



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

A-2018-3005901

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OCT 31 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

October 24, 2018

RE: Alpha Gas and Electric, LLC NGS License Amendment  
Docket A-2013-2360403

Dear Secretary Chiavetta,

Please accept the attached filing to amend Alpha Gas and Electric LLC's ("Alpha") current Natural Gas Supplier (NGS) license under Docket A-2013-2360403 to include the additional NGDC service territory of Philadelphia Gas Works. Alpha will not be adding any additional customer classes. Please also note the updates to Alpha's address and contact information included in pages 1 through 5 of the application. Please contact the undersigned if you have any questions regarding this submission.

Sincerely,

A handwritten signature in black ink, appearing to read "Levi Moeller", is written over a horizontal line.

Levi Moeller  
President  
(845) 810-0088 ext. 222

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of **Alpha Gas and Electric, LLC** for approval to offer, render, furnish, or supply natural gas supply services as a **supplier or aggregator** 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:

Alpha Gas and Electric, LLC  
12 College Road  
Monsey, NY 10952  
[www.alphagasandelectric.com](http://www.alphagasandelectric.com)  
(845) 810-0088 x200

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- 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.

Vcorp Services, LLC  
722 Clay Avenue  
Scranton, PA 18510  
(845) 517-3903

- 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.

Dina Freedman  
12 College Road  
Monsey, NY 10952  
[dina@alphagne.com](mailto:dina@alphagne.com)  
(845) 810-0088 x200

- 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.

Mike Gruin  
17 N. 2<sup>nd</sup> Street 16<sup>th</sup> Fl.  
Harrisburg, PA 17101  
(p) 717-255-7365  
(f) 610-988-0852  
[mag@stevenslee.com](mailto:mag@stevenslee.com)

- 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 (2 REQUIRED)** responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Natural Gas 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 NGSS.

Levi Moeller  
12 College Road  
Monsey, NY 10952  
Levi.moeller@alphagne.com  
(845) 810-0088 x200

Dina Freedman  
12 College Road  
Monsey, NY 10952  
dina@alphagne.com  
(845) 810-0088 x200

## **2. BUSINESS ENTITY FILINGS AND REGISTRATION**

- a. **FICTITIOUS NAME:** *(Select appropriate statement and provide supporting documentation as listed.)*

☐

The Applicant will be using a fictitious name or doing business as ("d/b/a")

Provide a copy of the Applicant's filing with Pennsylvania's Department of State  
Pursuant to 54 Pa. C.S. §311.

**Or**

**X** The Applicant will not be using a fictitious name.

- b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**  
*(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)*

☐

The Applicant is a sole proprietor.

- If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

**Or**

☐

The Applicant is a:

☐

domestic general partnership (\*)

- ☐ domestic limited partnership (15 Pa. C.S. §8511)
- ☐ foreign general or limited partnership (15 Pa. C.S. §4124)
- ☐ domestic limited liability partnership (15 Pa. C.S. §8201)
- ☐ foreign limited liability general partnership (15 Pa. C.S. §8211)
- ☐ foreign limited liability limited partnership (15 Pa. C.S. §8211)

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- \* If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

**or**

**X** The Applicant is a:

- ☐ 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.

### **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.

Alpha Gas and Electric, LLC has no affiliates.

- 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.

Alpha Gas and Electric, LLC has no predecessors.

#### 4. OPERATIONS

- a. **APPLICANT'S PRESENT OPERATIONS:** *(select and complete the appropriate statement)*

Definitions

- Supplier – an entity which provides natural gas supply services to retail gas customers utilizing the jurisdictional facilities of a natural gas distribution company
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of natural gas but does not take title to the natural gas.

X The Applicant is presently doing business in Pennsylvania as a

- ☐ natural gas interstate pipeline
- ☐ municipality providing service outside its municipal limits
- ☐ local gas distribution company
- X retail supplier of natural gas services in the Commonwealth
- ☐ a natural gas producer
- ☐ a broker/marketer engaged in the business of supplying natural gas services
- ☐ Other. (Identify the nature of service being rendered)

or

- ☐ The Applicant is not presently doing business in Pennsylvania.

- b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

- ☐ Supplier or Aggregator of natural gas services
- ☐ Municipal supplier of natural gas services
- ☐ Cooperative supplier of natural gas services
- ☐ Broker/Marketer engaged in the business of supplying natural gas services
  - ☐ Check here to verify that your organization will not be taking title to the natural gas nor will you be making payments for customers.
- ☐ Other (Describe):

- c. **PROPOSED SERVICES:** Describe in detail the natural gas supply services which the Applicant proposes to offer.

Alpha Gas and Electric, LLC intends to provide retail gas supplier services to eligible residential and commercial customers throughout PA in the service areas noted below.

- d. **PROPOSED SERVICE AREA:** Check the box of each Natural Gas Distribution Company for which the Applicant proposes to provide service.

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Columbia            | <input checked="" type="checkbox"/> Philadelphia Gas Works |
| <input checked="" type="checkbox"/> National Fuel Gas   | <input checked="" type="checkbox"/> UGI Central Penn       |
| <input checked="" type="checkbox"/> PECO                | <input checked="" type="checkbox"/> UGI Penn natural       |
| <input type="checkbox"/> Peoples Gas – Equitable Div.   | <input checked="" type="checkbox"/> UGI Utilities          |
| <input checked="" type="checkbox"/> Peoples Natural Gas | <input type="checkbox"/> Valley Energy                     |
| <input type="checkbox"/> Peoples Gas Company            | <input type="checkbox"/> All of the above                  |

- e. **CUSTOMERS:** Applicant proposes to provide services to:

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | Residential Customers   |
| <input type="checkbox"/>            | Small Commercial Customers - (Less than 6,000 Mcf annually)   |
| <input type="checkbox"/>            | Residential and Small Commercial as Mixed Meter <b><u>ONLY (CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)</u></b> |
| <input type="checkbox"/>            | Large Commercial Customers - (6,000 Mcf or more annually)   |
| <input type="checkbox"/>            | Industrial Customers  |
| <input type="checkbox"/>            | Governmental Customers  |
| <input checked="" type="checkbox"/> | All of above (Except Mixed Meter)   |
| <input type="checkbox"/>            | Other (Describe):   |

- f. **START DATE:** Provide the approximate date the Applicant proposes to actively market within the Commonwealth.

Not applicable – Alpha Gas and Electric, LLC is currently active within the Commonwealth.

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Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of NY:

ss.

County of Rockland

Levi Moeller, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of Alpha Gas and Electric, LLC

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein Alpha Gas & Electric has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa. C.S. § 2208 (c)(1).

That the Applicant herein Alpha Gas & Electric has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein Alpha Gas & Electric acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein Alpha Gas & Electric acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 30<sup>th</sup> day of October, 2018.

RENEE LEVINE  
Notary Public State of New York  
No 01LE6127285  
Qualified in Rockland County  
Commission Expires May 23 2021

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires \_\_\_\_\_.

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Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of NY:

SS.

County of Rockland

Levi Moeller, Affiant, being duly [sworn/affirmed] according to law,  
deposes and says that:

[He/she is the President (Office of Affiant) of Alpha Gas and Electric  
(Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That Alpha Gas & Electric, the Applicant herein, acknowledges that [Applicant] may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That Alpha Gas & Electric the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Alpha Gas & Electric the Applicant herein, certifies to the Commission that it is subject to, will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28 shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional natural gas sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and



shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

**Appendix B (Continued)**

That Adm Gas & Electric, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506 and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.



\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 30<sup>th</sup> day of October, 2018.

RENEE LEVINE  
Notary Public State of New York  
No 01LE6127285  
Qualified in Rockland County  
Commission Expires May 23 2021

Renee Levine  
\_\_\_\_\_  
Signature of official administering oath

My commission expires \_\_\_\_\_.

Proof of Publication in The Philadelphia Daily News  
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

Helene Sweeney being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

October 29, 2018

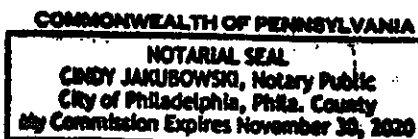
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

*Helene Sweeney*

Sworn to and subscribed before me this 29<sup>th</sup> day of  
October, 2018.

*Cindy Jakubowski*  
Notary Public

My Commission Expires:



Copy of Notice of Publication

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE  
Application of Alpha Gas and Electric, LLC For  
Approval To Offer, Render, or Furnish Natural  
Gas Services as a Supplier Engaged in The  
Business Of Supplying Natural Gas Supply Serv-  
ices To The Public in The Commonwealth Of  
Pennsylvania  
Alpha Gas and Electric, LLC will be filing an  
application with the Pennsylvania Public Utility  
Commission (PUC) for an expanded license to  
provide natural gas supply services as a suppli-  
er of natural gas engaged in the business of  
providing natural gas services. Alpha Gas and  
Electric, LLC proposes to sell natural gas and  
related services in the service territory of Phila-  
delphia Gas Works under the provisions of the  
new Natural Gas Choice and Competition Act.  
The PUC may consider this application without  
a hearing. Protests directed to the technical or  
financial fitness of Alpha Gas and Electric, LLC  
may be filed within 15 days of the date of this  
notice with the Secretary of the PUC, 400 North  
Street, Harrisburg, PA 17120. You should send  
copies of any protest to Alpha Gas and Elec-  
tric, LLC attorney at the address listed below.  
By and through Counsel:  
Michael Grun, Esq.  
Stevens & Lee  
17 N. 2nd St., 16th Fl.  
Harrisburg, PA 17101  
Phone (717) 258-7988  
Fax (610) 598-2627



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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October 16, 2018

Mr. Levi Moeller  
Alpha Gas and Electric, LLC  
12 College Road  
Monsey, NY 10952  
Email: [levi.moeller@alphagne.com](mailto:levi.moeller@alphagne.com)

Dear Mr. Moeller:

Re: Security Requirement for Alpha Gas and Electric, LLC

Philadelphia Gas Works ("PGW") is aware that Alpha Gas and Electric, LLC has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the service territory of Philadelphia Gas Works. You have stated that, in performing these services, Alpha Gas and Electric, LLC will take title to any delivered natural gas.

Under its tariff, Philadelphia Gas Works could require Alpha Gas and Electric, LLC to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate. Upon final approval of your application to PGW and prior to enrolling customers, security in the first year for firm pools will be required based on your estimated firm pool size. It will be updated annually based on actual firm pool size.

At this time, Alpha Gas and Electric, LLC does not need to post a bond or other form of security.

If you have any questions concerning the foregoing, please contact me at 215-684-6725.

Sincerely,

JOHN ZUK  
Vice President, Gas Supply

NL/dls

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**Appendix C**

**Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.**

**CERTIFICATE OF SERVICE TEMPLATE**

On this the 31<sup>st</sup> day of October 2018, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as a Natural Gas Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

Office of Consumer Advocate 5th Floor, Forum Place 555 Walnut Street Harrisburg, PA 17120	Office of the Attorney General Bureau of Consumer Protection Strawberry Square, 14th Floor Harrisburg, PA 17120
Office of the Small Business Advocate Commerce Building, Suite 202 300 North Second Street Harrisburg, PA 17101	Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance Harrisburg, PA 17128-0946
Columbia Gas of PA, Inc. Michele Caddell 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.6841 FAX: 614.460.8447 e-mail: mcaddell@nisource.com	Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street, 2 West Harrisburg, PA 17120
Peoples Natural Gas Company LLC – Equitable Division Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com	National Fuel Gas Distribution Corp. Joanne E. Maciok 6363 Main Street Williamsville, NY 14221 PH: 716.857.7670 FAX: 716.857.7479 e-mail: maciokj@natfuel.com
Peoples Natural Gas Company LLC Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931	PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103

FAX: 412.208.6577 e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a>	PH: 215.841.6452 Email: <a href="mailto:carlos.thillet@exeloncorp.com">carlos.thillet@exeloncorp.com</a>
<b>Peoples Gas Company LLC</b> Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a>	<b>Philadelphia Gas Works</b> Nicholas LaPergola 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.684.6278 email: <a href="mailto:pgwchoicesupply@pgworks.com">pgwchoicesupply@pgworks.com</a>
<b>UGI Central Penn</b> David Lahoff 2525 N. 12 <sup>th</sup> Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: <a href="mailto:dlahoff@ugi.com">dlahoff@ugi.com</a>	<b>UGI</b> David Lahoff 2525 N. 12 <sup>th</sup> Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: <a href="mailto:dlahoff@ugi.com">dlahoff@ugi.com</a>
<b>Valley Energy Inc.</b> Ed Rogers 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: <a href="mailto:erogers@ctenterprises.org">erogers@ctenterprises.org</a>	<b>UGI Penn Natural</b> David Lahoff 2525 N. 12 <sup>th</sup> Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3520 Email: <a href="mailto:dlahoff@ugi.com">dlahoff@ugi.com</a>



Levi Moeller - Alpha Gas and Electric, LLC

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<b>PRIORITY MAIL 2-DAY™</b>			
TSAITEL LEVINE ALPHA GAS AND ELECTRIC, LLC 971 ROUTE 45 STE 202 POMONA NY 10970-3530		Expected Delivery Date: 11/02/18 <b>0004</b>	
<b>Carrier -- Leave if No Response</b>		<b>C000</b>	
SHIP TO: PA PUC ROSEMARRY CHIAVETTA, SECRETARY 400 NORTH ST HARRISBURG PA 17120-0211			
<b>USPS TRACKING #</b>			
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Electronic Rate Approved #038555749			