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DEC 22 2015

A-2015-2497872

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Version Revised 08/05/15

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of H2Power Energy NJ LLC, d/b/a N/A, for approval to offer, render, furnish, or supply natural gas supply services as a(n) [as specified in item #4b below] to the public in the Commonwealth of Pennsylvania (Pennsylvania). supplier of natural gas services

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:

*Please see Exhibit # 1 - 1a*

- 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.

*Please see Exhibit # 1 - 1b*

- 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.

*Please see Exhibit # 1 - 1c*

- 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.

*Not currently using one*

- 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.

*Please see Exhibit # 1 - 1e*

**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. *See Exhibit #2*
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation. *See Exhibit #3*
- Give name and address of officers. *See Exhibit #1 - 2b*

### 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.

*No 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.

*No Predecessors*

#### 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

- The Applicant is not presently doing business in Pennsylvania.

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

- 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. *See Exhibit # 1 - 4C*

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

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

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

- Residential Customers
- Small Commercial Customers - (Less than 6,000 Mcf annually)
- 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. *Immediately upon receipt of PUC approval*

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.

*Applicant has not been involved in any proceedings.*

- 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.

*See Exhibit #1-6c*

- d. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above. *See Exhibit #1-6d*

6. PROOF OF SERVICE

*(Example Certificate of Service is attached at Appendix C)*

*Appendix C Attached*

- 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><b>Columbla Gas of PA, Inc.</b>          Thomas C. Heckathorn          200 Civic Center Drive          Columbus, OH 43215          PH: 614.460.4996          FAX: 614.460.6442  <a href="mailto:theckathorn@nisource.com">theckathorn@nisource.com</a></p>	<p>✓</p>
<p><b>Peoples Natural Gas – Equitable Division</b>          Lynda Petrichevich          225 North Shore Drive          Pittsburgh, PA 15212          PH: 412.208.6528          FAX: 412.208.6577          e-mail: <a href="mailto:Lynda.w.petrichevich@peoples-gas.com">Lynda.w.petrichevich@peoples-gas.com</a></p>	<p><b>National Fuel Gas Distribution Corp.</b>          David D. Wolford          6363 Main Street          Williamsville, NY 14221          PH: 716.857.7483          FAX: 716.857.7479          e-mail: <a href="mailto:wolfordd@natfuel.com">wolfordd@natfuel.com</a></p>
<p><b>The Peoples Natural Gas Company</b>          Lynda Petrichevich          225 North Shore Drive          Pittsburgh, PA 15212          PH: 412.208.6528          FAX: 412.208.6577          e-mail: <a href="mailto:Lynda.w.petrichevich@peoples-gas.com">Lynda.w.petrichevich@peoples-gas.com</a></p>	<p><b>PECO</b>          Carlos Thillet, Manager, Gas Supply and Transportation          2301 Market Street, S9-2          Philadelphia, PA 19103          PH: 215.841.6452          Email: <a href="mailto:carlos.thillet@exeloncorp.com">carlos.thillet@exeloncorp.com</a></p>
<p><b>Peoples TWP LLC (Formerly T. W. Phillips)</b>          Lynda Petrichevich          225 North Shore Drive          Pittsburgh, PA 15212          PH: 412.208.6528          FAX: 412.208.6577          e-mail: <a href="mailto:Lynda.w.petrichevich@peoples-gas.com">Lynda.w.petrichevich@peoples-gas.com</a></p>	<p><b>Philadelphia Gas Works</b>          Nicholas LaPergola          800 West Montgomery Avenue          Philadelphia, PA 19122          PH: 215.684.6278          email: <a href="mailto:nicholas.lapergola@pgworks.com">nicholas.lapergola@pgworks.com</a></p>
<p><b>UGI Central Penn</b>          David Lahoff          2525 N. 12<sup>th</sup> Street, Suite 360          Reading, PA 19612-2677          PH: 610.796.3520          Email: <a href="mailto:dlahoff@ugi.com">dlahoff@ugi.com</a></p>	<p><b>UGI</b>          David Lahoff          2525 N. 12<sup>th</sup> Street, Suite 360          Reading, PA 19612-2677          PH: 610.796.3520          Email: <a href="mailto:dlahoff@ugi.com">dlahoff@ugi.com</a></p>
<p><b>Valley Energy Inc.</b>          Robert Crocker          523 South Keystone Avenue          Sayre, PA 18840-0340          PH: 570.888-9664          FAX: 570.888.6199          email: <a href="mailto:bobc@ctenterprises.org">bobc@ctenterprises.org</a></p>	<p><b>UGI Penn Natural</b>          David Lahoff          2525 N. 12<sup>th</sup> Street, Suite 360          Reading, PA 19612-2677          PH: 610.796.3520          Email: <a href="mailto:dlahoff@ugi.com">dlahoff@ugi.com</a></p>

## 7. FINANCIAL FITNESS

*See Exhibit #17 for all financial info including bond*

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



- 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.

*See Exhibit #1 - 7C*

- f. TAXATION: Complete the TAX CERTIFICATION STATEMENT attached as Appendix D to this application.

*Appendix D Attached*

*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.*

We have contacted NJ for information on your request for a sales tax license #. We were informed that NJ does not issue anything other than the EIN number to set up a company. They said this is specific to Pennsylvania.

## 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:

*See Exhibit #1 - 8a + Exhibit #4 for licenses in NJ*

- 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. *Please see Exhibit #4*
- 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.

- 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 nonselling 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. *TPV*

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 Exhibit #1-8d*

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 Exhibit #7-8e*

## 9. DISCLOSURE STATEMENT:

*Appendix E Attached*

**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.

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

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 30<sup>th</sup> 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 Commission does not presently assess Natural Gas Suppliers for the purposes of recovery of regulatory expenses.

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.

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. - *Attached*
- 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. - *Attached*

## 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 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.

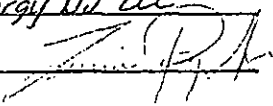
Please file with the Commission the Certification of Publication, along with a Photostatic copy of the notice to complete the notice requirements:

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.

	Erle Times-News	Harrisburg Patriot-News	Philadelphia Daily News	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
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

Applicant:: MPower Energy US LLC  
 By: Lavie Popack   
 Title: CEO

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: MPower Energy NJ LLC

Applicant's Use	✓	Signature	
	✓	Filing Fee	
	✓	Application Affidavit	
	✓	Operations Affidavit	
	✓	Proof of Publication	
	✓	Tax Certification Statement	
	✓	Commonwealth Department of State Verification	
	✓	Certificate of Service	

PUC Secretary's Bureau Use

Appendix A

APPLICATION AFFIDAVIT

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DEC 22 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of New York

ss.

County of Kings

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

[He/she is the CEO of MPower Energy NJ LLC ;]

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

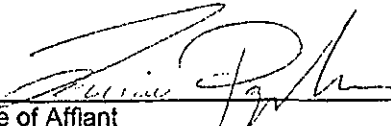
That the Applicant herein MPower Energy NJ LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an natural gas supplier pursuant to 66 Pa. C.S. § 2208 (c)(1).

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

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

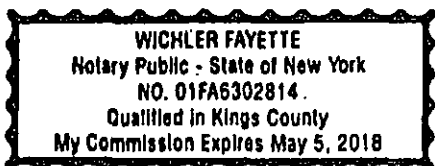
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 11th 08 day of August 11, 2015.

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 05/05/2018



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Appendix B

DEC 22 2015

OPERATIONS AFFIDAVIT

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of New York

ss.

County of Kings

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

[He/she is the CEO of Mpower Energy NJ LLC];

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

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

That Mpower Energy NJ LLC, the Applicant herein, certifies to the Commission that it is subject to, will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28 shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional natural gas sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.



Appendix B (Continued)

That MPower\_Energy\_NJ\_LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506 and the standards and billing practices of 52 PA. Code Chapter 56.

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

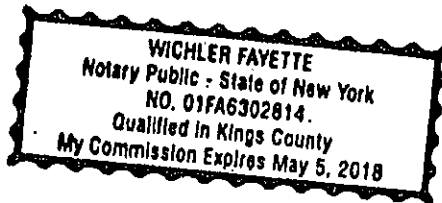
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 11th day of August 11, 2015.

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 05/05/2018.



**MPOWER ENERGY** » **RESIDENTIAL ENROLLMENT FORM**

**YES!** PLEASE ACCEPT THIS LETTER AS MY AUTHORIZATION TO HAVE MPOWER ENERGY NJ, LLC SUPPLY MY ACCOUNT WITH NATURAL GAS AND/OR ELECTRICITY.

NJ Mailing Address:  
37 Main Street  
Sparta, NJ 07871  
P 877-286-7693  
www.MPowerEnergy.com

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SECRETARY'S BUREAU

ACCOUNT HOLDER

I COMPLETED THE THIRD PARTY VERIFICATION PROCESS  YES  NO

ACCOUNT HOLDER'S NAME: \_\_\_\_\_

ACCOUNT HOLDER'S PHONE: \_\_\_\_\_

IF YOU ARE NOT THE ACCOUNT HOLDER

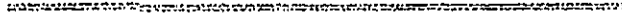
RELATIONSHIP TO NAME ON ACCOUNT: \_\_\_\_\_

SIGNEE NAME: \_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ EFFECTIVE DATE: \_\_\_\_\_



**ACCOUNTS TO BE ENROLLED**

ELECTRIC ACCOUNT (20 DIGIT CUSTOMER NUMBER):

□ □

FIXED  VARIABLE

NATURAL GAS ACCOUNT (20 DIGIT CUSTOMER NUMBER):

□ □

FIXED  VARIABLE

SERVICE ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

Customers may elect a variable rate structure determined monthly based on market pricing, or an all-inclusive fixed rate option for the twelve month period commencing from the date of 1st service by MPower Energy NJ. Fixed rates are limited time offers and subject to eligibility requirements. Savings advertised and presented to customers are estimates based upon historical usage of average customers. Actual savings are based on customer's actual usage and may vary from any estimate provided.

12 MONTH FIXED RATES	
Electricity	99¢
Natural Gas	59¢

MPower Energy NJ, LLC is licensed by the Board of Public Utilities to sell electricity and natural gas in the State of New Jersey under license # ESEL-0143 and GSL-0129.

**CUSTOMER DISCLOSURE STATEMENT:**

Your signature on this form constitutes consent for MPower Energy NJ to obtain account information from the utility and to enroll the above listed account(s) for the MPower Energy NJ services selected above.

**CONTRACT LENGTH AND PRICING:**

Variable pricing - Month to month charged at per unit market rate. Fixed agreement - 12 months charged at per unit price selected above.

**CANCELLATION POLICY:**

Variable - May be cancelled without penalty at anytime. Fixed - No penalty if cancelled within 14 business days of date on enrollment form. After that, an early termination fee of \$12 per month remaining in contract, per meter, applies if cancelled before the end of contract, which is one year from service start date. To cancel, email us at save@mpowerenergy.com or call 1-877-286-7693.

**CONTRACT RENEWAL:**

After initial contract term, unless otherwise agreed to, service renews month to month unless terminated by either party, or unless a new contract is requested.

AGENT SIGNATURE: \_\_\_\_\_

VERIFICATION CONFIRMATION: \_\_\_\_\_

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**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE**

*Applications of MPower Energy NJ LLC For Approval To Offer, Render, or  
Furnish Services as a Supplier, Aggregator, and Marketer/Broker Engaged In The Business  
Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To  
The Public In The Commonwealth Of Pennsylvania.*

MPower Energy NJ LLC 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 of natural gas, and (2) a broker/marketer engaged in the business of providing natural gas services. MPower Energy NJ LLC will also be filing an application with the 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. MPower Energy NJ LLC proposes to sell electricity, natural gas, and related services in PECO and PPL territories under the provisions of the new Natural Gas Choice and Competition Act and the Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of MPower Energy NJ LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to MPower Energy NJ LLC's attorney at the address listed below.

By and through Counsel:

Carmelo Grimaldi, Esq.  
Meltzer, Lippe, Goldstein &  
Breitstone, LLP  
190 Willis Avenue  
Mineola, NY 11501  
Direct Dial (516) 470-0121  
Facsimile (516) 237-2893

**List of Exhibits**

- #1 Written Responses to Application Questions
- #2 Docketing Statement and Certificate of Authority
- #3 Certificate of Formation For NJ
- #4 Certificate of Good Standing in NJ
- #5 NJ,MD, NY Proofs of-Licenses
- #6 Financial Packet (Bond included)
- #7 PA Telemarketing License

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**Exhibit #1**

**1. IDENTIFICATION AND CONTACT INFORMATION**

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**a. IDENTITY OF THE APPLICANT**

Mpower Energy NJ LLC  
24 Hillel Place  
Brooklyn NY 11210  
Local Phone: (718) 233-1167  
Toll Free Phone: (877) 286-7693  
Fax: (718) 307-6472  
[www.mpowerenergy.com](http://www.mpowerenergy.com) \*  
[save@mpowerenergy.com](mailto:save@mpowerenergy.com) (general office inbox)

\*Our website I currently under construction and is regularly updated based on the individual requirements of each territory into which we expand prior to going into service in each respective territory.

**b. PENNSYLVANIA REGISTERED AGENT**

Vcorp Services LLC  
722 Clay Avenue  
Scranton, PA 18510 Lackawanna  
Phone: (845) 425-0077  
Fax: (845) 818 -3588

**c. REGULATORY CONTACT**

Yael Dubrovsky  
Compliance Manager  
24 Hillel Place  
Brooklyn NY 11210  
[yaeld@mpowerenergy.com](mailto:yaeld@mpowerenergy.com)  
Phone: (718) 233-1167 Ext. 206  
Fax: (718) 307-6472 Attention: Yael

**d. ATTORNEY**

Not using one at the moment

**e. CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS**

Our clients' first point of contact for general complaint resolution is our customer service line. The first person to take calls of that nature is Sorania Catillas-Oberon. Her contact information is:

24 Hillel Place  
Brooklyn New York 11210  
Phone: (877) 286-7693 Ext. 208  
Fax: (718) 307-6472 (Attention: Sorania)  
[soraniaco@mpowerenergy.com](mailto:soraniaco@mpowerenergy.com)

Any complaints which require escalation are addressed by the regulatory contact person listed in 1C (Yael Dubrovsky – Compliance Manager). All questions concerning this application or our customer service policies or compliance regulations should be addressed to her. If an alternate point of contact is needed for questions from any regulatory agency, these may be addressed to Peretz Lezell at extension (718) 233-1167 Ext. 214.

## 2. BUSINESS ENTITY FILINGS AND REGISTRATION

### b. BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS

- 1) Lavie Popack – *CEO*
- 2) Joseph Popack – *President*
- 3) Oren Hashai – *CFO*

All officers may be reached at:

24 Hillel Place  
Brooklyn NY 11210

## 4. OPERATIONS

### c. PROPOSED SERVICES

MPower Energy NJ LLC proposes to offer retail electricity supply to residents and businesses in the PA area (Peco, PPL for electric, and Columbia, Philadelphia Gas Works and UGI Utilities for gas) with options for variable-capped, fixed, index and variable rate structure contracts and 6, 12 and 24 month terms.

### d. PROPOSED SERVICE AREA

Although we published for the entire Commonwealth because we were unsure of which territories we would ultimately be moving into at the time of publication we have, in the end, decided only to service PECO, PPL, (electric) Columbia, Philadelphia Gas Works and UGI Utilities (gas). We have not changed our publications and therefore have not sent out the additional proofs of service, but we have updated our application to reflect this decision.

## 5. COMPLIANCE

### c. CUSTOMER/ REGULATORY/ PROSECUTORY ACTIONS:

In New Jersey three complaints have been filed against MPower Energy NJ. In two cases, the customers claimed to have been slammed and we were able to provide sales and TPV recordings to disprove the allegations. In one case, the customer provided his information but changed his mind after completing the TPV. The marketer was aware of this change but failed to inform the enrollment department. He instead submitted the account for enrollment with the complete TPV and the account was therefore approved. All dealings with this marketer were terminated prior to receipt of this complaint due to their failure to abide by our strict code of conduct and sales ethics. Upon receipt of the complaint, MPower Energy NJ promptly dropped the account and credited the customer for any rate differential plus an additional discount of 15%. In New York complaints have been filed with the Public Service Commission of New York, the BBB and the Attorney General. The nature of the complaints varied greatly and included complaints concerning difficulty reaching us due to long wait times on the phone, slamming allegations, requests to be added to our DNC, requests for clarification of charges or confirmation of customer service interactions and complaints about rates. In many cases complaints were filed unnecessarily by customers wishing to avoid phone wait times rather than by customers who first attempted to contact MPower Energy directly to resolve their issues.

**d. SUMMARY**

Mpower Energy LLC is an accredited BBB business with an A+ rating. In all cases, including those filed with the NJ BPU, the BBB and the NY PSC, Mpower Energy was able to resolve the customers' concerns and settle the matter. In all cases related to slamming or billing issues regardless of the results of any consequent investigations, Mpower Energy immediately dropped the accounts in question and credited the customers according to the utility's rates for all periods in service with Mpower (if there was a difference in the customers favor).

**7. FINANCIAL FITNESS**

**e. ACCOUNTING RECORDS CUSTODIAN**

Oren Hashai  
CFO  
24 Hillel Place  
Brooklyn NY 11210  
(718) 233-1167 Ext 218  
(718) 307-6472 Attention: Oren (For sensitive financial information please call or email Oren directly prior to faxing)  
orenh@mpowerenergy.com

**8. TECHNICAL FITNESS**

**a. Previous experience in the industry, types and number of customers.**

Mpower Energy NJ LLC currently operates only in New Jersey. We are also license by the PSC in Maryland but have not begun marketing in the area. We expect to begin operating in Maryland by the beginning of 2016. Mpower Energy LLC operates in New York State exclusively.. The New Jersey electric license number is ESL-0143 and the gas license number is GSL-0129. Please note that licenses have not been provided for NY or MD since these Commissions do not provide physical licenses. Our initial letters of acceptance have been included in this packet. In New York State Mpower Energy LLC currently provides gas services to 23,465 residential customers and 282 commercial customers. Mpower Energy NJ LLC provides gas service to 800 residential customers and electric service to 1200 residential customers. Mpower Energy LLC provides electric service to 35,864 commercial customers and 2,610 residential customers.

**Business plans for operation within the Commonwealth**

Pending the approval of our application Mpower Energy NJ intends to begin marketing in PPL, PECO, Columbia, Philadelphia Gas Works and UGI territories. The service offered will be competitively priced retail electricity and natural gas supply for residential and small and large commercial customers.. We will be offering 12 month capped-variable rates with options for 12 month fixed rate structure contracts, variable month-to-month rate plans. At some point in the future we may introduce Index (Fixed Adder) and Guaranteed Savings contracts. The only rate we will initially be working with is our capped-variable as reflected in the disclosure statement we have been working with the PUC to amend. If we choose to update our rate offerings in the future we will update the Commission prior to doing so. Also, at Mpower Energy's discretion and on a case by case basis, shorter or longer term contracts (no longer than 36 months) may be negotiated with commercial clients.

In other states Mpower Energy NJ representatives market both by door-to-door and telemarketing. Additionally, our customers are able to explore their options and enroll through our website (our website is currently under construction and will be submitted for review by the Commission upon completion) though we do not currently actively advertise online. In Pennsylvania, our agents will begin with door-to-door sales. We will inform the Commission of plans to begin telemarketing but we have attached our PA telemarketing license in Exhibit #7.

**d. Oversight of Marketing**

Mpower Energy is constantly striving to improve its operations. The process is ongoing based upon customer feedback, regulatory agency feedback, regulation changes and technology updates. Mpower Energy has dedicated careful attention to company branding in recent years in an effort to curb customer misunderstanding and agent misrepresentation. Mpower agents go into the field wearing company uniforms bearing the company name and logo prominently. The uniforms include hats, shirts, and jackets. They must be wearing their picture ID's at all times while marketing in the field. They carry company branded pens and binders and all of our documents are clearly branded as well. This leaves no room for customers to confuse Mpower Energy with the utilities. Additionally, our agents give customers a bill of rights which clearly states that they are not affiliated with the utility and under no obligation to purchase services. We have in recent years brought a significant amount of our operations in-house in order to have greater control and oversight over our agents' activity and implemented a quality assurance department responsible solely for monitoring all calls. We have improved our record retention systems, terminated agreements with numerous contractors who were not complying with our regulations. Recently we have begun rebuilding our website under the guidance of our legal team.

Mpower Energy has allocated significant resources toward the meticulous retention of all recordings of all customer interactions. Additionally Mpower Energy employs Quality Assurance specialists whose sole job it is to spot check as many sales calls as possible. No sale is accepted without a TPV recording and our TPV process is administered by live agents carefully trained to identify any misunderstanding on the customer's part, misinformation by the sales agent or misrepresentation by a minor or person other than the account holder. If at any point the TPV agent identifies any questionable patterns or activity, the agent is instructed to terminate the call and alert Mpower Energy as a pre-emptive measure against an illegitimate enrollment. Mpower Energy also conducts double verification on any accounts flagged by the TPV agents, in the case that the enrollment was requested by anyone other than the account holder or spouse or in cases where any discrepancy in the information provided might suggest a problem with the enrollment. Mpower Agents are rigorously trained according to a strict Code of Conduct and their transactions are closely overseen by supervisors in the call centers or in the field. For our customer's protection our agents are not permitted to collect any personal or financial information other than the account holder's name, contact information and LDC account number. Mpower Energy NJ LLC records all of its sales calls and spot checks the calls.

Simple complaints are handled at the customer service level. Complaints having to do with slamming, agent misconduct of any kind, DNC violations or unauthorized guarantees made by the agents (or any complaint for which the customer has requested escalated assistance) are escalated to the compliance department. At that point we first reach out to the customer to discuss the issue and ensure that we have a clear understanding of what took place and what is required to resolve the situation. Unless the customer requests otherwise, any account under investigation for compliance violations of any kind is automatically returned to the utility so as not to allow the customer to incur any further charges from Mpower Energy. Additionally, customers contesting charges or enrollment are offered a retroactive adjustment of charges. If Mpower charged more than the utility at any point during the customer's time in service by Mpower Energy, Mpower will refund the difference. Termination fees are refunded or waived. Once the charges have been stopped or adjusted, Mpower will pull all available records of interactions with the customer including sales calls, attempted sales calls, paper contracts, customer database notes made by CSRs who assisted them in the past, TPV recordings and knock/call logs. Since steps have already been taken to reduce or eliminate impact of on the customer, at this point the findings of our investigation are mainly used for internal quality control purposes. If the findings reveal any gap in our compliance policies all departments are called upon to take appropriate measures to prevent the issue from recurring. If it is confirmed that an agent willingly and knowingly violated the code of conduct in any way, the agent is terminated. If no proof can be found that the allegations are true the agent's record is noted for future reference. Three complaints of the same or similar nature will be considered proof of misconduct and the agent will be terminated at the time that the third complaint is lodged against him/ her. If the agent represents a contractor with whom we do business their supervisors are made aware of the violation and asked to take steps on their part to curb any possibility of recurrence. Vendors/contractors who employ repeat offenders and who cannot provide satisfactory proof that measures were taken to address the compliance gap are also terminated. Additionally, Mpower Energy has a claw-back policy for all commissions paid to contractors which ensures that there are financial repercussions for violations as well.

Once an investigation has been completed and all appropriate disciplinary measures and operational changes implemented, Mpower Energy provides a written report of the findings and the course of action



taken in response to the regulatory agency that originally submitted the complaint. Where appropriate, the customer is also given an update.

**f. FERC FILING**

*Note:* This is technically not applicable since we are not wholesalers and are not required to have a Power Marketer License. We are however in the process of obtaining our license. We will update the PUC once it has been approved by FERC.

## **12. NEWSPAPER PUBLICATIONS**

*Note:* The PUC is already in possession of both the originals and a set of copies (since we are filing for both electric and gas licenses). We published a notice based on Appendix I for both EGS and NGS in all 7 publications. As noted above, no additional Proofs of Service have been sent out since we have now limited our planned service territory to the utilities that have already received our Proofs of Service.

Exhibit #2

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU

Application for Registration - Foreign  
(15 Pa.C.S.)

- Registered Limited Liability General Partnership (§ 8211)
- Registered Limited Liability Limited Partnership (§ 8211)
- Limited Partnership (§ 8582)
- Limited Liability Company (§ 8981)

Name <i>Inver Paper Co - HPower Energy NJ LLC</i>			
Address <i>24 Hill Place</i>			
City <i>Brooklyn</i>	State <i>NY</i>	Zip Code <i>11210</i>	

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 (relating to registration), the undersigned, desiring to register to do business in this Commonwealth, hereby states that:

1. The name of the limited liability company/limited liability partnership/limited partnership in the jurisdiction in which it is formed:  
*HPower Energy NJ LLC*

2. The name under which the limited liability company/limited liability partnership/limited partnership proposes to register and do business in this Commonwealth is:  
*HPower Energy NJ LLC*

3. The name of the jurisdiction under the laws of which it was organized and the date of its formation:  
Jurisdiction: *New Jersey* Date of Formation: *December 2012*

4. The (a) address of its initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider <i>Voip Services LLC</i>				County <i>Lackawanna</i>

5. Check and complete one of the following:

The address of the office required to be maintained by it in the jurisdiction of its organization by the laws of that jurisdiction is:

37 Main Street                      Jersey                      NJ                      07871  
 Number and street                      City                      State                      Zip

It is not required by the laws of its jurisdiction of organization to maintain an office therein and the address of its principal office is:

\_\_\_\_\_  
 Number and street                      City                      State                      Zip

6. ~~For Restricted Professional Limited Liability Company Only, Strike out if Inapplicable:~~ The company is a restricted professional company organized to render the following professional service(s):

\_\_\_\_\_

**Limited Liability Partnership and Limited Partnership: Complete paragraphs 7 and 8**

7. The name and business address of each general partner.

Name	Business Address
<u>Louis Popack CEO</u>	<u>24 Hill Place Brooklyn NY 11210</u>
<u>Joseph Popack President</u>	<u>same as above</u>

8. The address of the office at which is kept a list of the names and addresses of the limited partners and their capital contribution is:

24 Hill Place                      Brooklyn                      NJ                      11210                      Kings  
 Number and street                      City                      State                      Zip                      County

The registered partnership hereby undertakes to keep those records until its registration to do business in the Commonwealth is canceled or withdrawn.

IN TESTIMONY WHEREOF, the undersigned has caused this Application for Registration to be signed by a duly authorized officer/member or manager thereof this

14 day of January, 2015.

HBANK Energy NJ LLC Louis Popack  
 Name of Partnership/Company

[Signature]  
 Signature

CEO  
 Title

Docketing Statement DSCB:15-134A (Rev 2012)  
Departments of State and Revenue

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*

business stock  
 business non-stock  
 professional  
 nonprofit stock  
 nonprofit non-stock  
 statutory close  
 management  
 cooperative  
 insurance  
 benefit  
 limited liability company  
 restricted professional  
 limited liability company  
 business trust

*Foreign Entities*

State/Country NJ/US Date 12/2012

business  
 benefit  
 nonprofit  
 limited liability company  
 restricted professional  
 limited liability company  
 business trust

*Other*

domestication  
 division  
 consolidation

1. Entity Name:  
**MPower Energy NJ LLC**

2. Individual name and mailing address responsible for initial tax reports:  
**Lavie Popack**                      **24 Hillel Place**                      **Brooklyn**                      **NY**                      **11210**  
 Name                      Number and street                      City                      State                      Zip

3. Description of business activity:  
**Energy Supply**

4. Specified effective date, if any:  
**upon filing**  
 month/day/year                      hour, if any

5. EIN (Employer Identification Number), if any:  
**80-0880289**

6. Fiscal Year End:  
**Dec 31**

7. Fictitious Name (only if foreign corporation is transacting business in PA under a fictitious name):  
 \_\_\_\_\_

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.

8 Business corporations only. Check any applicable statements:

This corporation is organized on a nonstock basis.

This corporation is a statutory close corporation.

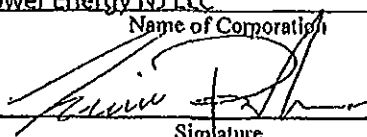
This corporation is a management corporation.

This corporation is a professional corporation.

This corporation is an insurance corporation.

This corporation is a benefit corporation.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Application for Certificate of Authority to be signed by a duly authorized officer thereof this 8<sup>th</sup> day of December, 2014.

MPower Energy NJ LLC  
Name of Corporation  
  
Signature  
CEO  
Title

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Exhibit #3

12/11/2012 12:47 VCCORP

DEC 22 2015

Dec 12 2012 13:30

P. 03

(FAX) 845 818 3588

P. 002/002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

*LLC*

**CERTIFICATE OF FORMATION**

**OF**

**MPOWER ENERGY NJ LLC**

**FILED**  
DEC 11 2012  
**STATE TREASURER**

Pursuant to the statutes of the State of New Jersey

*0600393778*

**ARTICLE I**  
**NAME**

The name of the limited liability company is MPOWER ENERGY NJ LLC (the "Company").

**ARTICLE II**  
**DURATION**

The Company shall have perpetual duration unless it is dissolved and its affairs wound up in accordance with the New Jersey Limited Liability Company Law or the Company Operating Agreement.

**ARTICLE III**  
**PURPOSES**

This Company is formed to engage in any lawful act or activity for which a limited liability company may be organized under the laws of New Jersey.

**ARTICLE IV**  
**REGISTERED OFFICE; REGISTERED AGENT**


The registered office of the company is located at One University Plaza, Suite 507, Hackensack, New Jersey 07601; its agent is Vcorp Services, LLC for service of process.

**ARTICLE V**  
**ORGANIZER**

The name and mailing address of the Organizer is:

Taylor Lolya  
25 Robert Pitt Drive, Suite 204  
Monsey, New York 10952

IN WITNESS WHEREOF, these Articles have been subscribed as of December 11, 2012, by the undersigned, as its Organizer, who affirms that the statements made herein are true under penalties of perjury.

  
Taylor Lolya, Organizer

*2576719*  
*4560314*

Exhibit #4

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY  
DIVISION OF REVENUE AND ENTERPRISE SERVICES  
SHORT FORM STANDING

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

MPOWER ENERGY NJ LLC

0600393778

*I, the Treasurer of the State of New Jersey, do hereby certify that the above-named New Jersey Domestic Limited Liability Company was registered by this office on December 11, 2012.*

*As of the date of this certificate, said business continues as an active business in good standing in the State of New Jersey, and its Annual Reports are current.*

*I further certify that the registered agent and registered office are:*

*Vcorp Services Llc  
One University Plaza, Suite 507  
Hackensack, NJ 07601*



Certification# 0

*IN TESTIMONY WHEREOF, I have  
hereunto set my hand and affixed my  
Official Seal at Trenton, this  
8th day of April, 2014*

A handwritten signature in black ink, appearing to read "Andrew P. Sladamon-Eristoff".

*Andrew P Sladamon-Eristoff  
State Treasurer*

Verify this certificate at  
[https://www1.state.nj.us/TYTR\\_StandingCert/JSP/Verify\\_Cert.jsp](https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp)

# State of New Jersey



## Board of Public Utilities

44 S. Clinton Ave., P.O. Box 350, Trenton, New Jersey 08625

### HEREBY LICENSES

**Mpower Energy NJ LLC**  
One University Plaza, Suite, 507  
Hackensack, New Jersey 07601

To conduct business in the State of New Jersey as a

**Gas Supplier**

\_\_\_\_\_  
Kristi Izzo  
Secretary of the Board

License No.      GSL- 0129  
Effective Date:   August 21, 2013  
Expiration Date:  August 20, 2014

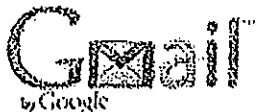
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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**RECEIVED**

(19)





Yael Dubrovsky <yaeldubrovsky@gmail.com>

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**FW: MPower Energy NJ, LLC Renewal**

1 message

---

Yael Dubrovsky <yaeld@mpowerenergy.com>  
To: Yael <yaeldubrovsky@gmail.com>

Tue, Aug 11, 2015 at 12:11 PM

---

From: Hunt, Valencia  
Sent: Tuesday, August 11, 2015 12:16:16 PM (UTC-05:00) Eastern Time (US & Canada)  
To: Yael Dubrovsky  
Cc: Procopio, Anna  
Subject: MPower Energy NJ, LLC Renewal

Good afternoon Yael:

Per our telephone conversation, we received your renewal application and we apologize for the delay in review. The normal processing time is 60-90 days; however, we're experiencing a huge backlog and it is taking longer than anticipated. Please, rest assure that MPower Energy NJ, LLC's electric power and natural gas licenses are still in effect until the Board acts on them only if the renewal application was received by our office 30 days prior to the expiration date.

Should you have any further questions and/or concerns please feel free to contact me.

Thank you,

Valencia Hunt  
New Jersey Board of Public Utilities  
Division of Audits/Licensing  
44 South Clinton Avenue, 9th Floor  
P.O. Box 350  
Trenton, New Jersey 08625-0350  
(609) 292-0637 (phone)  
(609) 292-2620 (fax)  
Valencia.Hunt@bpu.state.nj.us <mailto:Valencia.Hunt@bpu.state.nj.us>  
www.nj.gov/bpu <http://www.nj.gov/bpu>

---

winmail.dat  
11K



PHILADELPHIA GAS WORKS  
800 West Montgomery Avenue • Philadelphia, PA 19122

January 9, 2015

Mr. Oren Hashal  
CFO  
MPower Energy NJ, LLC  
24 Hillel Place  
Brooklyn, NJ 11210

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DEC 22 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: Security Requirement Bond for Mpower Energy NJ, LLC

Dear Mr. Hashal :

Philadelphia Gas Works ("PGW") is aware that Mpower Energy NJ, LLC has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the services territory of Philadelphia Gas Works.

As you know, in making such an application, Mpower Energy NJ, LLC must furnish acceptable security to each utility where Mpower Energy NJ, LLC will do business. As such, under its tariff, Philadelphia Gas Works could require Mpower Energy NJ, LLC to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate.

However, you have indicated, and it is Philadelphia Gas Works' understanding, that Mpower Energy NJ, LLC intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that, in performing these services, Mpower Energy NJ, LLC will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, Mpower Energy NJ, LLC does not need to post a bond or other form of security to operate in its service territory. If the services provided by Mpower Energy NJ, LLC should change, Philadelphia Gas Works reserves the right to require security from Mpower Energy NJ, LLC as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at (215) 684-6278.

Sincerely,

A handwritten signature in black ink that reads "Nicholas LaPergola".

Nicholas LaPergola  
Director  
Gas Supply, Transportation & Control

NLB



UGI Utilities, Inc.  
2525 North 17th Street  
State 360  
Post Office Box 12677  
Reading, PA 19612-2677  
(610) 790-3100 Telefax

January 9, 2015

Oren Hashai  
CFO  
Mpower Energy NJ, LLC  
24 Hillel Place  
Brooklyn, NY 11210

RE: UGI Financial Security Requirements

Dear Mr. Hashai,

UGI Utilities, Inc. ("UGIU") has reviewed the financial information of MPower Energy NJ, LLC. ("MPOWER"). Based on this review and the requirement that MPOWER must post security as specified in the UGI Gas ("UGI"), UGI Penn Natural Gas ("PNG") and/or UGI Central Penn Gas ("CPG") Supplier Coordination Tariffs before it serves customers on the UGI, PNG and/or CPG distribution systems, UGIU has determined that MPOWER has demonstrated adequate creditworthiness to satisfy any costs UGI, PNG and/or CPG may incur in the event they operate as a supplier of last resort due to a default on the part of MPOWER.

This determination may change in the event there is a material deterioration in MPOWER's financial condition, if MPOWER's obligations to UGI, PNG and/or CPG exceed the amount of the financial security provided, if the financial security is withdrawn or is deemed to be null and void or inadequate due to the material financial deterioration of any guarantor, or if MPOWER fails to abide by the terms and conditions of the UGI, PNG and/or CPG Gas Tariffs and the UGI, PNG and/or CPG Natural Gas Supplier Coordination Tariffs.

Please feel free to contact me with any additional questions that you may have. I can be reached at (610) 796-3520

Sincerely,

David E. Lahoff  
Manager, Tariff & Supplier Administration  
UGI Utilities, Inc.

April 16, 2015

Yael Dubrovsky  
Compliance Manager  
Mpower Energy NJ, LLC  
24 Hillel Place  
Brooklyn, NY 11210

Dear Mpower Energy NJ, LLC:

We are pleased that Mpower Energy NJ, LLC has applied for a license to provide Natural Gas Broker/Marketer Services on the distribution system of Columbia Gas of Pennsylvania, Inc. ("Columbia Gas").

Under Paragraph 2.4.5 of the Rules Applicable to Distribution Service section of the Tariff of Columbia Gas, Mpower Energy NJ, LLC could be required to provide to Columbia Gas a bond or other financial security instrument in an amount that Columbia Gas determines to be appropriate. Mpower Energy, NJ, LLC has indicated only brokering and consulting services will be provided. Therefore, we have determined at this time that Mpower Energy NJ, LLC does not need a bond or other financial security requirement to provide broker natural gas services to Columbia Gas customers.

If the creditworthiness requirement or Columbia Gas' exposure to Mpower Energy NJ, LLC changes in the future, Columbia Gas might deem it appropriate to require Mpower Energy NJ, LLC to provide a bond or other financial security instrument.

Please feel free to contact me at 614-460-6841 should you have any questions regarding a bond or other financial security instrument requirements of Columbia Gas.

Sincerely,



Michele Caddell  
Manager of Choice and Transportation Support Services



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

BUREAU OF CONSUMER PROTECTION  
Harrisburg Office  
15th Floor, Strawberry Square  
Harrisburg, Pennsylvania 17120  
(717) 783-1992  
February 18, 2015

Mpower Energy NJ, LLC  
24 Hillel Place  
Brooklyn, NY 11210

Ref: Telemarketing Registration - BCP-15-50-000012

Dear Sir/Madam:

Enclosed please find a Pennsylvania Telemarketing Registration Certificate for Mpower Energy NJ, LLC. All telemarketing activity conducted in Pennsylvania under this registration must comply with the requirements of Pennsylvania's Telemarketer Registration Act, including the Do Not Call provisions of the law.

If you have any questions regarding this matter, or if our office can be of assistance in the future on a consumer-related matter, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ryan Nelson".

Ryan Nelson  
Deputy Attorney General

kf  
81B



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

TELEMARKETER REGISTRATION CERTIFICATE

Registration Number: BCP-15-50-000012      Registration Expires: Feb. 18, 2017

Name of Registrant:      MPower Energy NJ, LLC

Location:                      24 Hillel Place  
   Brooklyn, NY 11210

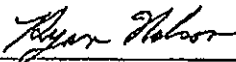
Mailing Address:              24 Hillel Place  
   Brooklyn, NY 11210

The above individual, partnership, corporation, association or other group is registered under the Pennsylvania Telemarketer Registration Act, Act 147 of 1996. This registration is valid for two (2) years from the date of issuance.

Fraudulently altering, exhibiting or lending of this registration may subject registrant to prosecution and cancellation of this registration.

\_\_\_\_\_  
SIGNATURE OF REGISTRANT

ISSUER:      Office of Attorney General  
                 Bureau of Consumer Protection  
                 15<sup>th</sup> Fl., Strawberry Square  
                 Harrisburg, PA 17120  
                 (717) 783-1992

  
\_\_\_\_\_  
Ryan Nelson  
Deputy Attorney General

DATE OF ISSUANCE: February 18, 2015

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DEC 22 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**SUPPLIER COMPANY CONTACTS**

**Company Name:** Mpower Energy, LLC

**Date Submitted:** August 10, 2015

**Company d/b/a:** N/A

**Company License Number:** Pending Approval

	<u>M.</u>	<u>First Name</u>	<u>Last Name</u>	<u>Prof. Title</u>	<u>Street</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>	<u>FAX</u>	<u>E-Mail</u>
<b>EXAMPLE:</b>	Mr.	Robert	Bennet	Manager	P.O. Box 3265	Harrisburg	PA	17105-3265	(717) 787-5553	(717) 772-1933	bennetr@puc.state.pa.us
<b>1 Statutory Agent:</b>	Ms.	Taylor	Lolya	Account Rep	722 Clay Ave	Scranton	PA	18510	(845) 425-0077	(845) 818-3588	taylor@vcorpserVICES.com
<b>2 CEO/President:</b>	Mr.	Lavie	Popack	CEO	24 Hillel Place	Brooklyn	NY	11210	203	(718) 307-6472	lavie@mpowerenergy.com
<b>3 Regulatory Contact:</b>	Ms.	Yael	Dubrovsky	Compliance Manager	24 Hillel Place	Brooklyn	NY	11210	(718) 233-1167 Ext 206	(718) 307-6472	yaeld@mpowerenergy.com
<b>4 Tariff Contact:</b>	Mr.	Oren	Hashai	CFO	24 Hillel Place	Brooklyn	NY	11210	218	(718) 307-6472	orenh@mpowerenergy.com
<b>5 Annual Reports:</b>	Ms.	Yael	Dubrovsky	Compliance Manager	24 Hillel Place	Brooklyn	NY	11210	(718) 233-1167 Ext 206	(718) 307-6472	yaeld@mpowerenergy.com
<b>6 Assessments:</b>	N/A										
<b>7 PEMA Contact:</b>	N/A										
<b>8 Customer Service:</b>	Ms.	Yael	Dubrovsky	Compliance Manager	24 Hillel Place	Brooklyn	NY	11210	(718) 233-1167 Ext 206	(718) 307-6472	yaeld@mpowerenergy.com
<b>9 Legal Counsel:</b>	N/A										
<b>10 Complaints Contact:</b>	Ms.	Yael	Dubrovsky	Compliance Manager	24 Hillel Place	Brooklyn	NY	11210	(718) 233-1167 Ext 206	(718) 307-6472	yaeld@mpowerenergy.com
<b>11 EDI Transactions:</b>	Ms.	Barbara	Goubeaud	Technical Support Analyst	50 Charles Lindbergh Blvd Suite 411	Uniondale	NY	11553	(516) 874-8000 Ext 8021	(516) 739-4724	bgoubeaud@ccinfosystems.com
<b>12 Electric Phase-In Committee:</b>	N/A										

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

PUBLIC SERVICE COMMISSION

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ROBERT E. CURRY JR.  
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PETER McGOWAN  
*General Counsel*

JACLYN A. BRILLING  
*Secretary*

March 10, 2009

Mr. Lavie Popack  
President  
MPower Energy, LLC  
720 Central Ave.  
Woodmere, New York 11598

RE: MPower Energy, LLC

Dear Mr. Popack:

Thank you for submitting your Retail Access Application Package to become an Energy Services Company (ESCO) serving residential and nonresidential natural gas and electric customers in New York State. This letter is to inform you that documentation submitted in your application package has been reviewed by Staff and established to be in compliance with the New York State Public Service Commission's ESCO eligibility requirements that are implemented by codes and regulations found in the *Uniform Business Practices*, the *Home Energy Fair Practices* and other applicable regulations.

I am also pleased to notify you that MPower Energy, LLC has successfully met the Commission's EDI Phase I certification requirements for Core and Utility Bill Ready and Utility Rate Ready Transactions effective February 2009. All requirements therefore, for this initial stage of your eligibility determination have been satisfied.

Please be advised that you may now continue with the utility approval stage of the eligibility process by contacting those companies in whose service territories you intend to participate. The utility stage normally consists of a creditworthiness determination, completion of Phase III EDI testing and the execution of any operating or billing service agreements. Please note that each utility's eligibility requirements pertain to only their retail access programs.

Once you have satisfactorily completed the utility eligibility stage, Staff will be notified by the utility of your success. It would be helpful if MPower Energy, LLC notified Staff of the actual production date in the utility service territories you intend to enroll



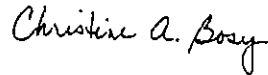
customers. At that point I will confirm that your final eligibility requirements have been satisfied.

Be advised that to maintain your ESCO eligibility, you must notify Staff of any 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 by choosing to participate in any of the ESCO referral programs or move into other utility service territories, 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. Finally, you must submit a statement annually, by January 31<sup>st</sup>, indicating that the information in your original or most recent updated Retail Access Application remains current, or submit a statement identifying revisions. Upon completion of our review of new eligibility information, Staff will then update your eligibility status as necessary.

We will only post your company's contact information on our Website once you have completed the eligibility process and are ready to begin enrolling customers. Please do not hesitate to contact me if you have any further questions or concerns at (518) 486-2432 or Christine\_Bosy@dps.state.ny.us.

Sincerely,



Christine A. Bosy  
Retail Access Section  
Office of Industry and  
Government Relations

cc: Usher Fogel (via e-mail)

COMMISSIONERS

W. KEVIN HUGHES  
CHAIRMAN

HAROLD D. WILLIAMS  
LAWRENCE BRENNER  
KELLY SPEAKES-BACKMAN  
ANNE E. HOSKINS

STATE OF MARYLAND



PUBLIC SERVICE COMMISSION

#6, 5/6/15 AM; ML# 165384  
License Reference No.: IR-3484

May 6, 2015

Yael Dubrovsky  
Compliance Manager  
MPower Energy NJ, LLC  
24 Hillel Place  
Brooklyn, NY 11210

Dear Mr. Dubrovsky:

On March 20, 2015, MPower Energy NJ, LLC ("Company") filed an Application for License to Supply Natural Gas or Natural Gas Supply Services in Maryland under COMAR 20.54. The Company proposes to provide natural gas supplier broker services in Maryland for residential, commercial and industrial customers as described in the application.

After considering this matter at the May 6, 2015 Administrative Meeting, the Commission granted the Company a license to supply natural gas or natural gas supply services in Maryland (License Reference No. IR-3484). The license granted by the Commission under this Letter Order is limited solely to natural gas supplier services for the customer classes and service territories recommended by Staff. Additionally, the Company is directed to provide marketing and training materials specific to its Maryland operations to the Commission Staff and Office of People's Counsel 30 days prior to commencing operations in Maryland. The Company is also prohibited from marketing in Maryland with the name "MPower" and instead utilize its approved "d/b/a" name with the Maryland Department of Assessments and Taxation. Furthermore, the Company's website shall include a notification on its website of its d/b/a name utilized in Maryland and a disclaimer that MPower Energy is not affiliated with the State of Maryland's EmPOWER Maryland program.

Finally, the Company is reminded that it is under a continuing obligation to notify the Commission within 30 days of any 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,

A handwritten signature in black ink, appearing to read "David J. Collins".

David J. Collins  
Executive Secretary

DJC/st

cc: Phil VanderHeyden, Electricity Division  
Obi Linton, Director, External Relations

WILLIAM DONALD SCHAEFER TOWER • 6 ST. PAUL STREET • BALTIMORE, MARYLAND 21202-6806

410-767-8000 • Toll Free: 1-800-492-0474 • FAX: 410-333-6495  
• MDRS: 1-800-735-2258 (TTY/Voice) • Website: www.psc.state.md.us/psc/

COMMISSIONERS

W. KEVIN HUGHES  
CHAIRMAN

HAROLD D. WILLIAMS  
LAWRENCE BRENNER  
KELLY SPEAKES-BACKMAN  
ANNE E. HOSKINS

STATE OF MARYLAND



PUBLIC SERVICE COMMISSION

#7, 3/11/15 AM; ML#s 158081, 161424 and 163821  
License Reference No.: IR-3384

March 11, 2015

Yael Dubrovsky  
Compliance Manager  
MPower Energy, LLC  
24 Hillel Place  
Brooklyn, NY 11210

Dear Mr. Dubrovsky:

On August 28, 2014, MPower Energy NJ, LLC ("Company") filed an Application for a License to Supply Electricity or Electric Generation Services in Maryland under COMAR 20.51. The Company proposes to provide electricity supplier services in Maryland for residential, commercial and industrial customers as described in the application. Additional information was filed on December 10, 2014 and February 4, 2015.

After considering this matter at the March 11, 2015 Administrative Meeting, the Commission granted the Company a license to supply electricity or electric generation services in Maryland (License Reference Number IR-3384). The license granted by the Commission under this Letter Order is limited solely to electricity supplier services for all customer classes and service territories applied for and recommended by Staff. Additionally, the Company is directed to provide marketing and training materials specific to its Maryland operations to the Commission Staff and Office of People's Counsel 30 days prior to commencing operations in Maryland. The Company is also prohibited from marketing in Maryland with the name "MPower" and instead utilize it's filed "d/b/a" name with the Maryland Department of Assessments and Taxation, once approved. In addition, the Company shall include a notification on its website of its "d/b/a" name utilized in Maryland. Furthermore, the Company's website shall also include a disclaimer that MPower Energy, LLC is not affiliated with the State of Maryland's EmPOWER Maryland program.

Finally, the Company is reminded that it is under a continuing obligation to notify the Commission within 30 days of any 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,

A handwritten signature in black ink, appearing to read "David J. Collins".

David J. Collins  
Executive Secretary

DJC/st

cc: Phil VanderHeyden, Electricity Division  
Obi Linton, Director, External Relations

WILLIAM DONALD SCHAEFER TOWER • 6 ST. PAUL STREET • BALTIMORE, MARYLAND 21202-6806

410-767-8000

Toll Free: 1-800-492-0474

FAX: 410-333-6495

MDRS: 1-800-735-2258 (TTY/Voice)

Website: www.psc.state.md.us/psc/

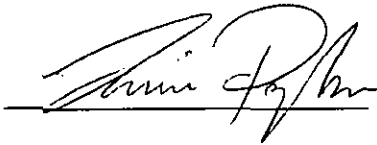
**RECEIVED**

DEC 22 2015

**Verification for Amendments Made to Gas Application**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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



A handwritten signature in cursive script, appearing to read "Lavinie Popack", is written over a horizontal line.

December 17, 2015

**RECEIVED**

DEC 22 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Appendix C

**CERTIFICATE OF SERVICE**

On this the 11th 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:

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

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](mailto:carlos.thillet@exeloncorp.com)

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

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](mailto:theckathorn@nisource.com)

Philadelphia Gas Works  
Nicholas LaPergola  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
PH: 215.684.6278  
Email: [Nicholas.lapergola@pgworks.com](mailto:Nicholas.lapergola@pgworks.com)

UGI  
David Lahoff  
2525 N 12<sup>th</sup> St., Suite 360  
Reading, PA 19612-2677  
PH: 610.796.3520  
Email: [dlahoff@ugl.com](mailto:dlahoff@ugl.com)

  
Lavie Popack CEO MPower Energy NJ LLC

FOR DOMESTIC AND INTERNATIONAL  
PLACE MAILING LABEL HERE

CMPC

CHIAVETA, R. PUC

To: PUC

Agency

Floort.

External Carrier:

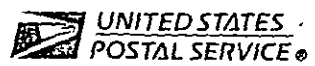
12/23/2015 8:22:53 AM

EXPRESS



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EL247154274US



PRIORITY  
\* MAIL \*  
EXPRESS™

USED INTERNATIONALLY,  
CUSTOMS DECLARATION  
FORM

CUSTOMER USE ONLY  
FROM: (PLEASE PRINT) PHONE ( )

FROM: (PLEASE PRINT) PHONE ( )

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The master must check the "Signature Required" box if the master: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.  
Delivery Options  
 No Saturday Delivery (delivered next business day)  
 Sunday/Holiday Delivery Required (additional fee, where available)  
 10:30 AM Delivery Required (additional fee, where available)  
\*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT) PHONE ( )

TO: (PLEASE PRINT) PHONE ( )

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For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 insurance included.

ORIGIN (POSTAL SERVICE USE ONLY)

<input type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> DPO
PO ZIP Code 11210	Scheduled Delivery Date (MM/DD/YY) 12-23-15	Postage \$26.00	
Date Accepted (MM/DD/YY) 12-22-15	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> 12 NOON	Insurance Fee \$	COD Fee \$
Time Accepted 4:11 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	10:30 AM Delivery Fee \$	Return Receipt Fee \$	Live Animal Transportation Fee \$
Weight 2 lbs. 1 oz.	Sunday/Holiday Premium Fee \$	Total Postage & Fees \$ 20.05	
Acceptance Employee Initials [Signature]			

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	

DELIVERY DATE \*  
DELIVERY TIME +  
NG™ INCLUDED  
NCLUDED  
LABEL  
NCLUDED UPON REQUEST

WRITE FIRMLY WITH BALL POINT PEN ON HARD SURFACE TO MAKE ALL COPIES LEGIBLE.