



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

April 16, 2018

Docket No. A-2018-3000760
Utility Code: 1120817

CERTIFIED

ROBERT RIZZITANO
U.S. POWER TRADE LLC
1259 SOUTH CEDAR CREST BLVD SUITE 310
ALLENTOWN PA 18103

RE: Electric Broker/Marketer License Application

Dear Mr. Rizzitano:

On March 29, 2018, U.S. Power Trade LLC's application for an Electric Broker/Marketer license was accepted for filing and docketed with the Public Utility Commission. The application was incomplete. In order for us to complete our analysis of your application, the Energy Industry Group requires answers to the attached question(s).

Please be advised that you are directed to forward the requested information to the Commission within **15** days of receipt of this letter. Failure to respond may result in the application being denied. As well, if U.S. Power Trade LLC has decided to withdraw its application, please reply notifying the Commission of such a decision.

Please forward the information to the Secretary of the Commission at the address listed below. When submitting documents, all documents requiring notary stamps must have original signatures. Please note that some responses may be e-filed to your case, <http://www.puc.pa.gov/efiling/default.aspx>. A list of document types allowed to be e-filed can be found at <http://www.puc.pa.gov/efiling/DocTypes.aspx>.

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

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, Robert Rizzitano, 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

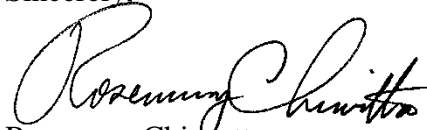
statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

In addition, to expedite completion of the application, please also e-mail the information to Jordan Van Order at jvanorder@pa.gov. Please direct any questions to Jordan Van Order, Bureau of Technical Utility Services, at jvanorder@pa.gov (preferred) or (717) 787-8763.

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure

Docket No. A-2018-3000760
U.S. Power Trade LLC
Data Requests

- A-1. Reference Application, Section 1.a, Identity of Applicant – Applicant failed to provide the applicant’s web address. Please provide an updated application page with the appropriate corrections.
- A-2. Reference Application, Section 4.a, Present Operations – Applicant states that U.S. Power Trade LLC is currently doing business in the Commonwealth as a broker/marketer engaged in the business of supplying electricity services. Please explain.
- A-3. Reference Application, Section 5.c, Customer/Regulatory/Prosecutory Actions – Applicant failed to list the cancellation of its prior EGS broker/marketer license, at Docket No. A-2013-2341976, for non-compliance of the Commission’s financial security requirements. Please file an updated Application page with the requested information.
- A-4. Reference Application, Section 7.b, Financial Fitness – Applicant did not provide sufficient documentation to demonstrate financial fitness. Please provide three consecutive months of bank statements.
- A-5. Reference Application, Section 8.a, Technical Fitness – Applicant failed to provide documentation for Technical Fitness. Please provide the missing documentation.
- A-6. Reference Application, Section 8.d, Oversight of Marketing – Applicant failed to provide an explanation of ethical procedures. Please file an updated Application page with the information requested.
- A-7. Reference Application, Section 8.e, Technical Fitness – Applicant failed to provide detailed professional resumes of its chief officers, to include detailed descriptions on all experience and activities including date ranges. Please provide the missing documentation.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of US Power Trade LLC, d/b/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:

US Power Trade LLC
2454 Lakemont Dr.
Gibsonia, PA 15044
(724) 328-3300
www.us.powertrade.com

- 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.

7535 Windsor Dr. Ste 201
Allentown, PA 18195

- 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.

Mary Dubitsky
150 Grand St. 4th Fl., White Plains, NY 10601
Phone: (914) 644-9547 Fax: (214) 975-2008
mdubitsky@licenselogix.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. *Not applicable*

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, FAX number, and e-mail of the person and an alternate person 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.

Robert M. Rizzitano, CEO
2454 Lakemont Dr., Gibsonia, PA 15044
Phone: (724) 328-3300 Fax: (412) 774-3084
premiercorp2000@yahoo.com

A-2. U.S. Power Trade LLC's PA Electric Broker License #A-2013-2341976 was canceled in 2017, as a result of filing a copy of its bond renewal instead of the original bond renewal. This application is being filed as a result of that cancellation, so any business that was obtained under the original license still exists. No new business is being solicited until the new license is issued.

- h. **START DATE:** Provide the approximate date the Applicant proposes to begin services within the Commonwealth. When license is issued.

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.

None.

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

- 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.

U.S. Power Trade LLC's PA Electric Broker License #A-2013-2341976 was canceled in 2017, as a result of filing a copy of its bond renewal instead of the original bond renewal. This application is being filed as a result of that cancellation, so any business that was obtained under the original license still exists. No new business is being solicited until the new license is issued.

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

A-4. Bank Statements are confidential and will be filed by mail.

A-5. Robert Rizzitano, CEO of U.S. Power Trade LLC, is the only employee of the company. Since the LLC's organization in 2005, Robert has worked with commercial customers throughout the country. All customers have been contracted through referrals, word of mouth, and through U.S. Power Trade's website. Robert does not use any agents or brokers to solicit business. As of now, U.S. Power Trade serves 384 customers nationwide. A copy of Robert's resume has also been provided.

Robert Rizzitano

Experience

March 2012 to present US Power Trade LLC Allentown Pa

Oct 2011 to Apr 2012 Coastal Energy Fogelsville, PA

Channel Partner Director

- Managed Agents
- Responsibilities of Auditing
- Oversaw Utilities Accounts

Mar 2007 to Oct 2011 Glacial Energy Inc. Pittsburg, PA

Business Development Manager

- Recruited agents for Electricity Sales
- Manage Customer Relations
- Responsible for growth development.

Jan 2004 to Mar 2007 Penn Mortgage Group, LLC Bethel Park, PA

Owner

- Lincoln Mortgage Senior Loan Officer
- Interfaced with Clients and Lenders
- Filing and Competition of Accurate Paperwork

Feb 1996 to Oct 1999 Clyde and Company Bethel Park, PA

Land Management

- Responsible for Negotiations
- Purchasing and Leasing of Commercial and Private Properties

Mar 1993 to Feb 1996 ATI Communication

Communication Consultant

- Located over 150 retail locations throughout the Mid-Atlantic Region
- Securing Multi-year leases, overseeing construction and build outs to specifications

References

Barry Smoker	CEO of Clyde & Company	954.868.6740
Jim Sessor	President of Alpha II Mortgage	215.295.7300
Brian Pfister	Personal Reference	412.719.6200

A-6. All customers are contracted through referrals, word of mouth and website. Applicant does not proactively solicit directly, through agents/brokers or door-to-door.

A-7. See A5.