



April 11, 2016

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

RECEIVED

APR 14 2016

RE: Early Bird Power LLC – Electricity Supplier License

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mrs. Chiavetta,

Please find enclosed our application for license as an Electricity Broker in the Commonwealth of Pennsylvania. As you may be aware, the Public Utilities Commission (the "PUC") suspended our license due to our failure to send an original copy of the bond to show that the bond was still in place. I sincerely apologize for the time and effort required to obtain the original bond from us. We have cured the issue with our staffing and oversight for our regulatory compliance. This will not happen again.

Please note that Early Bird Power did have the required bond in place during all of 2015 and at all times since its approval by the Pennsylvania Public Utility Commission. We have included an original copy of our bond that is in place. Our issue was the delayed filing of the bond, and then filing a copy rather than the original bond. This does not excuse not providing an original copy as required, but I expect the PUC would want to know that the bond was in place at all times.

Early Bird Power LLC has been in business since 2009 in 12 states and until this issue had never had either a customer complaint or any license suspensions. Again, I want to personally apologize for the company's failure to timely file the original bond. We now have people and processes in place to ensure this will not happen again. In the future we will not need extra efforts from the PUC to comply with its requirements.

Early Bird Power LLC has ceased business in Pennsylvania in electricity since the PUC's notification, but would like to recommence operations as quickly as possible. If you have any questions or need additional information, please contact me directly at (617) 872-2384 or via email at: shaunpandit@earlybirdpower.com. We appreciate your efforts to process our application and look forward to working with the Commonwealth of Pennsylvania.

Best regards,

Shaun Pandit
CEO & Director

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Early Bird Power LLC, d/b/a N/A, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) as specified in item #4b below to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

1. IDENTIFICATION AND CONTACT INFORMATION

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

Early Bird Power LLC
1 Adams Street
Milton, MA 02186
www.earlybirdpower.com
Phone: (617) 872-2384
Toll Free: (888) 763 2759

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

- 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.

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

- 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.

Shaun Pandit
CEO and Director
1 Adams Street
Milton, MA 02186
Phone: (617) 872-2384
Fax: (617) 322-9283
shaunpandit@earlybirdpower.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.

Philip G. Lake
Lake Legal LLC
17 Hammatt Street, Ipswich, MA 01938
Phone: (978) 356-7500
Fax: (978) 522-8432
philip@lakelegalllc.com

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS: (Required of ALL Applicants)** 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 Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

Primary Contact:

Shaun Pandit
CEO and Director
1 Adams Street
Milton, MA 02186
Phone: (617) 872-2384
Fax: (617) 322-9283
shaunpandit@earlybirdpower.com

Alternate Person:

Sean Kenney
Vice President
1 Adams Street
Milton, MA 02186
Phone: (617) 206-3010
Fax: (617) 322-9283
seantkenney@earlybirdpower.com

2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

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

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

Or

The Applicant will not be using a fictitious name.

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

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

The Applicant is a sole proprietor.

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

OR

The Applicant is a:

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

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- * If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

OR

The Applicant is a:

- domestic corporation (15 Pa. C.S. §1308)
- foreign corporation (15 Pa. C.S. §4124)
- domestic limited liability company (15 Pa. C.S. §8913)
- foreign limited liability company (15 Pa. C.S. §8981)**
- Other (Describe):

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
See Attachment 1: Commonwealth of Pennsylvania Certificate of Registration
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.
**Early Bird Power LLC is incorporated in Massachusetts.
See Attachment 2: Commonwealth of Massachusetts Certificate of Organization**
- Give name and address of officers.
**Shaun Pandit
1 Adams St.
Milton, MA 02186**

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.

Early Bird Power LLC has no affiliates doing business in PA and has no affiliates that are currently applying to do business in PA.

- 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.

The applicant does not have any predecessors that have done business in PA. However, Early Bird Power was licensed as an electricity broker until recently in the Commonwealth of PA, as explained in our cover letter.

4. OPERATIONS

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

Definitions

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

- The Applicant is presently doing business in Pennsylvania as a

- municipal electric corporation
- electric cooperative
- local gas distribution company
- provider of electric generation, transmission or distribution services
- broker/marketer engaged in the business of supplying electricity services

Other; identify the nature of service being rendered.

Early Bird Power LLC is currently licensed and doing business in the Commonwealth of Pennsylvania as a natural gas broker.

or

- The Applicant is not presently doing business in Pennsylvania.

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

- Generator of electricity
- Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- Broker/Marketer engaged in the business of supplying electricity services**

Check here to verify that your organization will not be taking title to the electricity nor will you be making payments for customers.

- Electric Cooperative and supplier of electric power
- Other (Describe):

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

Provide competitive quotes to commercial and industrial clients to enable savings opportunities through the competitive pricing available. Early Bird Power procures quotes from different suppliers and provides that pricing to our clients. We also assist with any billing issues or other questions they may have.

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

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

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

Entire Commonwealth of PA

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

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

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

Early Bird Power plans to begin services upon approval from the Commonwealth. Approximate start date would be May 1, 2016.

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.

Neither Early Bird Power LLC nor any individuals identified in this application have been a defendant in a criminal or civil proceeding within the last five (5) years.

- 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.

No such actions or complaints have occurred.

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

Not applicable.

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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:

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

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

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

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

Office of the Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101

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

Pike County Light & Power Company:
Director of Customer Energy Services
Orange and Rockland Company
390 West Route 59
Spring Valley, NY 10977-5300

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

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

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

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

Met-Ed, Penelec, and Penn Power:
Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

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

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

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

7. FINANCIAL FITNESS

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

Furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.

Furnishing the **ORIGINAL** of another initial security for Commission approval, to ensure financial responsibility, such as a parental guarantee, in the amount of \$250,000.

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

Please see original bond for \$10,000 attached as Appendix D.

Early Bird Power does not take title to electricity and will not pay electricity bills on behalf of our customers.

CRITICAL BONDING NOTES:

Applicant is required to maintain a bond or other financial instrument the entire time it maintains an EGS license with the Commonwealth of Pennsylvania. If Applicant's security instrument is not continuous, Applicant **MUST** submit a Rider, Amendment, or Continuation Certificate annually based on the expiration date of its security instrument.

Sixty days (60) prior to the security instrument's expiration date, Applicant should contact Stephen Jakab at sjakab@pa.gov to determine the appropriate bonding amount based on a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. Once the amount has been determined, Applicant should overnight the updated security instrument(s) at least thirty (30) days prior to the expiration date to ensure adequate time for staff review and approval of the security instrument(s).

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

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

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.

Foreign LLC

- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)

Not Available, broker only, LLC

- Applicant's accounting statements, including balance sheet and income statements for the past two years.

Attached are the most recent two years completed balance sheets and income statements. See Attachment 3: Accounting Statements

- 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.

Unavailable. Business is not rated and is broker only, so there will be no credit risk to customers from Early Bird Power LLC. Early Bird Power is profitable to date as reflected on the balance sheet and income statements. Early Bird Power does not take title to electricity and will not pay electricity bills on behalf of our customers.

- 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.

Again, Early Bird Power is a broker only. Early Bird Power carries General Liability for \$1,500,000 and Professional Liability for \$2,500,000, as well as the required bonds.

- Audited financial statements exhibiting accounts over a minimum two year period.

Unavailable. Early Bird Power LLC is a broker only and will not be a credit risk as it is not the supplier. Unaudited balance sheet and income statements attached.

Early Bird Power is profitable to date as reflected on the balance sheet and income statements. Early Bird Power does not take title to electricity and will not pay electricity bills on behalf of our customers.

- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

Last two months of bank statements attached. See Attachment 4: Bank Statements

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.

Early Bird bills our clients monthly or quarterly based on fixed priced monthly arrangements, we do not use ACH or other collection methods, but send by mail or email.

- 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.

Andrew Basler
Energy Analyst
1 Adams Street, Milton MA 02186
Phone: (443) 912-7640
Fax: (617) 322-9283
andrewbasler@earlybirdpower.com

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

All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identifications numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.

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

8. TECHNICAL FITNESS:

To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

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

- Applicant's previous experience in the electricity industry.

Shaun Pandit owns and operates Early Bird Power. Shaun has an Economics degree from Boston College and a Master's in Finance from Loyola Chicago Business School. After ten years trading commodities and foreign exchange, Shaun focused on electricity at the advent of deregulated markets in 1997. Shaun is an energy expert with senior level experience in the energy business and in depth knowledge of electricity and natural gas markets.

As Director of Origination and Structuring for Citizens Lehman Power and Constellation New Energy, he was responsible for optimizing generation assets and servicing Industrial and Commercial clients. He was a member of the team responsible for initiating the strategy that combined AES and New Energy, which was sold to Constellation.

He also was Risk Manager for TransCanada Power Marketing, managing power, gas, and credit exposures. Shaun was most recently V.P. of Trading and Marketing for International Power, responsible for all purchases and sales of power, emissions, and fuel for the North American generation assets. He is a Selectman on his town's Wind Energy Committee and a partner with Protect Our Winters, (POW), a non-profit organization helping schools install on-site solar generation. Shaun has a broad understanding of energy markets, and key relationships that provide the lowest priced strategic options for companies seeking to lower their monthly power bills.

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

**Proof of licensure as electricity broker in other states attached.
See Attachment 5: Summary and Proof of Licenses**

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

Early Bird serves primarily industrial and commercial clients, and has over 300 clients it currently serves.

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

Early Bird has three full-time employees and three part-time employees. The full-time employees not including myself started as interns and part-time employees before being fully trained and promoted. We are doing similar training for our part-time employees and will be hiring a new intern and a new part-time position in the next few months.

- Business plans for operations within the Commonwealth.

Develop long-term relations with clients and enable them to take advantage of the deregulated market to lower their energy costs, in a clear and transparent method.

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

Early Bird is a broker only and is not a member of the aforementioned groups.

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

Early Bird has been operating in many states including previously in PA, and have not had any customer complaints. We are growing and have over 90% client retention to date, reflecting our commitment to honesty, transparent pricing, and customer satisfaction.

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

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

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

- Yes
- No**

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

Not applicable.

- 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.

Early Bird Power prides itself on integrity and being neutral to the marketplace. Our allegiance is always to our clients not any supplier, or growth ambitions. We do not conduct door-to-door sales or hound customers on the phones. Our business model is built on reliability and integrity and as such, we have not had a single customer complaint and have a retention rate of over 90%.

- 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.

**Shaun Pandit
CEO, Director
1 Adams Street
Milton, MA 02186**

See Attachment 6: Chief Executive Officer Resume

- f. **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number _____.
- Not applicable**

9. DISCLOSURE STATEMENTS:

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

- Electricity should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

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

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

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

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

(Select only one of the following)

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

b. STANDARDS OF CONDUCT AND DISCLOSURE: As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43, as well as any future amendments.

AGREED

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

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201--54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Net Metering Reports: Applicant shall be responsible to report any Net Metering per the Standards on http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx. Scroll down to the Net Metering Standards Section.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(d).
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

AGREED

- d. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

X AGREED

- e. **ANNUAL FEES:** The Public Utility Code authorizes the PUC to collect an annual fee of \$350 from suppliers, brokers, marketers, and aggregators selling electricity in the Commonwealth of PA, and an annual supplemental fee based on annual gross intrastate revenues, applicable to suppliers only.

X ACKNOWLEDGED

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

X AGREED

- g. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

X AGREED

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

X AGREED

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

X AGREED

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

X AGREED

- k. **FILING FEE:** The Applicant has enclosed or paid the required, non-refundable 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.

X PAYMENT ENCLOSED

11. 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 reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

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. The newspapers in which proof of publication are required is dependent on the service territories the applicant is proposing to serve.

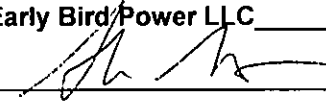
The chart below dictates which newspapers are necessary for each EDC. For example, an applicant that wants to operate in Penn Power would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this 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
Citizens' Electric						X	
Duquesne				X			
Met Ed		X	X		X		
PECO			X				
Penelec	X	X			X	X	X
Penn Power	X			X			
Pike					X		
PPL		X	X		X	X	
UGI					X		
Wellsboro						X	
West Penn		X		X		X	X
Entire Commonwealth	X	X	X	X	X	X	X

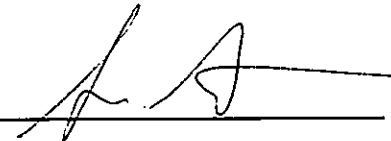
(Example Publications are provided at Appendices I and J)

13. SIGNATURE

Applicant: Early Bird Power LLC
 By: Shaun Pandot 
 Title: CEO & Director

14. CHECKLIST

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

Applicant: 

Applicant's Use	X	Signature	
	X	Filing Fee (CERTIFIED CHECK OR MONEY ORDER ONLY)	
	X	Application Affidavit	
	X	Operations Affidavit	
	X	Proof of Publication	
	X	Bond or Letter of Credit	
	X	Tax Certification Statement	
	X	Commonwealth Department of State Verification	
	X	Certificate of Service	

PUC Secretary's Bureau Use

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PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of MA :

: ss.

County of Norfolk :

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

[He/she is the CEO (Office of Affiant) of Early Bird Power LLC (Name of Applicant);]

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

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

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

That the Applicant herein Early Bird Power 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 Early Bird Power 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]
Signature of Affiant

Sworn and subscribed before me this 8th day of March



[Signature]

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of MA :

: ss.

County of Norfolk :

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

[He/she is the CEO (Office of Affiant) of Early Bird Power LLC
(Name of Applicant);]

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

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

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

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

Appendix B (Continued)

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

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

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



Signature of Affiant

Sworn and subscribed before me this 8th day of March, 2016.





Signature of official administering oath

My commission expires 02/13/2020.

Early Bird Power LLC

Appendix I

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Proof of Publication

for Section 12
PROOF OF PUBLICATION

(7 pages to follow)

Proof of Publication for:

- (1) Erie Times-News
- (2) Harrisburg Patriot-News
- (3) Philadelphia Daily News
- (4) Pittsburgh Post-Gazette
- (5) Scranton Times-Tribune
- (6) Williamsport Sun-Gazette
- (7) Johnstown Tribune-Democrat

Supporting documents follow this page.

PROOF OF PUBLICATION
In
THE ERIE TIMES-NEWS
COMBINATION EDITION

Early Bird Power LLC
One Adams St
Milton MA 02186

REFERENCE: 89163 189426
PUC Notice

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Tom Mezler, 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: 03/12/16

TOTAL COST: \$409.00

AD SPACE: 0 Lines

FILED ON: 03/12/16

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APR 14 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Early Bird Power LLC Publication of notice of filing.
**PENNSYLVANIA PUBLIC UTILITY COMMISSION
NOTICE**

Application of **Early Bird Power LLC** For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A **Marketer/Broker** Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Early Bird Power LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/ marketer engaged in the business of supplying electricity, and an aggregator engaged in the business of supplying electricity. **Early Bird Power LLC** proposes to sell electricity and related services in all counties in PA under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Early Bird Power 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 **Early Bird Power LLC's** attorney at the address listed below.

By and through Counsel:
Phil Lake

Philip G. Lake
Lake Legal LLC / 17 Hammatt Street / Ipswich, MA 01938
Office: 978-356-7500 - Fax: 978-522-8432

ad/03-1894-16

Sworn to and subscribed before me this 14th day of March 2016

Affiant: _____

NOTARY: _____

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Barbara J. Moore, Notary Public

City of Erie, Erie County

My Commission Expires **MARCH 23, 2016**

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

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

The Patriot-News
Now you know

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APR 14 2016

EARLYBIRD POWER
ONE ADAMS ST
OLD BAKER CHOCOLATE FACTORY

MILTON MA 02186

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

THE PATRIOT NEWS
THE SUNDAY PATRIOT NEWS

Proof of Publication

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

Amy Kotula, being duly sworn according to law, deposes and says:

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

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

That she has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

PUBLICATION COPY

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE
Application of Early Bird Power LLC
For Approval To Offer, Render,
Furnish Or Supply Electricity Or
Electric Generation Services As A
Marketer/Broker Engaged In The
Business Of Supplying Electricity, And
An Aggregator Engaged In The
Business Of Supplying Electricity, To
The Public In The Commonwealth Of
Pennsylvania.
Early Bird Power LLC will be filing
an application with the Pennsylvania
Public Utility Commission ("PUC") for
a license to supply electricity or electric
generation services as a
broker/marketer engaged in the
business of supplying electricity, and an
aggregator engaged in the business of
supplying electricity. Early Bird
Power LLC Proposes to sell electricity
and related services in all counties in
PA under the provisions of the new
Electricity Generation Customer
Choice and Competition Act.
The PUC may consider this

This ad # 0002358837 ran on the dates shown below:

March 15, 2016

Amy Kotula

Sworn to and subscribed before me this 16 day of March, 2016 A.D.

Sheryl Marie Leggore
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Sheryl Marie Leggore, Notary Public
Hampden Twp., Cumberland County
My Commission Expires July 16, 2018
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

application without a hearing. Protests
directed to the technical or financial
fitness of Early Bird Power 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 Early Bird Power LLC's
attorney at the address listed below.
By and through Counsel: Phil Lake
Phillip G. Lake
Lake Legal LLC / 17, Hammett Street
/ Ipswich, MA 01938
Office: 978-356-7500
Fax: 978-522-8432

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

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

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

March 14, 2016

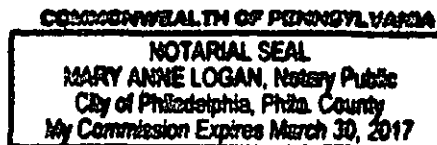
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to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

Florence Devlin

Sworn to and subscribed before me this 14th day of
March, 2016.

Mary Anne Logan
Notary Public

My Commission Expires:



Copy of Notice of Publication

PENNSYLVANIA
PUBLIC UTILITY COMMISSION NOTICE
Application of **Early Bird Power LLC** For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.
Early Bird Power LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/ marketer engaged in the business of supplying electricity, and an aggregator engaged in the business of supplying electricity. **Early Bird Power LLC** proposes to sell electricity and related services in all counties in PA under the provisions of the new Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Early Bird Power 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 **Early Bird Power LLC** attorney at the address listed below.
By and through Counsel:
Phil Lake
Phillip G. Lake
Lake Legal LLC /
17 Hammett Street / Ipswich, MA 01938
Office: 978-358-7500
Fax: 978-522-8432

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APR 14 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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 M. Goodwin, 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:

11 of March, 2016

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.

M. Goodwin
PG Publishing Company

Sworn to and subscribed before me this day of:
March 11, 2016

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

COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
Application of Early Bird Power LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.
Early Bird Power LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity, and an aggregator engaged in the business of supplying electricity. Early Bird Power LLC proposes to sell electricity and related services in all counties in PA under the provisions of the new Electricity Generation Customer Choice and Competition Act.
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Early Bird Power 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 Early Bird Power LLC's attorney at the address listed below.
By and through Counsel, Phil Lake, Philip G. Lake, Lake Legal LLC / 17 Hammett Street / Ipswich, MA 01938. Office: 978-356-7500, Fax: 978-522-8432

RECEIVED

APR 14 2016

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

STATEMENT OF ADVERTISING COSTS

Early Bird Power
1 ADAMS ST STE 3
Old Baker Chocolate Factory
MILTON MA 02186

To PG Publishing Company

Total ----- \$435.00

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 Samuel J. Arbutine

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.

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)

Commonwealth of Pennsylvania, County of Lackawanna

EARLY BIRD POWER LLC
SHAUN PANDIT
256 CANTON AVE MILTON MA 01286

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APR 14 2016

Account # 517225
Order # 81907768
Ad Price: 228.40

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

LEGAL NOTICE PENNSYLVANIA

Gina Krushinski

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

03/11/2016

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

Sworn and subscribed to before me
this 11th day of March A.D., 2016

Sharon Venturi

(Notary Public)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Sharon Venturi, Notary Public
City of Scranton, Lackawanna County
My Commission Expires Feb. 12, 2018
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

LEGAL NOTICE

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of **Early Bird Power LLC** For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A **Marketer/Broker** Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Early Bird Power LLC will be filing an application with the Pennsylvania Public Utility Commission (PUC) for a license to supply electricity or electric generation services as a broker/marketer, engaged in the business of supplying electricity, and an aggregator engaged in the business of supplying electricity. **Early Bird Power LLC** proposes to sell electricity and related services in all counties in PA under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Early Bird Power 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 **Early Bird Power LLC's** attorney at the address listed below.

By and through Counsel:
Phil Lake

Philip G. Lake
Lake Legal LLC / 17 Hammatt
Street / Ipswich, MA 01938
Office: 978-356-7500
Fax: 978-522-8432

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

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

SS:

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

March 12, 2016

Affiant further to verify the of publication

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
Application of Early Bird Power LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/ Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Early Bird Power LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity, and an aggregator engaged in the business of supplying electricity. Early Bird Power LLC proposes to sell electricity and related services in all counties in PA under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Early Bird Power LLC 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 Early Bird Power LLC's attorney at the address listed below.

By and through Counsel:

_____ officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice and that the facts and circumstances in the foregoing statement as to time, place and character of publication are true.

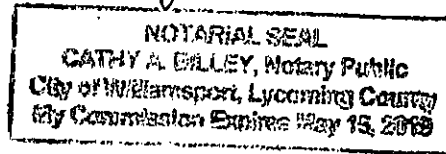
Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me

the *15th* day of *March* 20*16*

Cathy A. Billey
Notary Public



RECEIVED

APR 14 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:	
For publishing the notice attached hereto on the above state dates.....	\$ <i>125.50</i>
Probated same.....	\$
Total.....	\$ <i>125.50</i>

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

PENNSYLVANIA
 PUBLIC UTILITY COMMISSION
 NOTICE

Application of Early Bird Power LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Early Bird Power LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity, and an aggregator engaged in the business of supplying electricity. Early Bird Power LLC proposes to sell electricity and related services in all counties in PA under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Early Bird Power 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 Early Bird Power LLC's attorney at the address listed below.

publish that of The in the s of said
 By and through Counsel:
 Philip G. Lake
 Lake Legal LLC / 17 Hammatt Street / Ipswich, MA 01938
 Office: 978-356-7500
 Fax: 978-522-8432

On this 6th day of April A.D. 2016, 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,

County of Cambria, and Commonwealth of Pennsylvania and above matter published in said publication in the regular issues PA, on March 29, 2016; and that the Affiant is not interested and that all of the allegations as to time, place and character

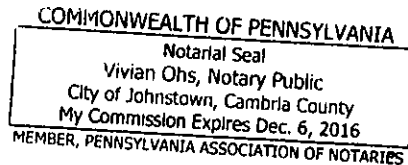
Christine Marhefka

STATEMENT OF ADVERTISING COSTS

Sworn and Subscribed before me this 6th day of April, 2016.

[Signature]

0.00 Lines @	\$2.50 per line	0.00
6 Inches @	\$25.00 per inch	150.00
Notary Fee		5.00
Clerical Fee		2.50
Total Cost		157.50



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.

RECEIVED

 (Name of Newspaper)

APR 14 2016

By _____

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

Early Bird Power LLC

Attachment 1:

Commonwealth of Pennsylvania Certificate of Registration

for Section 2b.

BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS

(1 page to follow)

RECEIVED

APR 14 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

03/09/2016

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

EARLY BIRD POWER LLC

is duly registered to do business under the laws of the Commonwealth of Pennsylvania and remains a registered Foreign Limited Liability Company so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT this Certificate of Registration shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written

Pedro A. Contes

Secretary of the Commonwealth

Certification Number: TSC160309151343-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify.aspx>

Early Bird Power LLC

Attachment 2:

Commonwealth of Massachusetts Certificate of Organization

for Section 2b.

BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS

(1 page to follow)

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



William Francis Galvin
Secretary of the
Commonwealth

The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

March 7, 2016

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of organization of a Limited Liability Company was filed in this office by

EARLY BIRD POWER LLC

in accordance with the provisions of Massachusetts General Laws Chapter 156C on **April 9, 2009.**

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation or withdrawal; and that said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are: **SHAUN KRISHNA PANDIT**

I further certify, the names of all persons authorized to execute documents filed with this office and listed in the most recent filing are: **SHAUN KRISHNA PANDIT**

The names of all persons authorized to act with respect to real property listed in the most recent filing are: **SHAUN KRISHNA PANDIT**



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

William Francis Galvin

Secretary of the Commonwealth

RECEIVED **Early Bird Power LLC**

APR 14 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Attachment 5:

Summary and Proof of Licenses

for Section 8a.
EXPERIENCE, PLAN, STRUCTURE

(11 pages to follow)

Early Bird Power LLC is a licensed Electricity Broker in the following States:

- (1) Delaware
- (2) Illinois
- (3) Maine
- (4) Maryland
- (5) Massachusetts
- (6) New Hampshire
- (7) New Jersey
- (8) Ohio
- (9) Rhode Island

Supporting documents follow this page.

LICENSE NO. 2012606755 DORBL

STATE OF DELAWARE

VALID

POST CONSPICUOUSLY

DIVISION OF REVENUE

01/01/16 - 12/31/18
NOT TRANSFERABLE

DLN: 16 60132 29 BUSINESS CODE 120 LICENSED BROKER
GROUP CODE ACTIVITY

DATE ISSUED: 01/12/16

VALIDATED

2018

LICENSE FEE: \$ 225.00

MAILING ADDRESS

BUSINESS LICENSE

BUSINESS LOCATION

EARLY BIRD POWER LLC
EARLYBIRD POWER
1 ADAMS ST STE 3
MILTON MA 02186-3439



EARLYBIRD POWER
1 ADAMS ST STE 3
MILTON MA 02186-3439

IS HEREBY LICENSED TO PRACTICE, CONDUCT OR ENGAGE IN THE OCCUPATION
OR BUSINESS ACTIVITY INDICATED ABOVE IN ACCORDANCE WITH THE LICENSE
APPLICATION DULY FILED PURSUANT TO TITLE 30, DEL CODE.

PATRICK T. CARTER

DIRECTOR OF REVENUE

IMPORTANT - TEAR AT ABOVE PERFORATION AND DISPLAY IN A PUBLIC LOCATION

Federal E.I. No. or Social Security Number 1 27018 6126 001

Business Code 120 Group Code

Licensed Activity BROKER

Electric

The State of Delaware Business License printed above must be posted in a public area at the location address listed. If you have any questions regarding this license, please call (302) 577-8778.

REPLACEMENT LICENSES

Keep this portion of your license separate, in case you need a replacement for any lost, stolen or destroyed license. A \$15 fee will be charged for the replacement of a license. Send the \$15 along with a copy of this form or provide your Federal Employer Identification Number, or Social Security Number, suffix, Business Code, Business Name and address to Delaware Division of Revenue, Attn.: Business Master File, PO Box 8750, Wilmington, DE 19899-8750. You will receive your replacement license within three to four weeks.

OTHER IMPORTANT INFORMATION

Most-licensees are also required to pay either gross receipts or excise taxes in addition to the license fee. You can file these taxes online or obtain a paper form from our website at www.revenue.delaware.gov. You must submit all business tax returns filed with the Division of Revenue under the same identification number. If you are a sole proprietor, and have a federal employer identification number, use the employer identification number, not your social security number. Only sole proprietors with no employees are allowed to file under their social security number. Inquiries regarding your coupon booklets to pay withholding, corporate tentative, and Sub Chapter "S" estimated taxes, or to make changes to your name, address, or identification number, should be directed to the Business Master File Unit at (302) 577-8778.

INTERNET SITE

The Division of Revenue web address is: www.revenue.delaware.gov. Visit our web site for tax tips, links to telephone numbers, forms that you can download, links to other State agencies, the Delaware Code, the publication "Delaware Guide for Small Business" and lots more. Internet filing of personal income tax returns via the Division of Revenue's website is available. Internet filing for Withholding, Gross Receipts and Corporate Tentative payments is also available.

Early Bird Power, LLC

Notice of Administrative Law Judge's Ruling

Notice is hereby given that the Administrative Law Judge has completed a preliminary review of the application filed by Early Bird Power, LLC ("Applicant") in Docket No. 10-0632, and hereby rules that a verified response, containing the information and clarifications described below, shall be filed with the Commission.

If filed electronically via the Commission's e-docket system, this verified response shall be filed with the Chief Clerk of the Commission on or before December 17, 2010. If the filing is made by non-electronic means, then December 17, 2010 is a mailing date. Applicant shall serve a copy of its response on the Administrative Law Judge (syoder@icc.illinois.gov). For purposes of doing so, December 17, 2010 is a receipt or "in hand" date, not later than 5:00 P.M., by electronic mail, Fax (217-524-8928) or otherwise.

Section 454.80 Financial Licensing Requirements

Section 454.80 provides as follows:

a) The applicant shall execute and maintain a license or permit bond issued by a qualifying surety or insurance company authorized to transact business in the State of Illinois in favor of the People of the State of Illinois. The amount of the bond shall equal \$5,000. The bond shall be conditioned upon the full and faithful performance of all duties and obligations of the applicant as an ABC and shall be valid for a period of not less than one year. The cost of the bond shall be paid by the applicant. The applicant shall file this bond as part of its application for certification.

The Applicant submitted a bond conditioned on the Applicants performance as a "Contractor". The Applicant is directed to submit a permit bond payable to the State of Illinois conditioned on the Applicants performance as an "Agent, Broker or Consultant" pursuant to Section 454.80.

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2009-215

July 9, 2009

EARLY BIRD POWER
Application for License to Operate as a
Competitive Electricity Provider

ORDER GRANTING LICENSE

REISHUS, Chairman; VAFIADES, and CASHMAN, Commissioners

I. SUMMARY

In this Order, we license Early Bird Power to operate as a competitive electricity provider furnishing aggregator/broker services in Maine pursuant to Chapter 305 of the Commission's Rules.

II. APPLICATION AND DECISION

On July 7, 2009, Early Bird Power (EBP) applied to the Commission to operate in Maine as a competitive electricity provider pursuant to Chapter 305. EBP proposes to provide aggregator/broker services to medium and large non-residential customers throughout Maine. EBP met all the Chapter 305 filing requirements. As a licensed competitive electricity provider, EBP is required to comply with all applicable requirements and regulations, including all conditions of licensing, customer protection rules, and the filing of annual reports.

Pursuant to a Delegation Order dated April 23, 2008 in Docket No. 2008-185, *PUBLIC UTILITIES COMMISSION, Delegation of Authority to License Competitive Electricity Providers*, the Commission delegated to the Director of Technical Analysis the authority under 35-A M.R.S.A., § 3203 (1)(2) and Chapter 305, §2 to license competitive electricity providers.

Accordingly, it is

O R D E R E D

1. That Early Bird Power is hereby issued a license to operate as a competitive electricity provider pursuant to Chapter 305 of the Commission's Rules, to provide aggregator/broker services to medium and large non-residential customers throughout Maine; and
2. That this license is effective on the date of this Order and valid until revoked or suspended by the Commission pursuant to section 3(A)(4) of Chapter 305, or abandoned by the licensee pursuant to sections 2(D)(10) and 2(D)(11) of Chapter 305 of the Commission's Rules.

DOUGLAS R. M. NAZARIAN
CHAIRMAN

HAROLD D. WILLIAMS
SUSANNE BROGAN
LAWRENCE BRENNER
THERESE M. GOLDSMITH



PUBLIC SERVICE COMMISSION

#43, 3/10/10 AM; ML#s 120792 and 121452
License Reference No.: IR-1798

March 10, 2010

Shaun Pandit
Director/CEO

Early Bird Power, LLC
256 Canton Ave
Milton, MA 02186

Dear Mr. Pandit:

On January 5, 2010, Early Bird Power, LLC filed an Application for a License to supply electricity or electric generation services in Maryland under COMAR 20.51. Additional information was filed on February 16, 2010. The Company proposes to provide electricity broker services in Maryland for commercial and industrial customers with no restrictions on the number and size of end use customers as described in the application.

After considering this matter at the March 10, 2010 Administrative Meeting, the Commission granted Early Bird Power, LLC a license to supply electricity or electric generation services in Maryland in accordance with its Application (License Reference Number IR-1798). The license granted by the Commission under this Letter Order is limited solely to providing electricity broker services to commercial and industrial customers.

Early Bird Power, LLC is reminded that it is under a continuing obligation to notify the Commission within 30 days of any substantial changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

A handwritten signature in black ink, appearing to read "T. Romine".

Terry J. Romine
Executive Secretary

TJR/gjd

c: Phil Vanderheyden, Electricity Division
Paula M. Carmody, People's Counsel



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MATTHEW A. BEATON
SECRETARY OF ENERGY
AND ENVIRONMENTAL AFFAIRS

ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3500

ANGELA M. O'CONNOR
CHAIRMAN

JOLETTE A. WESTBROOK
COMMISSIONER

ROBERT E. HAYDEN
COMMISSIONER

June 16, 2015

Shaun Pandit, CEO
Early Bird Power, LLC
1 Adams Street
Milton, MA 02186

Dear Mr. Pandit,

The Department of Public Utilities ("Department") has reviewed your application for renewal of your **Electricity Broker License, EB-125**, and is pleased to inform you that your application for renewal has been approved.

As a condition of maintaining this license, you must file updated information within 30 days of any material or organic change in the information required by 220 C.M.R. § 11.05(2), and you must comply with all relevant requirements of G.L. c. 164 and the regulations promulgated thereunder, including 220 C.M.R. §§ 11.00, 12.00 *et seq.* If you decide to request renewal of your license next year, please submit renewal application no later than July 1, 2016. The renewal application is available at: www.mass.gov/dpu/suppliersandbrokers.


Mark D. Marini, Secretary

THE STATE OF NEW HAMPSHIRE

CHAIRMAN
Amy L. Ignatius

COMMISSIONERS
Michael D. Harrington
Robert R. Scott

EXECUTIVE DIRECTOR
Debra A. Howland



PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX (603) 271-3878

Website:
www.puc.nh.gov

April 11, 2012

Shaun Pandit
CEO Director
Early Bird Power, LLC
1 Adams Street
Milton, MA 02186

Re: DM 12-053, Notification of EarlyBird Power LLC's Intent to Provide Electric Aggregation Service

Dear Mr. Pandit:

On February 29, 2012, the New Hampshire Public Utilities Commission (Commission) received EarlyBird Power LLC (EarlyBird)'s notice of intent to provide electric aggregation service in the State of New Hampshire, pursuant to New Hampshire Administrative Rules Puc 2003.05. In its application, EarlyBird requested a waiver of Puc 2003.05(a) requiring an application for renewal be filed no less than 60 days prior to the expiration of the currently effective registration. EarlyBird's renewal application was due 60 days prior to the expiration date of February 10, 2012. EarlyBird stated that the delay was due to an administrative oversight that failed to recognize the 60 day requirement contained in the updated rule.

On March 30, 2012, Staff filed a recommendation that EarlyBird's application for renewal of its registration be approved. Staff further recommends in light of the general confusion among aggregators regarding the adoption of amendments to Puc 2000 on August 25, 2010, the Commission grant the waiver request.

The Commission may waive a rule pursuant to Puc 201.05 if it finds the waiver serves the public interest and the waiver does not disrupt the orderly and efficient resolution of matters before the Commission. The Commission has determined that the applicable standards for a waiver are satisfied and that granting a waiver is consistent with the public good.

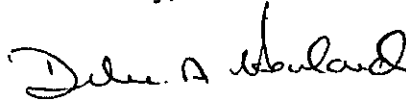
Based on Staff's recommendation and the Commission's review, the Commission will approve renewal of EarlyBird's registration as a provider of electric aggregation service in New Hampshire.

April 11, 2012
Page two

Please note the following provision of Puc 2003.05 (f): “[E]ach approved aggregator shall re-notify the commission after the initial 2 year period, or after the 5 year renewal period as applicable, by filing with the commission an application for renewal at least 60 days prior to the expiration of the currently effective registration.” EarlyBird’s original notice anniversary date is February 10, 2010 and therefore it is required to refile an up-to-date written notice on or before **December 10, 2016** if it continues to offer and provide electric aggregation service. In addition, EarlyBird is subject to the provisions of Puc 2004.03, telephone solicitation of customers, and Puc 2004.08, customer protections provided by aggregators. Finally, aggregators must comply with the requirements set out in RSA 362-F relative to the renewable portfolio standard (RPS) and RSA 362-F relative to disclosure of electric service energy sources and environmental characteristics. Please refer to Puc 2500 for further details regarding RPS reporting requirements. Commission Order No. 25,264 provides guidance as to the appropriate format for environmental disclosure.

If you have any questions regarding these provisions, please contact the Commission. Thank you for your cooperation in this matter.

Sincerely,



Debra A. Howland
Executive Director

State of New Jersey



Board of Public Utilities

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

HEREBY REGISTERS

Early Bird Power LLC

1 Adams Street
Milton, MA 02186

To conduct business in the State of New Jersey as an

Energy Agent



Kristi Izzo
Kristi Izzo
Secretary of the Board

Registration No. EA-0062
Effective Date: January 18, 2012
Expiration Date: January 17, 2013

State of New Jersey



Board of Public Utilities

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

HEREBY REGISTERS


Early Bird Power LLC

1 Adams St.
Milton, MA 02186

To conduct business in the State of New Jersey as a

Private Aggregator




Kristi Izzo
Secretary of the Board

Registration No. PA-0062
Effective Date: January 18, 2012
Expiration Date: January 17, 2013



**Public Utilities
Commission**

John Kasich, Governor
Andre T. Porter, Chairman

Commissioners

Asim Z. Haque
Lynn Slaby
M. Beth Trombold
Thomas W. Johnson

PUBLIC UTILITIES COMMISSION OF OHIO

Certified as a Competitive Retail Electric Service Provider

RENEWAL

Certificate Number:

14-776E (2)

Issued Pursuant to Case Number(s):

14-0004-EL-AGG

A certificate as a Competitive Retail Electric Service Provider is hereby granted to **Early Bird Power LLC** whose office or principal place of business is located at **1 Adams Street, Milton, MA 02186** to provide **aggregation and power broker** services within the State of Ohio effective **February 6, 2016**.

The certification of competitive retail electric suppliers is governed by Section 4901:1-24-(01-13) of the Ohio Administrative Code, Section 4901:1-21-(01-15) of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code.

This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met.

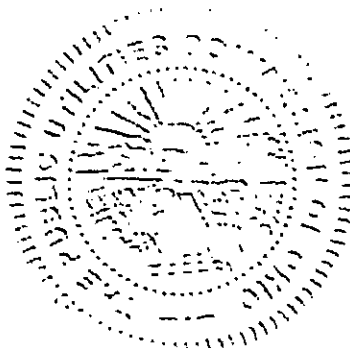
Subject to all rules and regulations of the Commission, now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio.

Dated: **February 10, 2016**

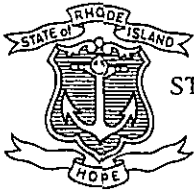
By Order of

PUBLIC UTILITIES COMMISSION OF OHIO



Barcy F. McNeal, Secretary
Tanowa M. Troupe, Acting Secretary
Felecia D. Burdett, Acting Secretary

Certificate Expires: February 6, 2018



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF PUBLIC UTILITIES AND CARRIERS

Thomas F. Ahern
ADMINISTRATOR
89 Jefferson Boulevard
Warwick, R.I. 02888

OFFICE (401) 941-4500 x115
FAX (401) 941-9207
TDD (401) 941-4500

August 11, 2009

Mr. Shaun Pandit
Chief Executive Officer
Early Bird Power, LLC
256 Canton Ave.
Milton, MA 02186

Re: Early Bird Power, LLC's Application for Registration as a Non Regulated Power Producer pursuant to R.I.G.L. 39-1-27.1(c). Division Docket D-96-6 (A4)

Dear Mr. Pandit:

The Division of Public Utilities has reviewed Early Bird Power, LLC's application for registration as a nonregulated power producer, pursuant to R.I.G.L. 39-1-27.1(c) and the Division's Rules Applicable to Nonregulated Power Producers. The application is complete as to the statutory requirements of 39-1-27.1(c), itemized in statute at (i) through (ix) and the Division's rules.

The Division accepts the registration application of Early Bird Power, LLC as a nonregulated power producer. In conformance with the law, please note that the registration must be updated within ten days of any change to the information included in your application.

Sincerely,

pc: Luly Massaro, Commission Clerk
John Bell, Utility Analyst

Early Bird Power LLC

Attachment 6:

Chief Executive Officer Resume

for Section 8e.
OFFICERS

RECEIVED

(2 pages to follow)

APR 14 2016

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Shaun Pandit
256 Canton Ave. Milton, MA 02186
(617) 872-2384
ShaunPandit@aol.com

EXPERIENCE:

EarlyBird Power, Milton MA

Present

Owner/CEO/Director

Consult Energy users on reduction in costs, use and the opportunity to go green.

- EarlyBird issues an agreed on RFP to all licensed suppliers on our clients' behalf, as we have relationships with all the major competitive suppliers for electricity and natural gas. EarlyBird brings unique expertise in negotiating pricing, terms, and conditions, for our clients' contracts with suppliers. EarlyBird has a team of energy market experts, with over 100 Years combined energy market experience on staff. EarlyBird has a reputation as the smartest broker and our retention is 100%.
- EarlyBird is also an Energy Star partner, and enroll our clients in Energy Star's portfolio manager program.
- We assist with review of any third party efficiency or renewable projects and apply for applicable rebates and incentives from your utility.
- EarlyBird has become a valued asset to our clients.

International Power-America, Marlborough MA

Feb 07 – March 09

Vice President, Trading and Marketing

- Directed and Managed Trading and Origination team of twenty responsible for optimizing International Power's 6000 MW's of generation assets by executing gas, power, emissions, and coal trades in forwards, options and basis markets in ERCOT, NEPOOL, PJM and MISO markets
- Built relationships and executed PPA's with financial counterparties, LSE's, and municipals
- Structured and initiated long term hedges to finance new acquisitions
- Member of management team responsible for growth strategy, forecasts, and personnel development

TransCanada Power Marketing, Westborough MA

Feb 03 – Feb 07

Manager, Risk Management

- Enabled opportunities within TransCanada's extensive asset positions while managing credit and market exposure, instrumental in growing TransCanada's retail business
- Developed and implemented appropriate risk management policies and practices in coordination with Counterparty Risk, Accounting, Finance, and Trading and Origination for the Boston and Ontario offices for wholesale and retail transactions.
- Developed weekly exposure reporting to provide transparency of the portfolio
- Performed due diligence on new acquisitions, including the successful acquisition of GTN pipeline, and commercial and industrial origination activities
- Member of Marketing Strategy Board for Bruce Nuclear Power responsible for marketing and fuel procurement strategies and long term hedging

AES New Energy Corp, Boston, MA

Sep 01- Feb 03

Director of Origination and Structuring

- Analyze portfolio of assets and retail obligations and structure and implement trades that decrease risk and create profitable trading opportunities
- Originated PPA's with paper mills; Pope and Talbot, Rosewood and Weyerhaeuser in Oregon and Washington
- Optimize AES Corp's 40,000 MWs of generation assets by originating and structuring non-standard energy products and options with industrial, retail and wholesale entities

- Member of Wolf Hollow due diligence team.

Citizens Power Boston, MA

Dec 00-Aug 01

Asset Optimizer, Structured Products Trader, Northeast Trader

- Marketed and initiated profitable multi-year energy, capacity and option contracts with utilities, industrials, municipals, IPP's and marketers
- Priced, evaluated and analyzed profitability of development opportunities and long term structured deals and implemented trading and hedging strategies
- Increased value of 23,500 MWS of assets extracting option value and creating arbitrage opportunities by acquiring strategic transmission, FTR'S and TCC'S and initiating short and long term trades
- NEPOOL, PJM, NY Trader

PacifiCorp Power Marketing, (PPM), Portland, OR

June 96-July 00

Trading Manager

- Directed the expansion of PacifiCorp's unregulated division
- Managed six traders and collaborated with business development, generating significant profits
- Built a trading platform for WSCC market, and a marketing infrastructure to market and finance PPM's wind projects
- Member of development team for Enterprise Wind and executed the sale of Enterprise *Wind Development project to BPA*
- Developed and executed a forward marketing plan for Klamath Falls Hydro

PacifiCorp

Lead Trader

- Negotiated, acquired and administered generating assets profiting by optimizing firm and interruptible gas and power assets through forward and spot transactions, strategic basis spreads, resource management and marketing
- Optimized PacifiCorp's 7000 MWS of coal, gas, and hydro assets by developing and maintaining strong relationships marketing to and negotiating with PacifiCorp's customers, electricity suppliers and brokers dramatically increasing our customer base, revenues and profits
- Analyzed changing system outlooks and developed and implemented profitable strategies given the resources and options present in PacifiCorp's unique system

Chemical Bank / Chase Manhattan, New York, NY

Dec 93-June 96

Capital Markets Officer

- Interbank foreign exchange market maker through direct dealing and brokered markets in major currencies
- Became a dominant market maker of exotic currencies by generating hedge ratios to price *illiquid minor currencies with major currencies*

Timber Hill Inc., Chicago Mercantile Exchange

July 88-Dec 93

Trader

- Market-maker in currency and financial futures and options trading pits to take advantage of arbitrage opportunities
- Supervised and trained assistants

Trader's Assistant

- Relayed market information and order activity from futures and options trading pits to clients

EDUCATION:

Loyola University Chicago

Master of Business Administration-Finance

Chicago, IL

Nov 93

Boston College

Bachelor of Arts-Economics

Chestnut Hill, MA

May 88

Appendix C

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

Example CERTIFICATE OF SERVICE

On this the 11th day of April 2016, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

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

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

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

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

Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101

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

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

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

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

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


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

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

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APR 14 2016

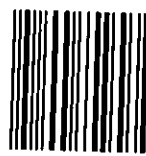
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU 20


Shaun Pandit, CEO, Early Bird Power LLC

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* MAIL *
EXPRESS™**

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

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) PHONE: 617 006 3010

EARLY BIRD POWER
1 ADAMS STREET
MILTON, MA 02186

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED *Note: The maker must check the "Signature Required" box if the mailer: 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: 717 103 3298

PENNSYLVANIA PUBLIC UTILITY
COMMISSION SECRETARY
PO BOX 3265
HARRISBURG, PA

ZIP + 4® (U.S. ADDRESSES ONLY)
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ORIGIN (POSTAL SERVICE USE ONLY)

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PO ZIP Code 02187	Scheduled Delivery Date (MM/DD/YY) 4/15/16	Postage \$ 72.45	
Date Accepted (MM/DD/YY) 4/14/16	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 3:58	10:30 AM Delivery Fee \$	Return Receipt Fee \$	Live Animal Transportation Fee \$
Weight <input type="checkbox"/> Flat Rate	Sunday/Holiday Premium Fee	Total Postage & Fees	

DELIVER

Delivery Att
4

Delivery At

LABEL IT



CMPC

To: PUC SECRETARY BUREAU

Agency PUC

Floor:

External Carrier: EXPRESS

4/18/2016 8:31:00 AM



EL141282944US

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