



Tuesday, February 28, 2017

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Docket No. A-2017-2587122
Utility Code: 1114710

The two attached application pages are being provided in response to your letter date February 23, 2017 and should replace the corresponding pages of our original application.

- 1. Page 6, Reference Application Section 3.a and 3.b, Affiliates and Predecessors
- 2. Page 14, Reference Application Section 8.d, Oversight of Marketing

I, Thomas A. Bathgate, 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).

Thomas A. Bathgate, President and CEO, Pennell & Wiltberger, Inc.

Signature *Thomas A. Bathgate*
Date 2/28/17

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PA P.U.C.
SECRETARY'S BUREAU

The Applicant is at:

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

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.
- Give name and address of officers.

Thomas A. Bathgate
President/CEO
1845 Canterbury Road
Abington, PA 19001

John J. McDevitt
Vice-President
53 Lincoln Drive
Laurel Springs, NJ 08012

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.

NONE

- 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.

NONE

- 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.

All employees of Pennell & Wiltberger, Inc. are required to review and sign a conduct policy stating that they will not conduct themselves in a manner that is contrary to the interests of our company or our clients. In addition, all proposals are reviewed for accuracy and integrity by a member of the management team before being delivered to a potential client.

Pennell & Wiltberger, Inc. does not use subcontractors for marketing.

- 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.

Thomas A. Bathgate, President and CEO (resume attached)

John J. McDevitt, Vice President (resume attached)

- 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

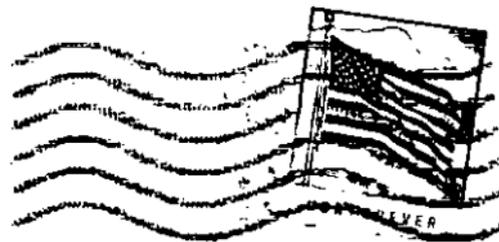
- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:

- 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.

PENNER & WILTBEGER, INC.
165 TOWNSHIP LINE RD.
SUITE 2200
JENKINTOWN, PA 19846

PHILADELPHIA PA 19101

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ROSEMARY CHIARITTA, SECRETARY
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET
HARRISBURG, PA 17120

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