1. The name of the corporation is: **New Wave Energy Corp**

2. Complete only when the corporation must adopt a corporate designator for use in Pennsylvania.
The name which the corporation adopts for use in this Commonwealth is:

3. If the name set forth in paragraph 1 or 2 is not available for use in this Commonwealth, complete the following:
The fictitious name which the corporation adopts for use in transacting business in this Commonwealth is:

The corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution of the board of directors under the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) and the attached form DSCB:54-311 (Application for Registration of Fictitious Name).

4. The name of the jurisdiction under the laws of which the corporation is incorporated is: **Florida**

5. The address of its principal office under the laws of the jurisdiction in which it is incorporated is:

2805 E. Oakland Park Blvd #351	Ft. Lauderdale	FL	33306
Number and street	City	State	Zip

6. The (a) address of this corporation's proposed registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street	City	State	Zip	County
7208 Red Top Road	Hummelstown	PA	17036	Dauphin

(b) Name of Commercial Registered Office Provider	County
c/o: InCorp Services, Inc.	Dauphin

7. Check one of the following:

Business Corporation: The corporation is a corporation incorporated for a purpose or purposes involving pecuniary profit, incidental or otherwise.

Nonprofit Corporation: The corporation is a corporation incorporated for a purpose or purposes not involving pecuniary profit, incidental or otherwise.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Application for Certificate of Authority to be signed by a duly authorized officer thereof this

27 day of March,

2012.

New Wave Energy Corp.
Name of Corporation

[Signature]
Signature

Executive Vice President
Title



Registered Agent Service

Thank you for your purchase!

The Agent address for Pennsylvania to use on your documents is:

InCorp Services, Inc.
7208 Red Top Road
Hummelstown, PA 17036

County: Dauphin

Copyright © 1998 - 2012 · InCorp Services, Inc. · All rights reserved.

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

New Wave Energy Corp

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: 4105758

New Wave Energy Corp
434 Delaware Ave
Buffalo, NY 14202

**EXHIBIT 3: Summary of NY Formal Complaints Filed
Against New Wave Energy Corp.**

Date Case Filed	Case #	Department	Complainant	Status
2/28/2014	413821	NYSDPS	Ultra Wash, Inc	Satisfied
4/4/2014	425736	NYSDPS	Bill Grays Regional Iceplex	Satisfied
4/4/2014	416869	NYSDPS	PFM Ventures	Satisfied
6/16/2014	437664	NYSDPS	Jim & Jim Enterprises	Satisfied
8/7/2014	430989	NYSDPS	Goulds Pumps	Satisfied
9/4/2014	434065	NYSDPS	Stephanie Goodwin	Satisfied
9/25/2014	436645	NYSDPS	Aimee Morris	Satisfied
11/3/2014	451040	NYSDPS	Kathleen Carrero	Satisfied
4/29/2015	524894	NYSDPS	Glaubs Collision	Satisfied

Non Resi
Non Resi
Non Resi
Non Resi
Non Resi
Retracted
Non Resi

EXHIBIT 5: Proof of Compliance with NGDC Credit Requirements



National Fuel

August 26, 2015

Nicholas Jerge
Executive Vice President
New Wave Energy Corp.
434 Delaware Avenue
Buffalo, NY 14202

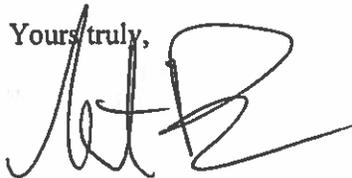
RE: Security Requirement for New Wave Energy Corp.

Dear Nicholas:

Pursuant to 66 Pa. C. S. § 2208 (c), an applicant for a natural gas supplier license in the Commonwealth of Pennsylvania must furnish security to each utility where the supplier will do business to ensure the financial responsibility of such natural gas supplier. To this end, National Fuel Gas Distribution Corporation ("National Fuel") will perform a credit review and analysis of New Wave Energy Corp ("NWE") and determine at the appropriate time whether NWE must post a security deposit acceptable to National Fuel in order to operate as a supplier on National Fuel's system.

NWE's security requirement to serve Pennsylvania customers is dependent on the type of transportation service utilized by NWE. There is no Natural Gas Supplier (NGS) security requirement for customers that will be enrolled in National Fuel's Purchase of Receivable (POR) program. As such, NWE will not be required to post security for customers enrolled in the POR program. A security deposit will be required for transportation customers not enrolled in the POR program.

Should you have any questions concerning the above, please contact me at 716-857-7599.

Yours truly,


Nathan E. Barnes
Transportation Services Department



PEOPLES NATURAL GAS



PEOPLES TWP

225 North Shore Drive
Pittsburgh, PA 15212

Lynda W. Petrichevich
Director, Rates and Requirements Forecasting

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

August 26, 2015

New Wave Energy Corporation
Nicholas Jerge
Executive Vice President
434 Delaware Ave.
Buffalo, NY 14202

Dear Mr. Jerge:

We are pleased that New Wave Energy Corporation 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, Peoples TWP, and Peoples Natural Gas LLC – Equitable Division (“the Companies”).

Since New Wave Energy Corporation is not currently operating, and has no immediate plan to operate a Pool on the Peoples systems, we have determined at this time that New Wave Energy Corporation 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 New Wave Energy Corporation 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
Director – Rates and Requirements Forecasting
Peoples Natural Gas Company LLC

Cc: Steven Kolich
Carol Miller