



July 26, 2018

VIA HAND DELIVERY

**David P. Zambito**

Direct Phone 717-703-5892

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**CONTAINS PROPRIETARY INFORMATION**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Filing Room (Floor 2)  
Harrisburg, PA 17120

**Re: Petition of EnerPenn USA, LLC to Continue the Reduction of Its Security Requirement; Docket No. A-2011-2248532**

**PETITION OF ENERPENN USA, LLC TO CONTINUE THE REDUCTION OF ITS SECURITY REQUIREMENT**

Dear Secretary Chiavetta:

Enclosed for filing please find the original Petition of EnerPenn USA, LLC to Continue the Reduction of Its Security Requirement. Additionally, attached is Check #678484 for the \$350.00 filing fee.

*Please note that the Confidential attachments to this Petition are being provided to you under seal and we ask that they be maintained in a non-public folder.*

If you have any questions regarding this filing, please do not hesitate to contact me. Please date-stamp the extra copy and return it with our messenger. Thank you for your attention to this matter.

Sincerely,

COZEN O'CONNOR

By: David P. Zambito  
Counsel for EnerPenn USA, LLC d/b/a E.P.  
d/b/a YEP Energy

DPZ/kmg  
Enclosure  
cc: Stephen Jakab, Bureau of Technical Utility Services

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of EnerPenn USA, LLC to Continue :  
the Reduction of Its Security Requirements : Docket No. A-2011-2248532

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**PETITION OF ENERPENN USA, LLC  
TO CONTINUE THE REDUCTION OF ITS  
SECURITY REQUIREMENT**

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NOW COMES, EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy (“EnerPenn”), by and through its undersigned counsel, and files the instant Petition to Continue the Reduction of its Security Requirement and, in support thereof, states as follows:

1. EnerPenn is a limited liability company, organized in the State of Texas. EnerPenn is registered to do business in Pennsylvania and is licensed as an electric generation supplier (“EGS”) throughout the Commonwealth of Pennsylvania.
2. EnerPenn has been a licensed EGS for more than six years. It was licensed in November 2011 at Docket A-2011-2248532 and has maintained its license in good standing since that time.
3. By Final Order entered July 24, 2014, the Pennsylvania Public Utility Commission (the “Commission”) held that an EGS may petition to have its bonding requirement reduced from 10% to 5% of the EGS’s last 12 months of revenue or \$250,000, whichever is greater. *Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers; Acceptable Security Instruments*, Docket No. M-2013-2393141, pp. 17-18, Conclusion and Ordering ¶ 5 (Order entered July 24, 2014) (the “Bond Reduction Order”).

4. EnerPenn filed a Petition to Reduce its Security Requirement on October 2, 2015. By Secretarial Letter dated October 26, 2015, the Commission granted the petition.

5. On February 28, 2017, EnerPenn filed a Petition to continue the reduction of its security requirement, effective October 26, 2016, to the greater of 5% of its last 12 months of revenue or \$250,000. By Secretarial Letter dated March 6, 2017, the Commission granted the Petition.

6. On July 27, 2017, EnerPenn filed another Petition to continue the reduction of its security requirement, effective October 26, 2017, to the greater of 5% of its last 12 months of revenue or \$250,000.00. By Secretarial Letter dated August 24, 2017, the Commission granted the Petition.

7. Through the instant Petition, EnerPenn seeks to continue the reduction of its security requirement, effective October 26, 2018, to the greater of 5% of its last 12 months of revenue or \$250,000.00.

8. As required by the Bond Reduction Order, EnerPenn's Gross Pennsylvania Receipts, as reported on the last four (4) quarterly reports filed with the Commission, and Alternative Energy Portfolio Standards compliance data are provided in **Appendix A (CONFIDENTIAL)**, which is attached hereto and incorporated by reference.

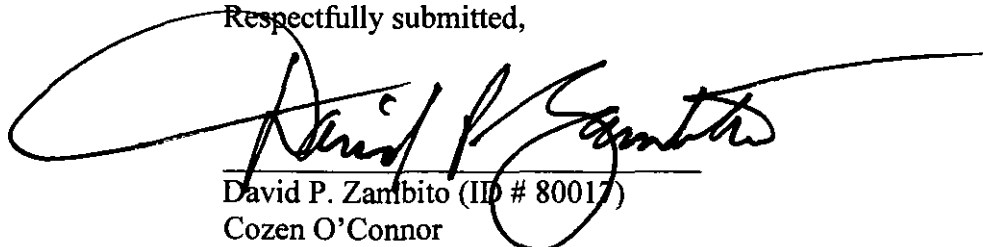
9. Also attached hereto as **Appendix B (CONFIDENTIAL)** is a tax status letter from the Pennsylvania Department of Revenue which evidences EnerPenn's good standing with the Department.

10. As directed by the Bond Reduction Order, EnerPenn anticipates working with the Commission's Bureau of Technical Utility Services ("TUS") to process this Petition and welcomes TUS's input and guidance for this reduction.

11. After coordination with TUS and upon approval of the reduction and other changes, if any, EnerPenn will make a compliance filing with appropriate security reflecting the reduced amount.

WHEREFORE, EnerPenn respectfully requests that the Commission, in accord with the Bond Reduction Order at Docket No. M-2013-2393141, grant the instant Petition and approve a continuation of the reduction to the security requirements of EnerPenn, effective October 26, 2018, to the greater of 5% of its last 12 months of revenue or \$250,000.00.

Respectfully submitted,



David P. Zambito (ID # 80017)  
Cozen O'Connor  
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Harrisburg, PA 17101  
Phone: (717) 703-5892  
Fax: (215) 989-4216  
Email: dzambito@cozen.com

Date: July 26, 2018

*Counsel for EnerPenn USA, LLC  
d/b/a Y.E.P., d/b/a YEP Energy*

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**VERIFICATION**

I, Jane Thompson, being the Chief Financial Officer at EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy, 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 EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy 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).

Date: 7/23/2018

Jane Thompson  
Jane Thompson

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**CERTIFICATE OF SERVICE**  
**Docket No. A-2011-2248532**

I hereby certify that I have this day served a true and correct copy of the **Petition to Continue the Reduction of Its Security Requirement filed by EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy ("EnerPenn")**, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA FIRST CLASS MAIL (WITHOUT ATTACHMENTS):**

Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923

Office of Small Business Advocate  
Suite 202, Commerce Tower  
300 North Second Street  
Harrisburg, PA 17101-1303

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2 West  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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

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

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

Legal Department  
Attn: Paul E. Russell, Esquire  
PPL Electric Utilities Corporation  
Office of General Counsel  
Two North Ninth Street  
Allentown, PA 18101-1179

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

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

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

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


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

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

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Dated: July 26, 2018 RECEIVED

  
David P. Zambito, Esquire  
Counsel for EnerPenn USA, LLC d/b/a Y.E.P.,  
d/b/a YEP Energy