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Susan E. Bruce
Direct Dial: 717.237.5254
Direct Fax: 717.260.1666
sbruce@mcneeslaw.com

100 Pine Street • PO Box 1166 • Harrisburg, PA 17108-1166
Tel: 717.232.8000 • Fax: 717.237.5300

October 9, 2019

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

VIA HAND DELIVERY

**RE: Messer Energy Services, Inc. (formerly, Linde Energy Services, Inc.);
Docket No. A-110162**

Petition to Amend Electric Generation Supplier License to Renew Reduced Bond Level

Dear Secretary Chiavetta:

Pursuant to Section 54.40(d) of the Pennsylvania Public Utility Commission's ("PUC" or "Commission") Regulations,¹ the Commission's July 24, 2014, Final Order,² and the Commission's Secretarial Letter in this docket dated December 12, 2018, Messer Energy Services, Inc. ("MESI") (formerly, Linde Energy Services, Inc.), hereby respectfully files this petition requesting to amend its Electric Generation Supplier ("EGS") license to renew its reduced bond level. As noted herein, MESI respectfully requests the Commission afford confidential treatment to the documents found at Attachments A and B accompanying this petition.

In order to hold an EGS license in the Commonwealth, the applicant must furnish a bond or other security that demonstrates financial responsibility.³ After its first year in operation, a licensed EGS must submit its security level to the Commission for review and may seek approval for an alternative level of bonding commensurate with its nature and scope of operation.⁴ According to the Commission's July 24 Order, an EGS may file a petition seeking a reduction in its level of security from 10% to 5% of its most recent 12 months of revenue or \$250,000, whichever is higher.⁵

¹ 52 Pa. Code § 54.40(d).

² Final Order, Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers; Acceptable Security Instruments, Docket No. M-2013-2393141 (July 24, 2014) ("July 24 Order").

³ 66 Pa. C.S. § 2809(c).

⁴ 52 Pa. Code § 54.40(d).

⁵ See July 24 Order, at 10-11.

MESI has operated as a licensed EGS in the Commonwealth since 2004. By Petition dated November 19, 2018, MESI petitioned the Commission for a reduction in its financial security level from 10% to 5% of MESI's most recent twelve (12) months of revenue. The Commission granted MESI's Financial Security Reduction Petition to be effective for one year starting at the expiration/anniversary date of the EGS's current financial security.⁶ Per the Secretarial Letter, MESI's financial security reduction may be renewed annually for additional years by the Commission, provided MESI provides annual compliance documentation.⁷

In accordance with the Commission's Regulations and guidance, MESI submits this Petition to renew its request to reduce the bond level ("Renewal Petition").⁸ In support of its Renewal Petition, MESI has enclosed the following documents for filing with the Commission:

- Confidential Attachment A, which sets forth MESI's gross revenues for the sale of electricity to retail customers in Pennsylvania for the most recent 12 months; and
- Confidential Attachment B, which provides the amount of gross receipts taxes that MESI has prepaid towards its estimated revenues for the current calendar year;
- Attachment C, which offers evidence of MESI's Alternative Energy Portfolio Standards ("AEPS") compliance for energy year 2019;
- Attachment D, which includes a Lien Certificate from the Pennsylvania Department of Revenue and a Certificate of Good Standing from the Pennsylvania Department of State; and,
- Attachment E, which includes the required Verification.⁹

Because MESI prepays its gross receipts tax responsibility via wire transfer, MESI does not have a REV-423 Specialty Tax Estimated Payment Form and, as such, the form is not included in this Renewal Petition.

Also enclosed is a check in the amount of \$350.00 made payable to the Commonwealth of Pennsylvania to cover the requisite filing fee for MESI's Renewal Petition.

⁶ See *Secretarial Letter re Financial Security Reduction Petition for Electric Generation Suppliers*, Docket No. A-110162, at 2 (Dec. 12, 2018).

⁷ See *id.*

⁸ See 52 Pa. Code. § 54.40(d); July 24 Order, at 10-11.

⁹ MESI will supplement this Renewal Petition with the original Verification.

MESI respectfully requests that the Commission grant confidential treatment of the documents found at Attachments A and B accompanying this Renewal Petition. The enclosed information is not available to the public and is believed by MESI to be of a proprietary or confidential nature and is so designated by being stamped "Confidential." MESI respectfully requests that the Commission treat these documents as confidential, place them under seal and prevent public disclosure in accordance with the Commission's procedures. Any party desiring access to the aforementioned documents should contact the undersigned with such a request.

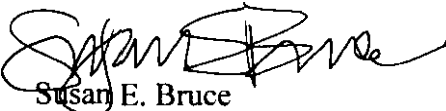
MESI acknowledges that the Commission requested that MESI file any renewal petition ninety days in advance of its security expiration/anniversary date. During the intervening time, MESI underwent certain corporate changes and a new letter of credit was issued, which expires June 30, 2020. MESI understands from Commission Staff, however, that MESI's Renewal Petition should still be filed 90 days in advance of its prior letter of credit's anniversary date, December 31, 2018. MESI regrets the modest delay in filing this Renewal Petition. MESI has acted with all due deliberate speed to submit this Renewal Petition as timely as possible. As such, MESI respectfully requests this Renewal Petition be considered by the Commission.

* * *

Please date stamp the extra copy of this transmittal letter, and kindly return it to our messenger for our filing purposes. Please contact the undersigned with any questions regarding this filing. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 
Susan E. Bruce

Counsel to Messer Energy Services, Inc.

SEB/mas
Enclosures

- c: Certificate of Service (via First-Class Mail) (w/o confidential attachments)
Paul Diskin, Director, Bureau of Technical Utility Services (via e-mail) (w/o confidential attachments)
Stephen Jakab, Financial Analyst, Bureau of Technical Utility Services (via email) (w/o confidential attachments)
Michael J. Peters, Messer Energy Services, Inc. (via email) (w/attachments)

CONFIDENTIAL ATTACHMENT A

Gross Revenues

(provided under protective seal to the Commission only)

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PA PUBLIC UTILITIES COMMISSION
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CONFIDENTIAL ATTACHMENT B

Gross Receipts Taxes

(provided under protective seal to the Commission only)

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ATTACHMENT C

AEPS Compliance Data

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SECRETARY'S BUREAU



PENNSYLVANIA ALTERNATIVE ENERGY CREDIT PROGRAM

*Via Email to: Messer Energy Services, Inc. (formerly Linde) (sean.powers@messer-us.com,
sean.powers@linde.com)*

9 October, 2019

Dear Pennsylvania Electric Supplier:

This letter is to inform you that Messer Energy Services, Inc. (formerly Linde) has met the non-solar Tier I, solar Tier I and Tier II AEC retirement requirements for energy year 2019.

If you have any questions regarding this letter please contact InClime, the Pennsylvania AEPS Administrator, at customerservice@pennaeps.com or by phone at 877-333-0573.

Best,

Pennsylvania AEPS Administration Team

ATTACHMENT D

**PA DOR Lien Certification and
Pennsylvania DOS Certificate of Good Standing**

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BUREAU OF COMPLIANCE
PO BOX 281230
HARRISBURG PA 17128



At the request of

LIEN CERTIFICATE

DOCUMENT ID:BU-MANUAL
MAIL DATE:..... 10/7/2019

McNees Wallace & Nurick LLC
100 Pine Street
Harrisburg PA 17101

and under the authority of Section 213 of the Fiscal Code (72 P.S. § 213), the department provides this certificate, which is a true and correct statement of corporation tax liens against **Messer Energy Services, Inc.** as of 10/7/2019. Current outstanding interest may not be reflected.

Should a taxpayer with outstanding liens have questions regarding the liens, the taxpayer may call 717-787-3911. See reverse for additional information.

SETTLEMENT/ ASSESSMENT DATE	TAX YEAR	TAX TYPE	AMOUNT
		NONE	
BUSINESS TOTAL			

GENERAL INFORMATION

Under the authority of Section 213 of the Fiscal code, 72 P.S. § 213, the department will certify liened obligations owed to the commonwealth by a taxpayer upon request and receipt of a \$2 fee per request.

All liens referenced herein are first liens upon the taxpayer's property, even if the lien is not recorded with a county prothonotary. 72 P.S. §1401.

Lien certificates do not reflect credits that may exist on a corporate account.

This document is not to be confused with or used in lieu of a bulk sale clearance certificate, which must be obtained by completing REV-181, Application for Tax Clearance Certificate, and submitted to the department pursuant to 72 P.S. §1403.

TRANSFER OF CREDIT

A corporation taxpayer may satisfy a liened liability by transferring available credit within the account. To transfer available credit, the taxpayer must fax a request on company letterhead that is signed by an officer of the corporation to 717-705-6227.

To assign credit between entities, the taxpayer must complete REV-774, Assignment of Tax Credit, in duplicate and

ESTIMATED TAX SETTLEMENTS/ASSESSMENTS

The department will make an estimate of the tax due by a delinquent corporation. 72 P.S. § 804 7407.1.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

10/04/2019

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

Messer Energy Services, Inc.

is duly registered to do business under the laws of the Commonwealth of Pennsylvania and remains a registered Foreign Business Corporation so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT this Certificate of Registration shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written

Katly Bockman

Acting Secretary of the Commonwealth

Certification Number: TSC191004151432-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify>

ATTACHMENT E

Verification of Michael J. Peters

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SECRETARY'S BUREAU

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).

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

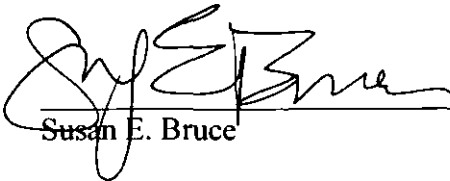
Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

Office of 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

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


Susan E. Bruce

Counsel to Messer Energy Services, Inc.

Dated this 9th day of October, 2019, in Harrisburg, Pennsylvania.

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