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May 16, 2019

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Linde Energy Services, Inc. (now, Messer Energy Services, Inc.) – EGS Application Update  
Regarding Upstream Ownership and Name Changes; Docket No. A-110162**


Dear Secretary Chiavetta:

On March 29, 2019, Linde Energy Services, Inc. (now, Messer Energy Services, Inc.), filed an application amendment to its Electric Generation Supplier License with the Pennsylvania Public Utility Commission ("PUC" or "Commission") relating to a name change. By Secretarial Letter dated April 17, 2019, the Commission requested additional information. To that end, please see the attached responses to the Commission's data requests.

Please contact the undersigned if you have any questions regarding this filing. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 

Susan E. Bruce (Pa. I.D. No. 80146)  
Alessandra L. Hylander (Pa. I.D. No. 320967)

Counsel to Messer Energy Services, Inc. (formerly, Linde Energy Services, Inc.)

Enclosures

c: Certificate of Service  
Jeff McCracken, Bureau of Technical Utility Services (via email)  
Larry Stalica, Messer Energy Services, Inc. (via email)  
Michael J. Peters, Messer Energy Services, Inc. (via email)

**[www.McNeesLaw.com](http://www.McNeesLaw.com)**

Harrisburg, PA • Lancaster, PA • Scranton, PA • State College, PA • Columbus, OH • Frederick, MD • Washington, DC

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

**VIA FIRST-CLASS MAIL**

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

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

Office of 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  
FirstEnergy  
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

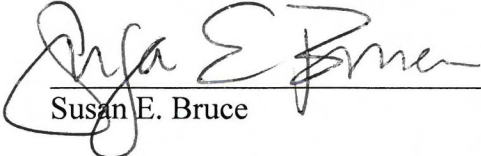
Vice President – Energy Supply  
Corning Natural Gas Holding Corporation  
330 West William Street  
Corning, NY 14830

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. 12<sup>th</sup> 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

  
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Susan E. Bruce

Counsel to Messer Energy Services, Inc.

Dated this 16<sup>th</sup> day of May, 2019, in Harrisburg, Pennsylvania.



**RE: Electric Generation Supplier License Application Amendment for a Name Change  
Docket No. A-110162; Utility Code: 110162**

**Response to Pennsylvania Public Utility Commission Data Requests**

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- 1. Reference Application, Section 1, Identification and Contact Information – Please explain if the applicant's contact information is changing. Please provide updated contact information, if applicable.**

Please utilize the following as the primary contact at Messer Energy Services, Inc.:

Michael J. Peters  
Vice President, Messer Energy Services, Inc.  
One Greenwich Street  
Stewartsville, NJ 08886  
[michael.peters@messer-us.com](mailto:michael.peters@messer-us.com)  
Phone: 908-329-9540

Response: Michael J. Peters  
Vice President, Messer Energy Services, Inc.

**RE: Electric Generation Supplier License Application Amendment for a Name Change  
Docket No. A-110162; Utility Code: 110162**

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- 2. Reference Application, Section 2, Business Entity Filings and Registration – Applicant failed to provide name change documentation from the State of Delaware. Please provide the missing documentation.**

Please see attached Exhibit A.

Response: Michael J. Peters  
Vice President, Messer Energy Services, Inc.

## **EXHIBIT A**

# Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "LINDE ENERGY SERVICES, INC.", CHANGING ITS NAME FROM "LINDE ENERGY SERVICES, INC." TO "MESSER ENERGY SERVICES, INC.", FILED IN THIS OFFICE ON THE FIRST DAY OF MARCH, A.D. 2019, AT 10:04 O`CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



  
Jeffrey W. Bullock, Secretary of State

3572700 8100  
SR# 20191643038

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

Authentication: 202352363  
Date: 03-01-19

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 10:04 AM 03/01/2019  
FILED 10:04 AM 03/01/2019  
SR 20191643038 - File Number 3572700

CERTIFICATE OF AMENDMENT  
TO  
CERTIFICATE OF INCORPORATION  
OF  
LINDE ENERGY SERVICES, INC.

Linde Energy Services, Inc. (the "Corporation"), a corporation organized and existing under the General Corporation Law of the State of Delaware, certifies as follows:

FIRST: The sole Shareholder of the Corporation and the Board of Directors of the Corporation adopted resolutions proposing and declaring advisable the following Amendment to the Certificate of Incorporation of the Corporation. The resolution setting forth the Amendment is as follows:

RESOLVED: That the Certificate of Incorporation of Linde Energy Services, Inc. be amended by changing the first article so that, as amended, it reads as follows:

Name: The name of the corporation is Messer Energy Services, Inc.

SECOND: This Amendment to the Certificate of Incorporation is effective as of March 1, 2019 at 12:01 a.m.

THIRD: That this Amendment has been duly adopted in accordance with Sections 242 and 228 of the General Corporate Law of the State of Delaware.

IN WITNESS WHEREOF the Corporation has caused this Certificate of Amendment to be signed by Lawrence Stalica, President, this 13 day of February 2019.



Name: Lawrence Stalica  
Title: President



# Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "MESSER ENERGY SERVICES, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE FIRST DAY OF MARCH, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "MESSER ENERGY SERVICES, INC." WAS INCORPORATED ON THE TWENTY-FIFTH DAY OF SEPTEMBER, A.D. 2002.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.



3572700 8300

SR# 20191647426

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Authentication: 202352664

Date: 03-01-19

**RE: Electric Generation Supplier License Application Amendment for a Name Change  
Docket No. A-110162; Utility Code: 110162**

**Response to Pennsylvania Public Utility Commission Data Requests**

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- 3. Reference Application, Section 7.a, Bonding – Applicant failed to provide an updated financial security listing the company's new name, which must match the Pennsylvania Department of State website listing EXACTLY. Please provide the missing documentation.**

Applicant is in the process of finalizing its updated financial security. The original will be filed in this docket upon receipt.

Response: Michael J. Peters  
Vice President, Messer Energy Services, Inc.

**RE: Electric Generation Supplier License Application Amendment for a Name Change  
Docket No. A-110162; Utility Code: 110162**

**Response to Pennsylvania Public Utility Commission Data Requests**

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- 4. Regarding Customer Notice – Applicant failed to provide its customer notice for this name change. Please provide the missing documentation.**

In its March 29, 2019, notice to the Commission, MESI explained that it currently serves only the load of its affiliates Messer LLC (formerly, Linde LLC) or Messer Merchant Production LLC (formerly, Linde Merchant Production LLC). By way of further explanation, MESI personnel are directly involved with the day-to-day operations of the aforementioned Messer affiliates. Furthermore, MESI does not serve unaffiliated load in Pennsylvania. As such, MESI requests waiver of the requirement to provide customer notice of the name change.

Response: Michael J. Peters  
Vice President, Messer Energy Services, Inc.