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SUTHERLAND

August 5, 2016

#### VIA FEDERAL EXPRESS

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2nd Floor Harrisburg, Pennsylvania 17120

#### Re: Champion Energy Services, LLC Supplement to Annual Petition for Renewal of Bond Reduction Docket No. A-2009-2124113

Dear Secretary Chiavetta:

Pursuant to the July 19, 2016 Data Request from Secretary of the Pennsylvania Public Utility Commission, Champion Energy Services, LLC (Champion) hereby supplements its Annual Petition for Renewal of Bond Reduction.

In response to the Data Request, Champion is submitting under seal the following documents:

- Champion's gross revenues for the sale of electricity to retail customers in Pennsylvania for the most recent 12 months or four quarters (Attachment A); and
- Champion's available AEPS compliance data from the most recent 12 months (Attachment B).
- proof of service of the Public version of this Supplement on the statutory advocates and affected EDCs (Attachment C).

These documents contain proprietary information that should not be publicly disclosed. This proprietary information contains sensitive commercial and/or financial information that could be used by Champion's competitors to determine Champion's market 37141088.1

ATLANTA AUSTIN GENEVA HOUSTON LONDON NEW YORK SACRAMENTO WASHINGTON D.C.





PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU share in each service area, and thereby provide them insight into their relative position in the market, and Champion's marketing strategy, which would be of value to Champion's competitors, giving them an unfair advantage.

Disclosure of this proprietary information would cause substantial harm to Champion, outweighing any public interest considerations for public disclosure of this type of information, and confidential treatment would be consistent with federal law concerning protection of market share, see, e.g., Sharkey v. FDA, 2007 U.S. App. LEXIS 23597 (11th Cir. 2007) (holding that market share and sales volume of vaccine manufacturers is confidential commercial information), and other states' treatment of sales data, see, e.g., Champion Energy, LLC's Petition for Relief to Protect Petitioner's 2013 Kilowatt-Hour Report from Disclosure for Not Less Than Two Years to Protect Highly Confidential and Proprietary Information Illinois Commerce Commission Docket No. 14-0198, Order (I.C.C. Apr. 16, 2014) (finding Champion's total kilowatt-hour sales were confidential information that should not be publicly disclosed).

Therefore, Champion requests confidential treatment under 52 Pa. Code § 5.423. Accordingly, this report contains four copies (two copies with the confidential data expurged and two copies of the unexpurged report, marked confidential).

This filing also includes an extra copy for our records and an extra copy for Champion's records. Please date-stamp these extra copies (and cover letters) and return them at your earliest convenience using the enclosed self-addressed, stamped envelopes. Thank you for your assistance, and please contact me if you have any questions regarding this matter.

Respectfully submitted/

Jeffrey B. Stuart Attorney for Champion Energy Services, LLC



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PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

#### Data Request Docket No. A-2009-2124113 Champion Energy Services, LLC

 Reference petition, Champion has not provided gross receipts for the past 12 months or four quarters. Please provide gross revenues for sale of electricity to retail customers in Pennsylvania for the most recent 12 months or four quarters.

#### **Response:**

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Please see Attachment A (Confidential).

2) Provide proof of available AEPS compliance data from the most recent 12 months.

#### **Response:**

Please see Attachment B (Confidential).

#### **VERIFICATION**

I, Brenda Crockett, Vice President, Market Development and Regulatory Affairs for Champion Energy Services, LLC, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

DATED: August 3, 2016

Brenda Crockett Vice President, Market Development and Regulatory Affairs



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#### **PUBLIC VERSION**

#### ATTACHMENT A

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#### ATTACHMENT B Available AEPS Compliance Data

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#### ATTACHMENT C Certificate Of Service

I hereby certify that I have this day served by U.S. Mail a true copy of Champion Energy Services, LLC's Supplement to Its Request to Amend Electric Generation Supplier License Application (excluding confidential attachments) upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

Tanya J. McCloskey Office of Consumer Advocate 5<sup>th</sup> Floor, Forum Place 555 Walnut Street Harrisburg, PA 17120

John R. Evans Office of the Small Business Advocate Commerce Building, Suite 1102 300 North Second Street Harrisburg, PA 17101

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

Legal Department First Energy 2800 Pottsville Pike Reading, PA 19612

Manager Energy Acquisition PECO Energy Company 2301 Market Street Philadelphia, PA 19101-8699 Office of Trial Staff Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265

Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265

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

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

Legal Department West Penn Power d/b/a Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15601-1689 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 Dated this <u>5</u> day of August 2016. Director of Customer Energy Services Orange and Rockland Company 390 West Route 59 Spring Valley, NY 10977-5300

Jeffrey B. Staart Attorney for Champion Energy Services, LLC



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