

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF: A-110131

Application of Utilil Resources, Inc., d/b/a Usource for approval to begin to offer, render, furnish or supply electric generation services to the public, within the Commonwealth of Pennsylvania.

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accommodation, convenience and safety of the public and hereby issues, evidencing the Commission's approval, to the applicant this:

LICENSE FOR ELECTRIC GENERATION SUPPLIER.

In Witness Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 13<sup>th</sup> day of April 2000.

*James G. McMillan*

Secretary

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FOLDER

DOCKETED

APR 14 2000

A-110131

OFFICE OF CHIEF COUNSEL  
DEPT 281061  
HARRISBURG, PA 17128-1081

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE



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FOLDER

April 13, 2000

PHONE: 717 787-1382  
FAX: 717 772-1459

JOHN W. LOOMIS  
DIRECT DIAL: EXT. 3047  
loomis@state.pa.us

John J. Gallagher, Esq.  
LeBoeuf, Lamb, Greene  
& LacRae  
200 North Third Street, Suite 300  
P.O. Box 12105  
Harrisburg, PA 17108-2105

APR 13 PM 1:30  
SECRETARY'S BUREAU

DOCKETED  
APR 14 2000

Re: Sales and Use Tax  
Miscellaneous  
Taxpayer: Usource

Dear Mr. Gallagher:

Thank you for your letter of March 28, 2000.

Your letter indicates that you represent Unutil Resources, Inc., d/b/a Usource ("Usource"), a New Hampshire corporation authorized to do business within the State of Pennsylvania. You indicate further that Usource has made application for a license from the Pennsylvania Public Utility Commission ("PUC") to do business as a electricity broker in Pennsylvania.

As a broker, Usource will represent various out-of-state sellers of electricity and natural gas. Through the use of its internet "platform," Pennsylvania purchasers and those nonresident sellers represented by Usource, may enter into agreements for the purchase of electricity or natural gas. Usource does not take title to the natural gas or electricity. Usource simply provides the "platform" through which sellers and purchasers may enter into agreements. Usource receives a commission from the energy suppliers for each agreement.

You indicate that the license application required be filed by Usource with the PUC requires the applicant provide its sales tax license number. You seek our opinion as to whether or not Usource is required to hold a Pennsylvania sales tax license under the facts set forth above.

John J. Gallagher, Esq.  
April 12, 2000  
Page Two

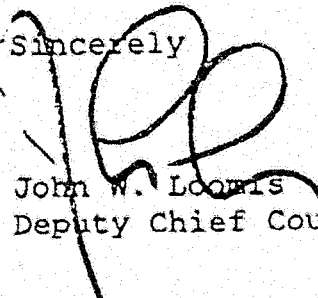
The provisions of Section 208 of the Tax Reform Code (72 P.S. §7208) provide that every person maintain a place of business in the Commonwealth selling or leasing services or tangible personal property, the sale of which is subject to tax, is required to make application to the Department for a sales and use tax license. If the person, does not maintain a place of business or does not sell or lease taxable tangible personal property or taxable services, a person is not required to hold a Pennsylvania sales tax license.

Notwithstanding the fact that the application required to be submitted by Usource to the PUC requires the insertion of a Pennsylvania sales and use tax license number, based upon the facts that you have provided to us, Usource is not required to hold a Pennsylvania sales and use tax license number.

The nonresident sellers which your company represents that make taxable sales of electricity and natural gas within the State of Pennsylvania are required to hold a Pennsylvania sales and use tax license number. These companies are also required to collect and remit to the Pennsylvania Department of Revenue the applicable sales or use tax due and owing on the taxable sales of electricity and natural gas they make to Pennsylvania residents. We acknowledge receipt of the Affidavit executed by Lawrence M. Brock, Controller of Unitel Resources, attesting that all of the sellers represented by Usource are licensed with the Pennsylvania Department of Revenue for the collection of sales and use tax.

I trust I have answered your inquiry. Should you have any further questions, please feel free to contact me by telephone or at my electronic mail address listed above.

Sincerely

  
John W. Loomis  
Deputy Chief Counsel

cc: Pat Burket

JWL:sa



Unitil Resources Inc.

February 23, 2001

James J. McNulty, Secretary  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

RE: License Bond or Other Financial Security

Dear Secretary McNulty,

Pursuant to your letter of February 5, 2001, attached is the continuation certificate for Unitil Resources, Inc., d/b/a Usource, and its subsidiaries in favor of the Pennsylvania Public Utility Commission.

If I can be of any further assistance in this matter, please contact me at 603.491.4399.

Sincerely,

Raymond Morrissey, Vice President  
Unitil Resources, Inc.

Enclosures

RECEIVED

FEB 26 2001

PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

A 110131

DOCUMENT  
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Corporate Office

6 Liberty Lane West  
Hampton, NH 03842-1720

Phone: 603-772-0775  
Fax: 603-773-6605

Email: corp@unitil.com

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THE HARTFORD

Hartford Plaza, Hartford, CT 06115

CONTINUATION CERTIFICATE

DOCKETED  
MAR 12 2001

The Hartford Fire Insurance Company (hereinafter called the Company) hereby continues in force its Bond No. 08BSBAK0985 in the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00), on behalf of Unitil Resources, Inc., d/b/a Usource, and its subsidiaries in favor of Pennsylvania Public Utility Commission for the (extended) term beginning on the 9th day of March, 2001, and ending on the 9th day of March, 2002, subject to all the covenants and conditions of said Bond, said bond and this and all continuations thereof being one continuous contract.

This Continuation is executed upon the express condition that the Company's liability under said Bond and this and continuations thereof shall not be cumulative and shall in no event exceed the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00).

IN WITNESS WHEREOF, the Company has caused this instrument to be signed by its officers proper for the purpose and its corporate seal to be hereto affixed this 13th day of February 2001.

By Pamela J. Hull  
Pamela J. Hull, Attorney-in-Fact

Attest

Carolyn Blumne

DOCUMENT  
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- Hartford Fire Insurance Company
- Hartford Casualty Insurance Company
- Hartford Accident and Indemnity Company
- Hartford Underwriters Insurance Company

- Twin City Fire Insurance Company
- Hartford Insurance Company of Illinois
- Hartford Insurance Company of the Midwest
- Hartford Insurance Company of the Southeast

KNOW ALL PERSONS BY THESE PRESENTS THAT the *Hartford Fire Insurance Company, Hartford Accident and Indemnity Company and Hartford Underwriters Insurance Company*, corporations duly organized under the laws of the State of Connecticut, *Hartford Insurance Company of Illinois*, a corporation duly organized under the laws of the State of Illinois, *Hartford Casualty Insurance Company, Twin City Fire Insurance Company and Hartford Insurance Company of the Midwest*, corporations duly organized under the laws of the State of Indiana, and *Hartford Insurance Company of the Southeast*, a corporation duly organized under the laws of the State of Florida; having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of unlimited:

*Cheryl J. Yorio, Carolyn Blume, Alan J. Konareski, Brian Beggs, Pamela J. Hull*  
of  
Home Office,

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on September 12th, 2000, the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*Paul A. Bergenholtz*

Paul A. Bergenholtz Assistant Secretary

*John P. Hyland*

John P. Hyland Assistant Vice President

STATE OF CONNECTICUT }  
  } ss. Hartford  
COUNTY OF HARTFORD }

On this 19<sup>th</sup> day of September, 2000, before me personally came John P. Hyland, to me known, who being by me duly sworn, did depose and say that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument, that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.

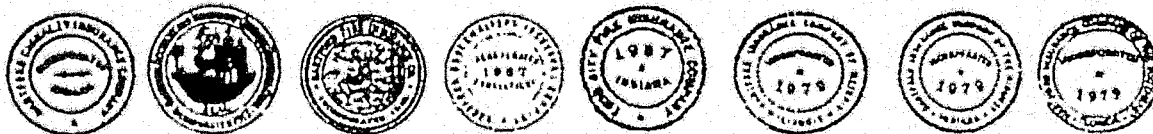


*Jean H. Weznik*

Jean H. Weznik  
Notary Public  
My Commission Expires June 30, 2004

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of *February 13, 2001*

Signed and sealed at the City of Hartford



*Cecilean Mastroianni*

Cecilean Mastroianni Assistant Vice President



Unitil Resources Inc.

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JAN 24 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

January 22, 2002

A-110131

James J. McNulty, Secretary  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

Re: License Bond or Other Financial Security

Dear Secretary McNulty,

Pursuant to your letter of January 7, 2002, attached is the continuation certificate for Unitil Resources, Inc., d/b/a Usource, and its subsidiaries in favor of the Pennsylvania Public Utility Commission.

If I can be of any further assistance in this matter, please contact me at 603.773.6503.

Sincerely,

Raymond Morrissey, Vice President  
Unitil Resources, Inc.

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FEB 21 2002

Enclosures

Corporate Office

6 Liberty Lane West  
Hampton, NH  
03842-1720

Phone: 603-772-0775  
Fax: 603-773-6605  
corp@unitil.com

Continuation Certificate

The Hartford Insurance Group

The HARTFORD FIRE INSURANCE COMPANY

(hereinafter called the Company)

hereby continues in force its Bond No. 08 ISBAK0985

in the sum of

Two Hundred Fifty Thousand and 00/100 Dollars, (\$250,000)

on behalf of Util Resources, Inc. d/b/a Usource

in favor of Pennsylvania Public Utility Commission

for the (extended) term beginning on March 9, 2002 and ending on March 9, 2003

subject to all the covenants and conditions of said Bond, said bond and this and all continuations thereof being one continuous contract

This Continuation is executed upon the express condition that the Company's liability under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the sum of

Two Hundred Fifty Thousand and 00/100 Dollars. (\$250,000)

IN WITNESS THEREOF, the Company has caused this instrument to be signed by its officers proper for the purpose and its corporate seal to be hereto affixed on January 18, 2002

HARTFORD FIRE INSURANCE COMPANY

By: *Pamela J. Hill*  
Pamela J. Hill Attorney in fact

Attest:

*Carolyn Blume*  
Carolyn Blume, Attorney-in-fact



