

UNITED ENERGY TRADING, LLC.

225 Union Boulevard, Suite 200 • Lakewood, Colorado 80228 • Office: 303-991-0983 • Fax: 303-991-0988

November 7, 2019

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: United Energy Trading, LLC d/b/a Kratos Gas & Power's Natural Gas Supplier License
Application – Docket No. A-2019-3013415**

Ms. Chiavetta:

Enclosed please find United Energy Trading, LLC d/b/a Kratos Gas & Power's response to the Data Requests attached to the Pennsylvania PUC's correspondence dated October 25, 2019. Should you have any questions, please feel free to contact me.

Sincerely,

Matthew J. Lindsay
Associate General Counsel

cc: Jeff McCracken (via email only: jmccracken@pa.gov)

Docket No. A-2019-3013415
United Energy Trading, LLC d/b/a Kratos Gas & Power
Data Requests

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SECRETARY'S BUREAU

1. Reference Application, Section 1.a, Identity of Applicant – Please update the applicant’s name as United Energy Trading, LLC d/b/a Kratos Gas & Power (UET) rather than United Energy Trading d/b/a Kratos Gas & Power (UET), LLC. Please provide the updated application page with the appropriate corrections.

Please see attached Exhibit 1.a.

2. Reference Application, Section 2.b, Formation Documents – Applicant failed to provide limited liability company formation documentation. Please provide the missing documentation.

Please see attached Exhibit 2.b.

3. Reference Application, Section 7.b, Financial Fitness – Please provide financial statements for the fiscal year ended June 30, 2019.

Confidential information that will be submitted separately as Exhibit 7.b. pursuant to the Application instructions.

4. Reference Application, Section 7.c, Supplier Funding Method – Applicant failed to provide evidence of its credit agreements. Please provide the executed credit agreements, along with the available balance for each line of credit.

Confidential information that will be submitted separately as Exhibit 7.c. pursuant to the Application instructions.

5. Reference Application, Section 7.f, Taxation – Applicant failed to provide a Pennsylvania Department of Revenue Sales Tax License Number on its Tax Certification Statement. Please resubmit a complete Tax Certification Statement.

Please see attached Exhibit 7.f.

6. Reference Application, Section 7.f, Taxation – Applicant provided an incorrect Corporate Box Number instead of a Revenue ID Number on its Tax Certification Statement. Any company registered in the Commonwealth of Pennsylvania after March 2013 must contact the Pennsylvania Department of Revenue for its 10 digit Revenue ID Number. Please submit a corrected Tax Certification Statement.

Please see attached Exhibit 7.f.

7. Reference Application, Section 8.e, Technical Fitness – Applicant failed to provide detailed professional resumes of its chief officers, to include detailed descriptions on all experience and activities including date ranges. Please provide the missing documentation.

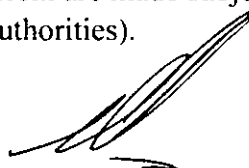
Please see attached Exhibit 8.e.

8. Reference Application, Section 11, Affidavits – The Affidavits submitted are missing the county name. Please resubmit the Application Affidavit and the Operations Affidavit.

Please see attached Exhibit 11.

Verification

I, Tom Smith, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Thomas Williams
President

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of United Energy Trading, LLC d/b/a Kratos Gas & Power for approval to offer, render, furnish, or supply natural gas supply services as a Supplier or Aggregator of natural gas services 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:

United Energy Trading, LLC d/b/a Kratos Gas & Power ("UET"), 919 South 7th Street, Suite 405, Bismarck, North Dakota 58504, <http://www.unitedenergytrading.com/>, (701) 250-9367.

- 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.

LEGALINC CORPORATE SERVICES INC.
606 Liberty Avenue, 3rd Floor #107
Pittsburgh, Pennsylvania 15222
(844) 830-8267

- 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.

Matthew J. Lindsay, Associate General Counsel, 225 Union Boulevard, Suite 200, Lakewood, Colorado 80228, Telephone: (303) 634-7410, Fax: (303) 991-0988, mlindsay@uetllc.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.

Matthew J. Lindsay, Associate General Counsel, 225 Union Boulevard, Suite 200, Lakewood, Colorado 80228, Telephone: (303) 634-7410, Fax: (303) 991-0988, mlindsay@uetllc.com.

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, fax number, and e-mail **OF THE PERSON AND AN ALTERNATE PERSON (2 REQUIRED)** responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Natural Gas Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed NGSs.

1. Stephen Shortell
Customer Service Representative
225 Union Boulevard, Suite 200, Lakewood, Colorado 80228
Telephone: (720) 897-4758
Fax: (303) 991-0988
sshortell@uetllc.com

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

State of North Dakota

SECRETARY OF STATE



CERTIFICATE OF ORGANIZATION OF

UNITED ENERGY TRADING, LLC

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that Articles of Organization for

UNITED ENERGY TRADING, LLC

duly signed and executed pursuant to the provisions governing a North Dakota Limited Liability Company, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Organization to

UNITED ENERGY TRADING, LLC

Effective date of organization: September 3, 2002

Issued: September 3, 2002

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger
Secretary of State



Internal Revenue Service

Employer Identification Number (EIN) Cover Sheet

Date
8/27/2002

No. of pages (including this one) 1

Cincinnati Accounts Management Center (CAMC)

FAX: 859-669-5760

PHONE: 866-816-2065

To	SHELDON SMITH
FAX	701-258-6498

From	G FULTZ 17-53190
Phone	

ATTENTION

Name of Entity

UNITED ENERGY TRADING LLC

EIN

37-1439798

Name of Entity

EIN

Name of Entity

EIN

This coversheet is used as verification for a requested EIN. For any questions regarding the application for Employer Identification Number (SS-4) use the above toll-free number, all other non-related questions, please contact 800-829-1040

This communication is intended for the sole use of the individual to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication may be strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone, and return the communication via fax at the number given above. Thank you.

75220

ID# 18,409,900

**ARTICLES OF ORGANIZATION
OF
UNITED ENERGY TRADING, LLC**

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SEC. OF STATE**

The undersigned one or more persons hereby form a limited liability company under the North Dakota Limited Liability Company Act and adopt as the Articles of Organization of such limited liability company the following:

ARTICLE I. The name of the limited liability company is:

UNITED ENERGY TRADING, LLC

ARTICLE II. The effective date of organization and period of duration of the Company is:

The duration of the company shall be perpetual, and shall continue from the date of commencement which shall be the date of filing of these Articles of Organization with the Secretary of State of the State of North Dakota and issuance of the Certificate of Organization, until the limited liability company is dissolved voluntarily or involuntarily such as by failure to file its annual report as required by law.

ARTICLE III. The purpose for which the limited liability company is organized:

The Company shall engage in the business of oil, gas and mineral exploration, excavation and marketing. In addition, the Company shall have unlimited power to engage in and do any lawful act concerning any or all lawful businesses and general purposes for which limited liability companies may be organized according to the laws of the State of North Dakota, including all powers and purposes now and hereafter permitted by law to a limited liability company.

ARTICLE IV. Principal executive office:

The mailing address is:

United Energy Trading, LLC
919 South 7th Street, Ste 405
Kirkwood Tower
Bismarck, ND 58504

The physical location of the principal executive office is:

919 South 7th Street, Ste 405
Kirkwood Tower
Bismarck, ND 58504

The telephone number is (701) 255-7970.

ARTICLE V. The Registered Agent:

The name and address of the registered agent and office in North Dakota:

Scott K. Porsborg
116 North 2nd St.
P.O. Box 460
Bismarck, ND 58502-0460

The Social Security Number of Registered Agent:
502-84-6191

ARTICLE VI. The names and addresses of the organizers are:

Loren Kopseng
919 South 7th St., Ste 405
Kirkwood Tower
Bismarck, ND 58504

Don Russell
919 South 7th St., Ste 405
Kirkwood Tower
Bismarck, ND 58504

ARTICLE VII. The members have the right to continue the limited liability company upon the occurrence of any event under N.D.C.C., subdivision e of Section 10-32-109 that terminates the continued membership of a member. The remaining members will have the power to avoid dissolution by giving dissolution consent.

ARTICLE VIII. The right, if given, of the remaining members of the limited liability company to continue the business on the death, retirement, resignation, expulsion, bankruptcy or dissolution of a member or occurrence of any other event which terminates the continued membership of a member in the limited liability company:

The remaining members of the Company may continue the business upon the termination of membership of a member in the Company upon unanimous agreement and as provided in the Operating Agreement of the Company.

ARTICLE IX. The members have the power to enter into a business continuation agreement.

ARTICLE X. The total amount of cash shall be \$250,000.00, with a description and agreed value of property other than cash contributed:

See, Attachment A

ARTICLE XI. The total additional contributions, if any, agreed to be made by all members and the times at which or events upon the happening of which they shall be made:

None at this time.

Additional contributions shall be made at such times and in such amounts as may be agreed by the Company and/or the members as provided in the Operating Agreement of the Company.

ARTICLE XII. The right, if given, of the members to admit additional members, and the terms and conditions of the admission:

Additional members may be admitted at such times and on such terms and conditions as all members may unanimously agree and as provided in the Operating Agreement of the Company.

ARTICLE XIII. Management:

The Company is to be managed by an operating manager. The name, address and social security number of the manager who is to serve as manager until the first annual meeting of members or until his successors is elected and qualifies is:

**Loren Kopseng
919 South 7th St., Ste 405
Kirkwood Tower
Bismarck, ND 58504**

**The Social Security Number of the Operating Manger is:
501-50-9018**

ARTICLE XIV. Any other provision for the regulation of the internal affairs of the limited liability company:

(1) The Company shall indemnify an individual made a party to a proceeding because he is or was a manager, officer, organizer, employee or agent of the Company against liability incurred in the proceeding if:

(a) He conducted himself in good faith;

- (b) He reasonably believed that his conduct was in or at least not opposed to the Company's best interest; and
 - (c) In the case of any criminal proceeding, he had no reasonable cause to believe his conduct was unlawful.
- (2) Indemnification shall also be provided for an individual's conduct with respect to an employee benefit plan if the individual reasonably believed his conduct to be in the interests of the participants in and beneficiaries of such plan.
- (3) The Company shall pay for or reimburse the reasonable expenses incurred by a manager, officer, organizer, employee or agent of the Company who is a party to a proceeding in advance of final disposition of the proceeding if:
 - (a) The individual furnishes the Company a written affirmation of his good faith belief that he has met the standard of conduct described herein;
 - (b) The individual furnishes the Company a written undertaking executed personally or on his behalf to repay the advance if it is ultimately determined that he did not meet the standard of conduct; and
 - (c) A determination is made that the facts then known to those making the determination would not preclude indemnification under the law.

The undertaking required by this paragraph shall be an unlimited general obligation, but need not be secured and may be accepted without reference to financial ability to make repayment.

- (4) The indemnification and advance of expenses authorized herein shall not be exclusive to any other rights to which any manager, officer, organizer, employee or agent may be entitled under any by-law, agreement, vote of members or disinterested managers or otherwise. The Articles of Organization shall not be interpreted to limit in any manner the indemnification or right to advancement for expenses of an individual who would otherwise be entitled thereto. These Articles of Organization shall be interpreted as mandating indemnification and advancement of expenses to the extent permitted by law.
- (5) In addition to the foregoing, the Company shall indemnify and save the organizers harmless for all acts taken by them as organizers of the

Company, and shall pay all costs and expenses incurred by or imposed upon them as a result of the same, including compensation based upon the usual charges for expenditures required of them in pursuit of the defense against any liability arising on the account of acting as organizers or on the account enforcing the indemnification right hereunder, and the Company releases them from all liability for any such act as organizers not involving willful or grossly negligent misconduct.

UNITED ENERGY TRADING, LLC

Dated this 31st day of September, 2002.

State of North Dakota)
County of Burleigh)ss

I, Loren Kopseng, being first duly sworn, upon oath, depose and say that I am individually an organizer named in the foregoing Articles of Organization, that I have read the contents of the same and that the statements contained in such Articles of Organization are true and correct.

[Signature]
Loren Kopseng

On this 3rd day of September, 2002, before me personally appeared Loren Kopseng, who being duly sworn by me upon his oath, deposed and acknowledged that he had read the contents of the foregoing Articles of Organization and further acknowledged that the facts alleged therein are true and correct. Witness my hand and official seal.

(S E A L)

[Signature]
Notary Public
My commission expires: _____

MICHELLE E. LEARY
Notary Public
State of North Dakota
My Commission Expires July 14, 2006

UNITED ENERGY TRADING, LLC

Dated this 3rd day of September, 2002.

State of North Dakota)
)ss
County of Burleigh)

I, Don Russell, being first duly sworn, upon oath, depose and say that I am individually an organizer named in the foregoing Articles of Organization, that I have read the contents of the same and that the statements contained in such Articles of Organization are true and correct.

Don Russell
Don Russell

On this 3rd day of September, 2002, before me personally appeared Don Russell who being duly sworn by me upon his oath, deposed and acknowledged that he had read the contents of the foregoing Articles of Organization and further acknowledged that the facts alleged therein are true and correct. Witness my hand and official seal.

(S E A L)

Michelle E. Leary
Notary Public
My commission expires: _____

MICHELLE E. LEARY
Notary Public
State of North Dakota
My Commission Expires July 14, 2005

NORTH DAKOTA
Filed 9-3 2002
Michelle E. Leary
Secretary of State
NS

ATTACHMENT A

Rainbow Energy Marketing Company (REMC)	Thirty percent (30%) capital interest
Rainbow Gas Company (RGC)	Forty-nine percent (49 %) capital interest
Missouri River Royalty Company (MRRC)	Twenty-one percent (21%) capital interest

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