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2019 JAN 10 AM 10:50

PA PUC
SECRETARY'S BUREAU

PA PUC

Secretary,

400 North ST, Keystone Building

Harrisburg, PA 17120

RE: Click Energy, LLC Supplier Application

Secretary,

Please find attached the application and a cd-rom copy for Click Energy, LLC to become a licensed Electrical Supplier in the Commonwealth of PA.

The appropriate attention to this application is appreciated.

Cc:

UGI Utilities

PECO Energy

Dept of Revenue

Office of the Attorney General

Small Business Advocate

Office of Consumer Advocate

Bureau of Investigation and Enforcement

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Click Energy, LLC, d/b/a Smart Touch Energy for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Supplier of Electricity 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:

Click Energy, LLC d/b/a Smart Touch Energy
 415 Norway ST
 York, PA 17403
 Smarttouchenergy.com
 855-385-7678

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 COMMUNICATIONS SECTION

- 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. N/A

- 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.

Matt Sommer, President, Shipley Group
 413 Norway ST, York, PA 17403
 717-771-1877 717-854-5496(f)
 msommer@shipleyenergy.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.

N/A

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS: (Required of ALL Applicants)** 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 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 EGSSs.

Steven Downey, President, Click Energy
415 Norway ST, York, PA 17403
717-850-8398 (717-854-5496(f))
sdowney@smarttouchenergy.com

Warren Blaney, Brand Manager
415 Norway ST, York, PA 17403
717-850-8375 (717-854-5496(f))
wblaney@smarttouchenergy.com

2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

X 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, Form PA-953.

or

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

The Applicant is a:

- domestic corporation (15 Pa. C.S. §1308)
- foreign corporation (15 Pa. C.S. §4124)
- XX 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.

Steven Downey, President	415 Norway ST, York PA 17403
Richard Beamesderfer, Treasurer	413 Norway ST, York, PA 17403
Matt Sommer, Secretary	413 Norway ST, York, PA 17403

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.

Shiple Choice, LLC d/b/a Shiple Energy This is not a Public Utility

- 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.

Click Energy LLC d/b/a Smart Click

4. OPERATIONS

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

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

X The Applicant is presently doing business in Pennsylvania as a

- municipal electric corporation
- electric cooperative
- local gas distribution company
- provider of electric generation, transmission or distribution services
- broker/marketer engaged in the business of supplying electricity services
- X Other; Identify the nature of service being rendered.
The applicant is selling heating oil and Propane in PA

or

The Applicant is not presently doing business in Pennsylvania.

b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple)*:

- Generator of electricity
- X Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- Broker/Marketer engaged in the business of supplying electricity services
 - Check here to verify that your organization will not be taking title to the electricity nor will you be making payments for customers.
- Electric Cooperative and supplier of electric power
- Other (Describe):

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.
Click Energy will offer online sales of Electricity

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

- Citizens' Electric
- Duquesne Light
- Met-Ed
- XX PECO
- Penelec
- Penn Power

- Pike
- XX PPL
- UGI Utilities
- Wellsboro
- West Penn

- Entire Commonwealth of PA

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

- X Residential Customers
- X Small Commercial Customers - (25 kW and Under)
- Residential and Small Commercial as Mixed Meter ONLY **(CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)**
- Large Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above (Except Mixed Meter)
- Other (Describe):

f. **START DATE:** Provide the approximate date the Applicant proposes to actively market within the Commonwealth. Click Energy will not actively market until licensed by the PUC.

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.

N/A

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

N/A

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints, in the Commonwealth of Pennsylvania or any state, 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. **Applicant should also include if it had a Pennsylvania PUC EGS or NGS license previously cancelled by the Commission.** If the Applicant has no actions or complaints to list, explicitly state such.

Shipley Choice, LLC had a class action complaint filed in a Federal Court in PA by a resident from OH. The complaint has not been certified as a class action by the Court. The issue involves telemarketing.

- d. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above. The complaint has not been certified by the Court as a class action suit. The suit remains in discovery.

6. PROOF OF SERVICE

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.
(Example Certificate of Service is attached at Appendix C)

- a. **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2 West
Harrisburg, PA 17120

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

Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

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

Office of the Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101

- b. **EDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Electric Distribution Companies the Applicant proposed to provide service in. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14. Contact information for each EDC is as follows.

Pike County Light & Power Company:
Vice President – Energy Supply
Corning Natural Gas Holding Corporation
330 West William Street
Corning, NY 14830

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

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

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

PPL:
Office of General Counsel
Attn: Kimberly A. Klock
PPL
Two North Ninth Street (GENTW3)
Allentown, PA 18101-1179

Met-Ed, Penelec, and Penn Power:

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

UGI:

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

Citizens' Electric Company:

Citizens' Electric Company
Attn: EGS Coordination
1775 Industrial Boulevard
Lewisburg, PA 17837

Wellsboro Electric Company:

Wellsboro Electric Company
Attn: EGS Coordination
33 Austin Street
P. O. Box 138
Wellsboro, PA 16901

7. FINANCIAL FITNESS

a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

XX Furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.

Furnishing the **ORIGINAL** of another initial security for Commission approval, to ensure financial responsibility, such as a parental guarantee, in the amount of \$250,000.

See Appendix F

For Marketers and Brokers - Filing for a modification to the \$250,000 requirement and furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

CRITICAL BONDING NOTES:

Applicant is required to maintain a bond or other financial instrument the entire time it maintains an EGS license with the Commonwealth of Pennsylvania. If Applicant's security instrument is not continuous, Applicant **MUST** submit a Rider, Amendment, or Continuation Certificate annually based on the expiration date of its security instrument.

At least sixty days (60) prior to the security instrument's expiration date, Applicant should contact Stephen Jakab at sjakab@pa.gov to determine the appropriate bonding amount based on a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. Once the amount has been determined, Applicant should overnight the updated security instrument(s) at least thirty (30) days prior to the expiration date to ensure adequate time for staff review and approval of the security instrument(s).

Template versions of a continuous bond, fixed-term bond, continuous letter of credit, and parental guarantee are attached at Appendix E, F, G, & H, respectively. Applicant's security must follow language from these examples, and must include the unmodified language outlined in Appendix D. Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.

b. FINANCIAL RECORDS, STATEMENTS, AND RATINGS: Applicant must provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements exhibiting accounts over a minimum two year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

See Appendix D

c. SUPPLIER FUNDING METHOD: If Applicant is operating as anything other than **Broker/Marketer only**, explain how Applicant will fund its operations. Provide all credit agreements, lines of credit, etc., and elaborate on how much is available on each item. Click Energy is a subsidiary of Shipley Group. Shipley Group, LP has arrangements with PNC which includes a line of credit

d. BROKER PAYMENT STRUCTURE: If applicant is a broker/marketer, explain how your organization will be collecting your fees.

e. ACCOUNTING RECORDS CUSTODIAN: Provide the name, title, address, telephone number, FAX number, and e-mail address of Applicant's custodian for its accounting records.

Brandon Blauch, Controller
413 Norway ST, York, PA 17403
717-771-1966 717-854-5496 (f)
bblauch@shipleyenergy.com

f. TAXATION: Complete the TAX CERTIFICATION STATEMENT attached as Appendix I to this application.

All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identification numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.

Items 7A and 7C on the Tax Certification Statement are designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.

8. TECHNICAL FITNESS:

To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

a. **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

- Applicant's previous experience in the electricity industry.
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
- Staffing structure and numbers as well as employee training commitments.
- Business plans for operations within the Commonwealth.
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

See Appendix E

b. **PROPOSED MARKETING METHOD** (check all that apply)

- Internal – Applicant will use its own internal resources/employees for marketing
- External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- Other (Describe):

c. **DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

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 marketing will be developed and implemented by inhouse employees. The company will use no sub-contractors.

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.

Steven Downey, President
Matt Sommer, Secretary
Richard Beamesderfer, CFO/Treasurer

See Attachment ~~6~~ E

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 J 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.

See Attachment H.

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.

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

(Select only one of the following)

- AGREED - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- X AGREED - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

b. STANDARDS OF CONDUCT AND DISCLOSURE: As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43, as well as any future amendments.

X AGREED

c. REPORTING REQUIREMENTS: Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201–54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Net Metering Reports: Applicant shall be responsible to report any Net Metering per the Standards on http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx. Scroll down to the Net Metering Standards Section.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(d).
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

XX AGREED

d. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

X AGREED

e. **ANNUAL FEES:** The Public Utility Code authorizes the PUC to collect an annual fee of \$350 from suppliers, brokers, marketers, and aggregators selling electricity in the Commonwealth of PA, and an annual supplemental fee based on annual gross intrastate revenues, applicable to suppliers only.

X ACKNOWLEDGED

f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

X AGREED

g. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

X AGREED

h. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

X AGREED

i. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

X AGREED

j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at Appendix M.

X AGREED

k. **FILING FEE:** The Applicant has enclosed or paid the required, non-refundable filing fee by **CERTIFIED CHECK OR MONEY ORDER** in the amount of \$350.00 payable to the Commonwealth of Pennsylvania. The Commission does not accept corporate or personal checks for filing fees.

X PAYMENT ENCLOSED

Appendix A&B

Affidavits

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2019 JAN 10 AM 10:51

12345
SECTION 100 BUREAU

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS
401 NORTH STREET, ROOM 206
P.O.BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.PA.GOV

Lobach, Jeffrey D, Esq
C/o Barley Snyder LLP 100 East Market Street
York PA 17401

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JAN 10 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Smart Touch Energy

THE BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS IS HAPPY TO SEND YOUR FILED DOCUMENT. THE BUREAU IS HERE TO SERVE YOU AND WE WOULD LIKE TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE BUREAU, PLEASE VISIT OUR WEBSITE AT www.dos.pa.gov/BusinessCharities OR YOU MAY CONTACT US BY TELEPHONE AT (717)787-1057. INFORMATION REGARDING BUSINESS AND UCC FILINGS CAN BE FOUND ON OUR SEARCHABLE DATABASE AT www.corporations.pa.gov/Search/CorpSearch .

ENTITY NUMBER : 6371140

Entity# : 6371140
Date Filed : 02/29/2016
Pedro A. Cortés
Secretary of the Commonwealth

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

<input type="checkbox"/> Return document by mail to: Jeffrey D. Lobach, Esquire - Barley Snyder LLP	Registration of Fictitious Name  TCO160310JF1630
Name 100 East Market Street Address York, PA 17401 City State Zip Code	
<input checked="" type="checkbox"/> Return document by email to: <u>ceveler@barley.com</u>	

Read all instructions prior to completing. This form may be submitted online at <https://www.corporations.pa.gov/>.

Fee: \$70

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is:
Smart Touch Energy

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is:
Purchase and sale of energy products, including heating oil, propane, natural gas and electricity and related services

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):
415 Norway Street, York, PA 17403; York County

Number and street	City	State	Zip	County
-------------------	------	-------	-----	--------

4. The name and address, including number and street, if any, of each individual interested in the business is:

Name	Number and Street	City	State	Zip

PA DEPT. OF STATE

FEB 29 2016

DSCB:54-311-2

5. Each entity, other than an individual, interested in such business is (are):

Click Energy, LLC	limited liability company	Pennsylvania
Name	Form of Organization	Organizing Jurisdiction
415 Norway Street, York, PA 17403; York County		
Principal Office Address		
PA Registered Office, if any		
Name	Form of Organization	Organizing Jurisdiction
Principal Office Address		
PA Registered Office, if any		

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. (Optional): The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

26th day of February, 2016

Individual Signature	Individual Signature
Individual Signature	Individual Signature
Entity Name	Click Energy, LLC
Signature	<u>[Handwritten Signature]</u>
Title	Treasurer

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS
401 NORTH STREET, ROOM 206
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.STATE.PA.US/CORP

Click Energy, LLC

THE BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 4344185

Lobach, Jeffrey D, Esq
C/o Barley Snyder LLP 100 East Market Street
York, PA 17401

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Entity Number

**Certificate of Organization
Domestic Limited Liability Company
(15 Pa.C.S. § 8913)**

Name

Jeffrey D. Lobach, Esquire

Address

c/o Barley Snyder LLC

100 East Market Street

City

York

State

PA

Zip Code

17401

Document will be returned to the name and address you enter to the left.



Fee: \$125

Commonwealth of Pennsylvania
CERTIFICATE OF ORGANIZATION 3 Page(s)



T1509167083

In compliance with the requirements 15 Pa.C.S. § 8913 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

1. The name of the limited liability company (designator is required, i.e., "company," "limited" or "limited liability company" or abbreviation):

Click Energy, LLC

2. The (a) address of the limited liability company's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and Street	City	State	Zip	County
<u>415 Norway Street, P.O. Box 1509</u>	<u>York</u>	<u>PA</u>	<u>17405</u>	<u>York</u>

(b) Name of Commercial Registered Office Provider	County
<u>c/o:</u>	

3. The name and address, including street and number, if any, of each organizer is (all organizers must sign on page 2):

Name	Address
<u>Jeffrey D. Lobach, Esquire</u>	<u>100 East Market Street, York, PA 17401</u>

2015 APR -1 PM 2: 25
PA DEPT OF STATE

DSCB:15-8913-2

4. ~~Strike out if inapplicable term~~

~~A member's interest in the company is to be evidenced by a certificate of membership interest.~~

5. ~~Strike out if inapplicable:~~

~~Management of the company is vested in a manager or managers.~~

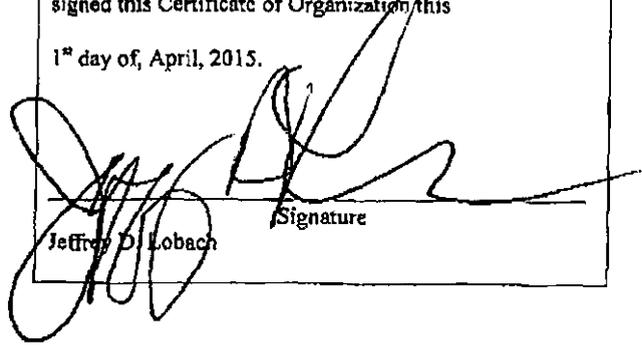
6. The specified effective date, if any: upon filing
month/day/year hour, if any

7. ~~Strike out if inapplicable: The company is a restricted professional company organized to render the following restricted professional service(s):~~

8. For additional provisions of the certificate, if any, attach an 8 1/2 x 11 sheet.

IN TESTIMONY WHEREOF, the organizer(s) has/have signed this Certificate of Organization this

1st day of, April, 2015.



Signature

Jeffrey D. Lobach

OPERATING AGREEMENT

OF

CLICK ENERGY, LLC

RECEIVED

JAN 10 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

THIS AGREEMENT is made this 1st day of April, 2015, by **SHIPLEY GROUP, L.P.** ("Member").

BACKGROUND

The Member desires to form and operate a Pennsylvania limited liability company to be known as Click Energy, LLC (the "Company") in accordance with the following terms and conditions.

NOW, THEREFORE, in consideration of the covenants contained herein and intending to be legally bound, the Member hereby agrees as follows:

ARTICLE I. -- FORMATION

1.1 Formation. The Member hereby forms the Company as a limited liability company (not a restricted professional limited liability company) under the Pennsylvania Limited Liability Company Act (15 Pa.C.S. § 8901 et. seq.) (the "Act"). The Company has been organized as a Pennsylvania limited liability company by filing a Certificate of Organization with the Pennsylvania Department of State (the "Certificate").

1.2 Name. The name of the Company shall be Click Energy, LLC.

1.3 Place of Business; Registered Office. The initial principal and registered office of the Company shall be located at 415 Norway Street, P.O. Box 1509, York, Pennsylvania, 17405,

or at such other place as the Member may agree. The Company may maintain offices at such other locations as the Member deems advisable.

1.4 Term. The Company shall commence upon the filing of the Certificate and shall continue in existence until terminated in accordance with the provisions of this Agreement.

1.5 Federal Tax Classification. The Company shall be classified as a partnership for federal income tax purposes and shall not elect to change such classification unless otherwise decided by the Member.

ARTICLE II. -- PURPOSE

2.1 Purpose. Subject to the restrictions set forth in Sections 8995 et. seq. of the Act, the purpose and business of the Company shall be for web-based sales of heating oil and to take such other actions as is necessary or incidental to the foregoing.

ARTICLE III. -- CAPITAL AND OWNERSHIP INTERESTS

3.1 Initial Capital. The initial capital of the Company shall be the amount reflected on the Company's books and records.

3.2 Additional Capital. The Member recognizes that the income produced by the Company may not be sufficient to meet the Company's obligations, in which event, the Member may, but is not obligated to, contribute additional capital to the Company to make up any deficiencies.

3.3 Capital Accounts. The Company shall establish and maintain a capital account for the Member in accordance with Section 704 of the Internal Revenue Code of 1986, as amended (the "Code") and Treasury Regulations § 1.704-1.

3.4 Interest. No interest shall be paid by the Company on capital contributions to the Company, on balances in the Member's capital accounts, or on any funds distributed or distributable under this Agreement.

3.5 Withdrawal. The Member's capital accounts may be withdrawn only in the manner expressly provided in this Agreement.

3.6 Ownership Interests. The Member shall own 100% of the ownership interest of the Company.

ARTICLE IV. -- PROFITS AND LOSSES

4.1 Allocations. The net profits or net losses of the Company for each calendar year (or portion thereof) shall be allocated to the Member.

4.2 Income Account. A separate income account shall be maintained for the Member. Company profits and losses shall be credited or charged to such income account as provided in Section 4.1, but if the Member has no credit balance in the Member's income account, any losses shall be charged to the Member's capital account.

4.3 Withdrawals. The Member shall have the right to draw against the Member's income account in such amounts and at such times as the Member may from time to time agree.

4.4 Compensation. The Member may receive such compensation for special services rendered to the Company as the Member may decide. Otherwise, the Member shall not be

entitled to compensation for the Member's services to, or, on behalf of, the Company, except for the Member's interest in Company profits and losses as reflected in the Member's income account.

4.5 Limited Liability. Except as otherwise expressly provided at law, the Member shall not be personally liable for losses, costs, expenses, liabilities or obligations of the Company in excess of his capital contributions to the Company. The foregoing shall not affect any liability the Member may incur if the Member undertakes additional obligations to the Company or to third parties in a capacity other than as a Member.

ARTICLE V. -- MANAGEMENT AND OPERATION

5.1 Decisions. All determinations, decisions and approvals affecting the Company shall be determined, decided or approved by the Member.

5.2 Company Funds. The funds of the Company shall be deposited in such bank account or accounts as are designated by the Member and shall not be commingled with any other funds. All withdrawals from or charges against such accounts shall be made only by persons designated by the Member.

5.3 Books. The Company's books and records shall be maintained at the principal office of the Company, and the Member shall at all times have access thereto. The books of the Company shall be kept on a cash basis of accounting for each calendar year, and shall be closed and balanced at the end of each calendar year. All books and records are Company property and in the event the Member leaves the Company for any reason whatsoever the Member shall have the right to originals or copies of Company records.

ARTICLE VI. -- TRANSFER OF OWNERSHIP INTERESTS

6.1 Transfer. The Member may sell, transfer, assign, pledge, hypothecate or otherwise dispose or encumber (whether voluntarily, involuntarily, by operation of law or otherwise) any ownership interest in the Company.

ARTICLE VII. -- DISSOLUTION AND LIQUIDATION

7.1 Dissolution. The Company shall dissolve upon the occurrence of any of the following events:

- (a) If the Member withdraws from the Company;
- (b) A sale of all or substantially all of the assets of the Company other than in the ordinary course of business; or
- (c) Any other event under the Act that would cause its dissolution, except as otherwise provided herein.

7.2 Liquidation. If the Company is dissolved, then the Member shall proceed with reasonable promptness to wind up and liquidate the business of the Company. The assets of the Company shall be used and distributed in the following order:

- (a) First, to the creditors of the Company, other than the Member;
 - (b) Second, to the repayment of debts owed by the Company to the Member;
- and
- (c) Third, to the Member.

ARTICLE VIII. -- MISCELLANEOUS

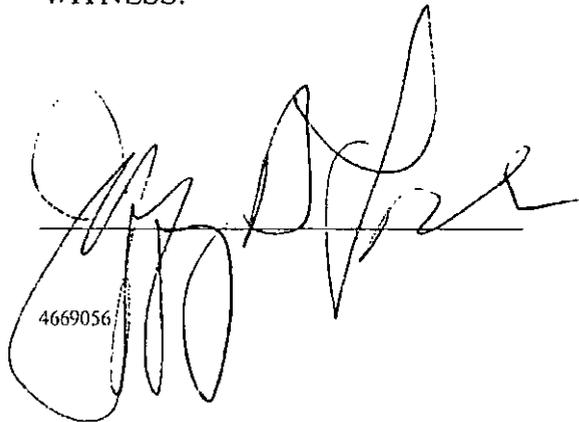
8.1 Notices. Any notice required or permitted to be given under this Agreement shall be in writing and shall be given by hand delivery, by fax or e-mail or by certified mail, return receipt requested as follows: (i) if to the Company, addressed to the principal office of the Company; and (ii) if to the Member, to the Member's address as it appears on the records of the Company.

8.2 Governing Law. This Agreement is made in and shall be construed under the laws of the Commonwealth of Pennsylvania.

8.3 Amendments. No amendment or variation of this Agreement shall be valid unless made in writing and agreed to by the Member.

IN WITNESS WHEREOF, the Member has executed this Agreement as of the day and year first above written.

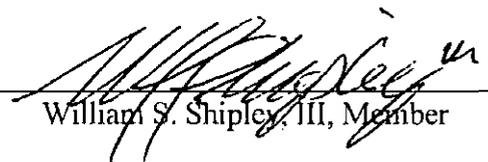
WITNESS:



4669056

SHIPLEY GROUP, L.P.

By: Shipley Holdings, LLC,
General Partner

By: 
William S. Shipley, III, Member

Appendix C
Certificate of Service

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2019 JUN 10 AM 10:51
SECRETARY GENERAL'S OFFICE

CERTIFICATE OF SERVICE

On this the 19 day of December 2018 I certify that a true and correct copy of the foregoing filing and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

✓ Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
✓ Commonwealth Keystone Building
400 North Street, 2 West
Harrisburg, PA 17120

✓ Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

✓ Small Business Advocate
Commerce Building, Suite 202
300 North Second Street
Harrisburg, PA 17101

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

Citizens' Electric Company
Attn: EGS Coordination
1775 Industrial Boulevard
Lewisburg, PA 17837

✓ Office of the Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

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

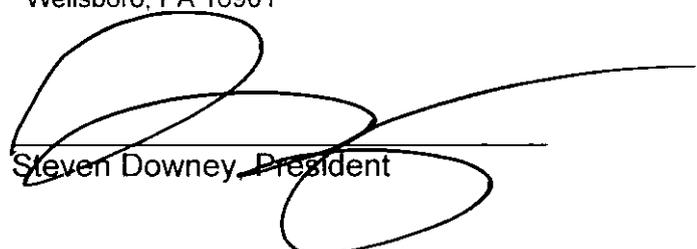
Vice President – Energy Supply
Corning Natural Gas Holding Corporation
330 West William Street
Corning, NY 14830

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

Office of General Counsel
Attn: Kimberly A. Klock
PPL
Two North Ninth Street (GENTW3)
Allentown, PA 18101-1179

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

Wellsboro Electric Company
Attn: EGS Coordination
33 Austin Street
P. O. Box 138
Wellsboro, PA 16901


Steven Downey, President

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2018 JUN 10 AM 10:51
REGULATORY BUREAU

CONFIDENTIAL

**Appendix D
Financial Records**

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SECURITY BUREAU

Appendix E
Technical Fitness

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SECRET
CYBER BUREAU

Corporate Officers

2018

Steven Downey

Click Energy, LLC, President 2015 to Present

Shipley Energy, Chief Technology Officer 2008 to 2015

Siemens Medical Solutions, Director 2007 to 2008

Matthew A. Sommer

Shipley Group, LP, President 2013 to Present

Shipley Energy, Chief Marketing Officer 2012 to 2013

Shipley Energy, VP of Natural Gas and Electricity 2002-2011

George Washington University, BA, Economics 2001

Richard M Beamesderfer

Shipley Group, CFO, Treasurer 1996 to present

Health South Corporation, CFO, Re-Hab Hosp. 1987 to 1996

George Washington University, MBA, Finance 1989

CPA 1986

Andrews University, BBA 1983

CONFIDENTIAL

Appendix F
Financial Instrument

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SECURITY BUREAU

Appendix ~~1~~^H

Disclosure Statement

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SECRETARY OF DEFENSE BUREAU



BUREAU OF CORPORATION TAXES
PO BOX 280705
HARRISBURG PA 17128-0705

NOTICE OF REGISTRATION Corporate Net Income

CLICK ENERGY, LLC
415 NORWAY ST
PO BOX 1509
YORK PA 17405-1509

REVENUE ID:..... 1001172024
FEIN:..... Not Available
NOTICE NUMBER:..... BU1001516648
MAIL DATE:..... 06/16/2015
FISCAL YR END:..... 12/31
INCORPORATION DATE:..... 04/01/2015

TAXES SUBJECT:

Corporate Net Income
Loans
Capital Stock

Welcome to Pennsylvania's business community. The above Revenue ID number has been assigned to your business for tax reporting purposes. Please reference this number on all correspondence with the Department of Revenue.

Carefully review your name, address and information above for accuracy. If no federal employer identification number (FEIN) is indicated, please provide this number to the department as soon as it is available from the federal government. Write the FEIN and other changes or additions in the top, right-hand corner above and return this letter to the PA DEPARTMENT OF REVENUE, PO BOX 280705, HARRISBURG PA 17128-0705.

Account Information and Requirements

The taxes you are required to report annually are identified above. Tax reports must be filed timely, even if there is no business activity or if the first year in business is less than 12 months. You are obligated to pay timely and file tax returns until you formally dissolve your corporate charter, file an out-of-existence affidavit or cancel a license or authorization, failure to file and pay timely may result in penalties and liens. For information on tax due dates, visit the departments website at www.revenue.pa.gov.

Pay particular attention to the month your fiscal year ends, identified above, for the following reasons:

- For capital stock/foreign franchise, corporate net income and mutual thrift taxes, the first quarterly estimated payments are due within 75 days following the incorporation/authority date.
- A federal subchapter S corporation desiring not to be taxed as a PA S corporation is required to file Form REV-976 on or before the due date or extended due date of the first tax period for which it is to be in effect. REV-976 is available at www.revenue.pa.gov.

SUBJECTIVITY TO CORPORATE TAXES FOR LIMITED LIABILITY COMPANIES AND BUSINESS TRUSTS

- According to Section 601 of the Tax Reform Code, limited liability companies and business trusts are considered corporations for purposes of capital stock/foreign franchise tax, regardless of how they file with the Internal Revenue Service (IRS).
- Under Section 401, any entity that files as a corporation with the IRS is subject to PA corporate net income tax. A limited liability company or business trust that does not file as a corporation with the IRS is not subject to the PA corporate net income tax.

Electronic Filing

All payments of \$1,000 or more must be remitted by electronic funds transfer (EFT). Taxpayers can make EFT payments by registering at www.etides.state.pa.us or by calling TeleFile at 1-800-748-8299. For assistance, call 717-783-6277.

The Department of Revenue appreciates your cooperation and wishes your business success in Pennsylvania. If you have any questions, visit the Online Customer Service Center at www.revenue.pa.gov or call Taxpayer Service & Information Center at 717-787-1064.



Electric Generation Supplier Disclosure Summary

<p>Electric Generation Supplier Information</p>	<p>ShipleY Choice, LLC d/b/a ShipleY Energy P.O. Box 15052 415 Norway St. York, PA 17405 (800) 839-1849 www.shipleYenergy.com</p> <p><i>ShipleY Choice, LLC is responsible for your electric generation (supply) charges.</i></p> <p>PUC license number is A-2012-2325309</p> <p>electricity@shipleYenergy.com</p>
<p>Price Structure</p>	<p>This is a fixed price contract lasting 12 billing cycles.</p>
<p>Generation/Supply Price</p>	<p>This price is fixed at \$0.06370 per kWh</p>
<p>Statement Regarding Savings</p>	<p>ShipleY's price may not always provide savings to the customer compared with the EDC's rate.</p>
<p>Deposit Requirements</p>	<p>There are no deposit requirements with this contract.</p>
<p>Incentives</p>	<p>Customer is eligible for 3% cashback rewards upon their successful enrollment in our ShipleY Energy Rewards Program. There are no additional discounts or bonuses associated with this contract.</p>
<p>Contract Start Date</p>	<p>You will buy your electric generation service from ShipleY beginning with the next available meter read on a date set by your EDC.</p>
<p>Contract Term/Length</p>	<p>This is a 12 month contract. It will cover 12 billing cycles.</p>
<p>Cancellation/Early Termination Fees</p>	<p>No. There are no cancellation or early termination fees associated with this price plan or variable price products.</p>
<p>Renewal Terms</p>	<p>With a fixed contract that is approaching the expiration date, you will receive two written notifications from ShipleY Energy. These written notices will be 60 days and 30 days prior to any changes. The customer has four options: to accept the proposal offered by ShipleY Energy, to shop with another supplier, to return to the utility, or to contact ShipleY Energy at the time of the 30 day notice to request an alternative rate or program. Failure to respond in some fashion will result in the customer being placed in a month to month variable rate contract which either the customer or ShipleY Energy may cancel at any time without penalty.</p>
<p>Electric Distribution Company Information</p>	<p>PPL Electric Utilities 827 Hausman Road Allentown, PA 18104-9392 800-342-5775 www.pplelectric.com</p>

Shiple Choice, LLC Disclosure Statement: Pennsylvania Fixed Price Program

This is an agreement for the purchase and sale of electric generation service between Shiple Choice, LLC, d/b/a Shiple Energy ("Shiple Choice" or "Shiple") and you, the customer ("Customer"), under which Customer shall initiate electric service and begin enrollment with Shiple Choice. Shiple Choice agrees to sell and you agree to purchase all of your electricity requirements for the account(s) listed in your Confirmation letter or email. You agree to appoint Shiple Choice as your agent to acquire the necessary supplies to meet your electricity needs as required by your electric distribution company ("EDC"). Shiple Choice will provide generation and transmission services only. Your EDC will continue to be solely responsible for the delivery of electricity to your locations through its transmission and distribution facilities.

Background:

- We at Shiple Choice, LLC are licensed by the Pennsylvania Public Utility Commission to offer and supply electric generation services in Pennsylvania. Our PUC license number is A-2012-2325309.
- We set the generation prices and charges that you pay. The Public Utility Commission regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.
- You will receive a single bill from your EDC that will contain EDC's charges and Shiple's charges. You acknowledge that your billing and payment information may be provided to Shiple by your EDC.
- Right of Rescission – You may cancel this agreement at any time before midnight of the fifth business day after receiving this disclosure. Shiple can be contacted by telephone at 800.839.1849.

Definitions:

- Generation Charge - Charge for production of electricity.
- Transmission Charge - Charge for moving high voltage electricity from a generation facility to the distribution lines of an electric distribution company.
- Distribution Charge - Charge for delivering electricity over a distribution system to the home or business from the transmission system.
- Net Metering - Onsite generation at the service address including but not limited to: Solar, Wind, Fuel Generators, etc.

Terms of Service:

1. **Basic Service Prices:** You will pay Shiple Choice the \$0.06370 per kWh for electric generation service. This rate is stated in your confirmation letter and reflects the cost of electricity including energy, capacity, settlement, ancillaries, related transmission and distribution charges and other market-related factors; plus all applicable taxes, fees, charges, costs, expenses and margins. The rate does not include EDC charges, which are separate amounts that you must pay your EDC. Information regarding generation energy sources, energy efficiency, environmental impacts or historical billing data is available upon request.
2. **Length of Agreement:** Your service for the above street address from Shiple Choice will begin with your next available meter read (which will follow the 3 day switching rules implemented by the PUC) and continue for 12 billing cycles unless you (or Shiple) cancels service under this agreement, in accordance with Cancellation Provisions in Section 6 below. If you have a fixed term contract approaching the expiration date, or whenever we propose to change the terms of service in any type of contract, you will receive two separate written notification that precede either the expiration date or the effective date of the proposed changes. This notification will explain your options going forward.
3. **Special Terms and Conditions or Special Services:** None.
4. **Incentives:** Customer is eligible for 3% cashback rewards upon their successful enrollment in our Shiple Energy Rewards Program. There are no additional discounts or bonuses associated with this contract.
5. **Penalties, Fees, and Exceptions:** There are no cancellation or early termination fees associated with this price plan or variable price products. If applicable, your utility may charge a switching fee.
6. **Cancellation Provisions:** You may cancel your service under this agreement at any time by contacting Shiple by phone at 800.839.1849; however, you will be subject to a \$0.00 early termination fee if this is done prior to the expiration of the initial term. It may take up to 45 days for your cancellation to become effective, depending on your billing cycle. Cancellation is effective upon the date as deemed effective by the EDC. If your EDC terminates your service, this Agreement will be automatically cancelled. You will be responsible for unpaid balances as of the cancellation date, until your account is paid in full. Shiple reserves the right to cancel this agreement at any time, should your account become out of compliance with any of the reasons specified in Section 10 below. We will notify you by mail of early cancellation on the date we deem your account ineligible, which will also be the date of termination, at which time you will default back to your EDC (Provider of Last Resort) on a date specified by your EDC. Please note that you also have the option of shopping with another Electric Generation Supplier or returning to your utility for supply at any time.
7. **Renewal Terms:** With a fixed contract that is approaching the expiration date, you will receive two written notifications from Shiple Energy. These written notices will be 60 days and 30 days prior to any changes. The customer has four options: to accept the proposal offered by Shiple Energy, to shop with another supplier, to return to the utility, or to contact Shiple Energy at the time of the 30 day notice to request an alternative rate or program. Failure to respond in some fashion will result in the customer being placed in a month to month variable rate contract which either the customer or Shiple Energy may cancel at any time without penalty. Variable pricing contracts are month-to-month and can be cancelled by the customer or Shiple at any time. If we propose a change in variable price we will send one written notification 30 days prior to any changes.
8. **Change in Terms:** If we propose to change our terms of service, we will send you two advance written notice in accordance with PUC rules.

We will explain your options in this advance notice.

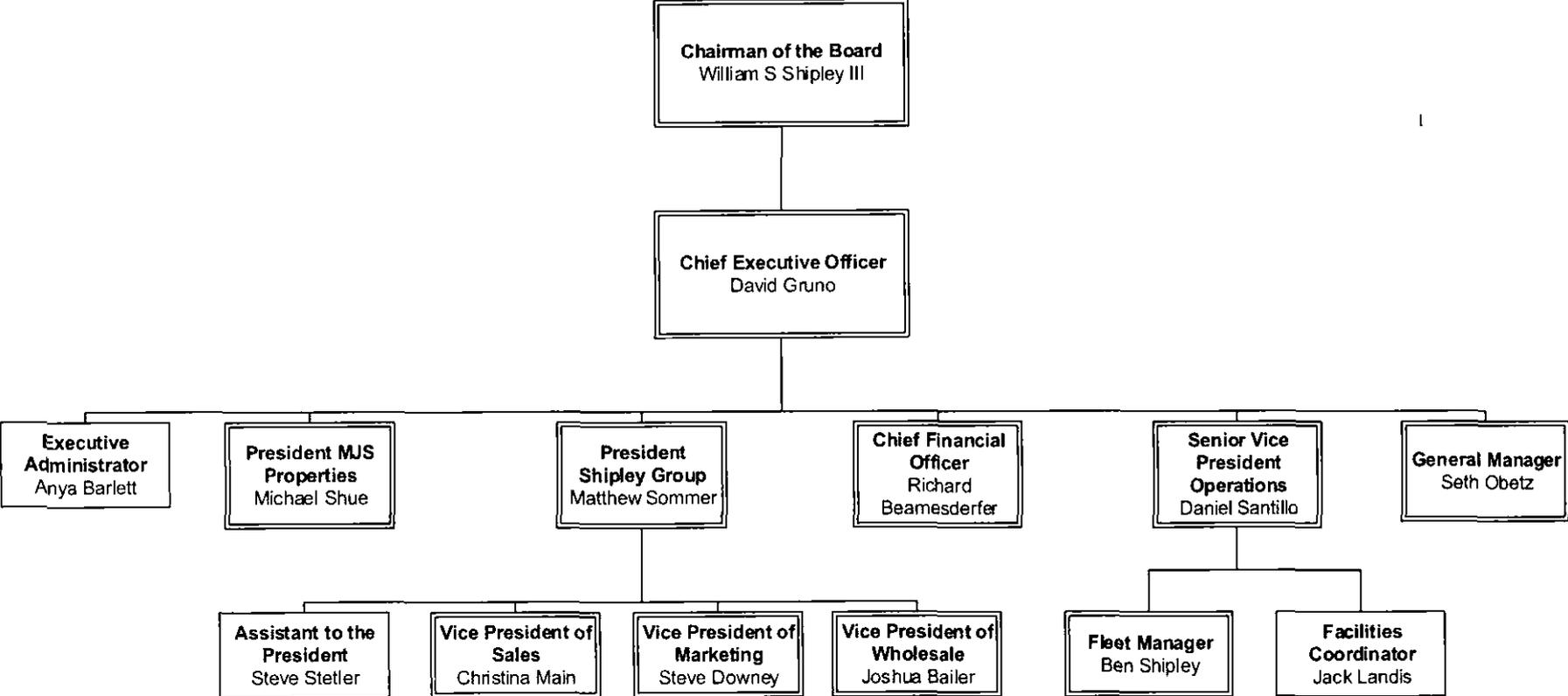
9. **Dispute Procedures:** Contact us at 800.839.1849 with any questions concerning our terms of service. You may call the Pennsylvania Public Utility Commission if you are not satisfied after discussing your terms with us.
10. **Limits on Warranties and Damages:** You understand and agree that there are no warranties, either express or implied, associated with this offer or the electricity service sold hereunder. Shipley will bear no liability to you or any third party for consequential, punitive, incidental, special or other indirect damages.
11. **Assignment:** Shipley may assign this agreement to a third party, in whole or in part. Shipley will provide you a thirty (30) day notice of any assignment.
12. **Eligibility:** Only standard residential accounts are eligible. Shipley reserves the right, at its own discretion, to cancel service to any customers with commercial rate classes, net-metered accounts, or other special circumstances that may incur additional cost to Shipley. Shipley does not offer net metering to generating customers taking service from Shipley. Any electricity produced by the customer will not be purchased by Shipley & Shipley may charge the customer for that generation at the contracted price due to net metering.
13. **Force Majeure:** Shipley Choice, LLC is relieved of any obligations under this agreement during a Force Majeure, defined as an event, including but not limited to act of God, fire, storm, flood, freeze, lightning, explosion, earthquake, labor dispute, action of a court, or other governmental authority or regulatory agency or an interruption of transportation by a transportation provider or the Local Distribution Company, or other cause not reasonably within our control and which by exercise of due diligence cannot be prevented or overcome.

14. **Contact information**

Supplier	Distribution Company	PA Public Utility Commission	Universal Service Program Name:
Shipley Choice, LLC	PPL Electric Utilities	(PUC)	EUSP – Electric Universal Service
415 Norway St.	827 Hausman Road	PO Box 3265	Program
PO Box 15052	Allentown, PA 18104-9392	Harrisburg, PA 17105-3265	(800) 352-1446
York, PA 17405-7052	800-342-5775	800.692.7380	
800.839.1849	www.pplelectric.com	www.puc.state.pa.us	
www.shipleyenergy.com			

Executive & Administrative

December 2018



Click Energy, LLC

Appendix K
Publication Notices

RECEIVED
2019 JAN 10 AM 10:52
SECRET
DEFENSE BUREAU

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)
Commonwealth of Pennsylvania, County of Lackawanna

HAWKE MCKEON SNISCAK & KENNARD
STEVEN HAAS
100 NORTH TENTH STREET HARRISBURG PA 17105

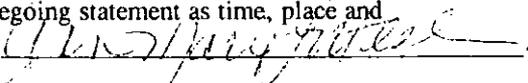
Account # 51864
Order # 82291827
Ad Price: 287.55

LEGAL NOTICE PENNSYLVANIA

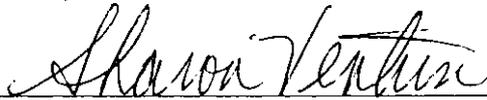
Ann Marie Fortese

Being duly sworn according to law deposes and says that (s)he is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

12/20/2018

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true 

Sworn and subscribed to before me
this 20th day of December A.D., 2018



(Notary Public)

Commonwealth of Pennsylvania - Notary Seal
Sharon Venturi, Notary Public
Lackawanna County
My commission expires February 12, 2022
Commission number 1254228
Member, Pennsylvania Association of Notaries

LEGAL NOTICE

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of **Click Energy, LLC d/b/a Smart Touch Energy** For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services as A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Click Energy, LLC d/b/a Smart Touch Energy will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Click Energy, LLC d/b/a Smart Touch Energy** proposes to sell electricity and related services in territory of PECO Energy Company and UGI, under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Click Energy, LLC d/b/a Smart Touch Energy** 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 **Click Energy, LLC d/b/a Smart Touch Energy** at the address listed below.

**Click Energy, LLC
d/b/a Smart Touch Energy
415 Norway Street
York, PA 17403
(855) 305-7878
(717) 854-5496**

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:

December 21, 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.

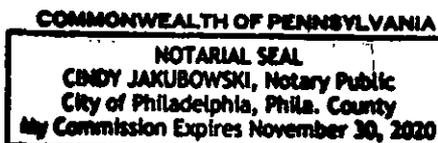


Sworn to and subscribed before me this 21st day of
December, 2018.



Notary Public

My Commission Expires:



Copy of Notice of Publication

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Application of Click Energy, LLC d/b/a Smart Touch Energy For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.
Click Energy, LLC d/b/a Smart Touch Energy will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Click Energy, LLC d/b/a Smart Touch Energy proposes to sell electricity and related services in territory of PECO Energy Company and UGI, under the provisions of the new Electricity Generation Customer Choice and Competition Act.
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Click Energy, LLC d/b/a Smart Touch Energy 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 Click Energy, LLC d/b/a Smart Touch Energy at the address listed below.
Click Energy, LLC d/b/a Smart Touch Energy
418 Norway Street
York, PA 17403
(858) 305-7575
(717) 854-5496

**PROOF OF PUBLICATON OF NOTICE IN THE WILLIAMSPORT
SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929**

STATE OF PENNSYLVANIA

COUNTY OF LYCOMING

SS:

Robert O. Rolley, Jr., Publisher of the Sun-Gazette LLC publishers of the Williamsport Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

December 21, 2018

Affiant further deposes that he is an officer daily authorized by the Sun-Gazette LLC, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath and declare that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all the allegations in the foregoing statement as to time, place and character of publication are true.

**PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE**

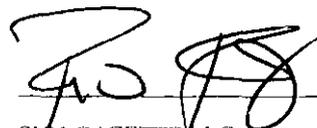
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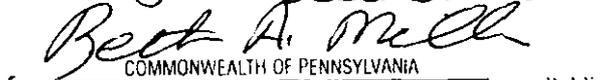
Click Energy, LLC d/b/a Smart Touch Energy
415 Norway Street
York, PA 17403
(855) 305-7678
(717) 854-5496



SUN-GAZETTE LLC

Sworn to and subscribed before me

The 21st day of December 2018


BETH A. MILLER
COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
BETH A MILLER
Notary Public
CITY OF WILLIAMSPORT, LYCOMING COUNTY
My Commission Expires Apr 18, 2020

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette LLC, Dr.:

For publishing the notice attached

Hereto on the above state dates.....\$ 297.00

Probated same.....\$

Total.....\$ 297.00

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

THE SUN-GAZETTE LLC hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid

SUN-GAZETTE LLC

BY Robert O. Rolley, Jr.



AD#: 0008950598

Commonwealth of Pennsylvania,) ss
County of Cumberland)

Beth Pettit being duly sworn, deposes that he/she is principal clerk of PA Media Group; that The Patriot News is a public newspaper published in the city of Mechanicsburg, with general circulation in Cumberland and Dauphin and surrounding counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Patriot News 12/25/2018

Principal Clerk of the Publisher

Sworn to and subscribed before me this 28th day of December 2018

Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Crystal B. Rosensteel, Notary Public
Susquehanna Twp., Dauphin County
My Commission Expires June 27, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

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**Click Energy, LLC
d/b/a Smart Touch Energy
415 Norway Street
York, PA 17403
(855) 305-7678
(717) 854-5496**

Appendix M
EDI Interchange

RECEIVED
2019 JAN 10 AM 10:52
SECRETARY OF THE TREASURY

Connectivity/PGP Key Exchange: b2bcomm@energyservicesgroup.net

Production Support: latedi@energyservicesgroup.net

Certification Testing: lateditest@energyservicesgroup.net

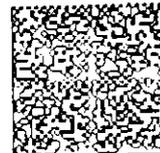
Setup: setups@energyservicesgroup.net

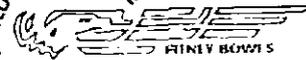


415 Norway Street
Post Office Box 15052
York, PA 17405-7052

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UNITED STATES POSTAGE
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PA Public Utility Commission
Secretary
400 North Street, Keystone Building
Harrisburg, PA
17120