

Michael R. Borovik
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A-2009-2132755

April 20, 2016

RECEIVED

Via Overnight Delivery

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2<sup>nd</sup> Floor, Room-N201 Harrisburg, PA 17120

APR 2 0 2016

PA PUBLIC UTLEYS COMMUSSION SECRETARY 5 BUREAU

RE: AEP Energy, Inc.'s Annual Proof of PJM Reliability Assurance Agreement in Docket No. M-2010-2157431

Dear Ms. Chiavetta:

Pursuant to the Commission's March 18, 2010 Secretarial Letter in the above-referenced docket, enclosed for filing is documentation proving AEP Energy, Inc. (f/k/a BlueStar Energy Services, Inc. ("BlueStar")) is a signatory to PJM's Reliability Assurance Agreement ("RAA").

This is the same documentation that was filed last year as it is still in effect. Enclosed are copies of two signatory pages from the PJM RAA that were forwarded via email in March 2010 from Leslie Yeager of PJM; in her email she states that these signatory pages are proof of the RAA agreement (see enclosed email). In addition, also enclosed are emails between Matthew Wurst of the Pennsylvania Public Utility Commission, Jon Casadont (former Chief Legal Officer of BlueStar), Victoria Ziebarth (former BlueStar employee) and Madelon Kuchera (current AEP Energy, Inc. Vice President of Regulatory Affairs) further evidencing that these signatory pages are proof of the PJM RAA agreement.

Please contact me if I can be of further assistance.

Respectfully,

Michael R. Borovik Regulatory Counsel

16.10 Dispute Resolution. Except as otherwise specifically provided in the Operating Agreement, disputes arising under this Agreement shall be subject to the dispute resolution provisions of the Operating Agreement.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives.

[Signatures] BlueStar Energy Services, Inc. Pohert D. Ferlman Robert G. Ferlmann Vice President

8-24-05

Issued By: Craig Glazer

Vice President, Governmental Policy

Issued On: March 20, 2003 Effective: March 20, 2003

Effective: October 1, 2003

- 17.7 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original but all of which together will constitute one instrument, binding upon all parties hereto, notwithstanding that all of such parties may not have executed the same counterpart.
- 17.8 No Implied Waivers. The failure of a Party to insist upon or enforce strict performance of any of the provisions of this Agreement shall not be construed as a waiver or relinquishment to any extent of such Party's right to assert or rely upon any such provisions, rights and remedies in that or any other instance; rather, the same shall be and remain in full force and effect.
- 17.9 No Third Party Beneficiaries. This Agreement is intended to be solely for the benefit of the Parties and their respective successors and permitted assigns and is not intended to and shall not confer any rights or benefits on any third party not a signatory hereto.
- 17.10 Dispute Resolution. Except as otherwise specifically provided in the Amended Operating Agreement, disputes arising under this Agreement shall be subject to the dispute resolution provisions of the Amended Operating Agreement.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives.

[Signatures]

Rober D. Ferlinan.
Blue Star Energy Services, Inc.
Vice President

Issued By:

Craig Glazer

Vice President, Governmental Policy

Issued On:

July 31, 2003

### Victoria Ziebarth

From:

Madelon Kuchera [mkuchera@bluestarenergy.com]

Sent:

Tuesday, March 30, 2010 4:58 PM

To: Cc

Victoria Ziebarth 'Nabil Streets'

Subject:

FW: RAA Signatory Page-EAST

Attachments:

PJMLAW-#4903-v1-PAA\_Signatory\_Page-EAST.PDF

Please print out the attached document and string of e-mails for PA proof of PIM RAA.

Prom: Jon Casadont (mailto:icasadont@bkiestarenergy.com)

Sent: Tuesday, March 30, 2010 10:34 AM

To: Madelon Kuchera

Subject: Fwd: RAA Signatory Page-EAST

Jon M. Casadont Chief Legal Officer BlueStar Energy Services 363 West Erie Street 7th Floor Chicago, IL 60654 312.628.8866 Direct 312.628.8668 Fax www.bluestarenergy.com

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BET Please consider your environmental responsibility before printing this e-mail

--- Forwarded Message From: ousbave @pim.com To: loasadont@bluestarenergy.com Sent: Wednesday, February 10, 2010 3:44:15 PM Subject: RAA Signatory Page-EAST

Hello Jon.

This is the first one listed and the second one for the West will follow. Thanks.

Leslie Yeager Customer Advisor, Member Relations

### Victoria Ziebarth

From:

Madelon Kuchera [mkuchera@bluestarenercy.com]

Sent

Tuesday, Merch 30, 2010 4:57 PM

To:

Victoria Ziebarth **Nabil Streets** 

Co: **Subject:** 

FW: Reliability Assurance Agreement West Signatory Page

Attachments:

PJMLAW-#2507-v1-Reliability\_Assurance\_Agreement\_West\_Signatory\_Page.PDF

We are going to want to print out the attached document as well as e-mail below for PA filing.

From: Jon Casadont [mailto:jcasadont@bluestarenergy.com]

Sent: Tuesday, March 30, 2010 10:34 AM

To: Madelon Kuchera

Subject: Fwd: Reliability Assurance Agreement West Signatory Page

Jon M. Casedont Chief Legal Officer BlueSter Energy Services 383 West Erle Street 7th Floor Chicago, IL 60654 312,628,8886 Direct 312.628.8858 Fax www.bluestarenergy.com

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Please consider your environmental responsibility before printing this e-mail

Forwarded Message From: custave@plm.com To: jcasadont@bluestarenergy.com

Sont: Wednesday, February 10, 2010 3:45:59 PM

Subject: Fieliability Assurance Agreement West Signatory Page

Hello Jon.

Here is the second signatory page. Thanks.

Leslie Yearer Customer Advisor, Member Relations

### Victoria Zlebarth

From:

Madelon Kuchera [mkuchera@bluestarenergy.com]

Sent:

Tuesday, March SO, 2010 4:59 PM

To:

Victoria Zieberth' 'Nebil Streets'

Cœ Subject:

FW: Reliability Assurance Agreement West Signatory Page

Please print out this string of e-mails for PA proof of PJM Reliability Assurance Agreement.

From: Warst, Matthew [mailto:mwurst@state.pa.us]

Sent: Tuesday, March 30, 2010 12:05 PM

To: 'Madelon Kuchere'

Subject: RE: Reliability Assurance Agreement West Signatory Page

Looks good Madelon. As the Secretarial Letter Instructs. Please officially file these proofs with the Commission.

### Thanks. -Matt

Promi Madelon Kuchera [mellio;mkuchera@bluestarenergy.com]

Sent: Tuesday, March 30, 2010 11:41 AM

To: Wurst, Matthew

Subject: FW: Reliability Assurance Agreement West Signatory Page

### Matt.

Please see previous e-mail I forwarded to you explaining the attached document and e-mail string below from PJM showing that we are signatories to PJM RAA agreement.

Thanks!

**Madelon** 

Prom: Jon Casadont [mailto:]casadont@bluestarenergy.com]

Sent: Tuesday, March 30, 2010 10:34 AM

To: Madelon Kuchera

Subject: Fwd: Reliability Assurance Agreement West Signatory Page

Jon M. Casadont Chief Legal Officer **BlueStar Energy Services** 363 West Erle Street 7th Floor Chicago, IL 80654 312,628,8866 Dtrect 312.628.8688 Fax

www.bluestarenergy.com

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Please consider your environmental responsibility before printing this a-mail

- Forwarded Message -From: custave@pim.com To: jcasadont@bluestarenergy.com Sent: Wednesday, February 10, 2010 3:45:59 PM Subject: Reliability Assurance Agreement West Signatory Page

Hello Jon,

Here is the second signatory page. Thanks.

Leslie Yeager Customer Advisor, Member Relations

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## Customers without a Daily Pickup

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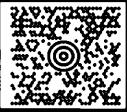
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400 NORTH STREET **HARRISBURG PA 17120-0200** 

ROSEMARY CHIAVETTA, SECRETARY



MICHAEL R. BOROVIK 312-628-0293 AEP ENERGY

225 W WACKER DRIVE

CHICAGO IL 60606

**SHIP TO:** 

PA 171 9-20



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Reference#1: Legal - Regulatory

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