

EnergyMark, LLC

BUY LOCAL ENERGY

TO: Secretary's Office
COMPANY: PA PUC

FROM: Cragg Chaffee
ADDRESS: 6653 Main Street
Williamsville, NY 14221

PHONE:

PHONE: (716) 632-1800

FAX:

FAX: (716) 632-1818

DATE: 10/29/2019

RE: EnergyMark, LLC Electric Application

Hello,

Enclosed in this package are two envelopes which contain the necessary paperwork for EnergyMark's Pennsylvania Electric Application. One Envelope is Public and the second is Confidential. Contained within the confidential envelope is the Bond and Application fee.

Please let me know if you need anything further.

Best,

Cragg Chaffee

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OCT 30 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of **EnergyMark, LLC**, d/b/a N/A, for approval to offer, render, furnish, or supply electricity services as a 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:

EnergyMark, LLC
 6653 Main Street
 Williamsville, NY 14221
 Phone: (716) 632-1800
 Fax: (716) 632-1818
 Website: www.energymarkllc.com

- 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.

United Corporate Services, Inc.
 3631 North Front Street
 Harrisburg, PA 17110
 Phone: 800-899-8648
 Fax: 914-949-9618

- 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.

EnergyMark, LLC
 Cragg Chaffee
 General Manager
 6653 Main Street
 Williamsville, NY 14221
 Phone: (716) 632-1800
 Fax: (716) 632-1818
 Email: cchaffee@energymarkllc.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.

Guy J. Agostinelli, Esq.
 Zdarsky, Sawicki & Agostinelli LLP
 404 Cathedral Place
 298 Main Street
 Buffalo, New York 14202
 Phone: (716) 855-3200
 Fax: (716) 855-3101

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- 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 EGSS.

EnergyMark, LLC
Cragg Chaffee
General Manager
6653 Main Street
Williamsville, NY 14221
Phone: (716) 632-1800
Fax: (716) 632-1818
Email: cchaffee@energymarkllc.com

EnergyMark, LLC
Luke Marchiori
Director, Electric Supply
6653 Main Street
Williamsville, NY 14221
Phone: (716) 632-1800
Fax: (716) 632-1818
Email: lmarchiori@energymarkllc.com

2. **BUSINESS ENTITY FILINGS AND REGISTRATION**

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

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)
- 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.

Gary A. Marchiori, President
Timothy D. Wright, Vice President
6653 Main Street
Williamsville, NY 14221

The Applicant is incorporated in the state of New York.

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.

South Jersey Energy Co.
#1 South Jersey Plaza, Route 54
Folsom, NJ 08037

- 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.

EnergyMark does not have any predecessors that have done business in Pennsylvania.

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.

- 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
- Other; Identify the nature of service being rendered.

EnergyMark is a Natural Gas Supplier in Pennsylvania in the National Fuel territory.

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
- 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.

Provide electric supply and risk management services to consumers in the Commonwealth of Pennsylvania.

- 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
- PECO
- Penelec
- Penn Power

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

Entire Commonwealth of PA

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

- Residential Customers
- 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. 10/1/19

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.

EnergyMark does not have any proceedings to list.

- 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.

EnergyMark has no actions or complaints to list

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

N/A

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

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

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...
- 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.
 - 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.
MW Energy - 67% ownership
South Jersey Energy Company – 33% ownership
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- 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.
- See Attached Dun and Bradstreet credit report for EnergyMark, LLC
- 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.

See Attached Audited financial statements for EnergyMark, LLC (confidential)

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.

EnergyMark, LLC is able to fund operations through positive earnings and cash flows. EnergyMark also has available a working capital revolving credit facility with South Jersey Energy.

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

N/A

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

Lumsden & McCormick LLP
403 Main St.
Suite 430
Buffalo, NY 14203
Phone: (716) 856-3300

e. **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 identifications 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.
EnergyMark has been serving electric customers in New York State since 2012 on National Grid, RG&E, and NYSEG through the NYISO
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.

See Attached for EnergyMark, LLC

- Type of customers and number of customers Applicant currently serves in other jurisdictions.

EnergyMark currently serves over 14,000 natural gas and electric residential, commercial, industrial, and public authority customers in New York.

- Staffing structure and numbers as well as employee training commitments.

EnergyMark has 16 Full Time employees with experience in both the natural gas and electric industry.

Senior management worked for utility and pipeline companies and has over 30 years of experience in the industry.

- 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.

EnergyMark is in the process of applying for membership in PJM and has the competency to operate as an EGS within the Commonwealth.

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.

EnergyMark maintains a quality assurance plan and associated standards training.

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.

Gary A. Marchiori, President –Resume attached
Tim Wright, Vice-President – Resume attached

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 ER-13-291-001.
 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.

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).
- 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.

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.**

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.

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.

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.

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.

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.

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.

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.

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.

PAYMENT ENCLOSED

11. AFFIDAVITS

Must be notarized before filing.

- a. **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

- b. **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

12. NEWSPAPER PUBLICATIONS

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. The newspapers in which proof of publication are required is dependent on the service territories the applicant is proposing to serve.

The chart below dictates which newspapers are necessary for each EDC. For example, an applicant that wants to operate in Penn Power would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

	Erie Times-News	Harrisburg Patriot-News	Philadelphia Daily News	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
Citizens' Electric						X	
Duquesne				X			
Met Ed		X	X		X		
PECO			X				
Penelec	X	X			X	X	X
Penn Power	X			X			
Pike					X		
PPL		X	X		X	X	
UGI					X		
Wellsboro						X	
West Penn		X		X		X	X
Entire Commonwealth	X	X	X	X	X	X	X

(Example Publications are provided at Appendices K and L)

13. SIGNATURE

Applicant: EnergyMark, LLC

By: *Gary A. Manpien*

Title: President

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OCT 30 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Appendix A

APPLICATION AFFIDAVIT

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[Commonwealth/State] of New York :

ss.

PA... COMMISSION SECRETARY'S BUREAU

County of Erie :

Gary A. Marchiori, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of EnergyMark, LLC (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein EnergyMark, LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein EnergyMark, LLC has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein EnergyMark, LLC acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein EnergyMark, LLC acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

Gary A. Marchiori
Signature of Affiant

Sworn and subscribed before me this 25th day of October, 2019.

Jennifer S. Dean
Signature of official administering oath

My commission expires 9/8/2022

Notary Public
State of New York
JENNIFER S. DEAN
Qualified in Erie County
My Commission Expires Sept. 8, 2022
#1706013229

Appendix B

OPERATIONS AFFIDAVIT

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

[Commonwealth/State] of New York :

: ss.

County of Erie :

Gary A. Marchiori, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the President (Office of Affiant) of EnergyMark, LLC (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That EnergyMark, LLC, the Applicant herein, acknowledges that [Applicant] may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That Gary A. Marchiori, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Gary A. Marchiori, the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

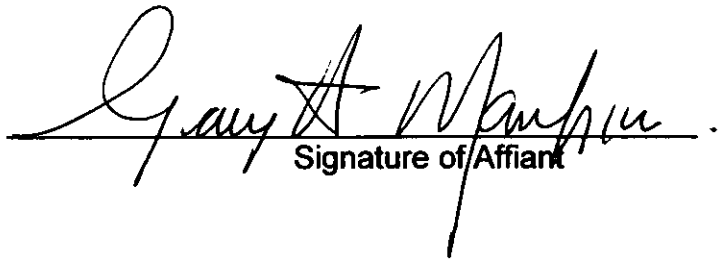
As provided by 66 Pa. C.S. §2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

Appendix B (Continued)

That Gary A. Marchiori, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.


Signature of Affiant

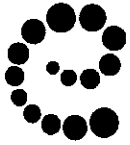
Sworn and subscribed before me this 25th day of October, 2019.


Signature of official administering oath

My commission expires 9/8/2022.

RECEIVED
OCT 30 2019
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Notary Public
State of New York
JENNIFER S. DEAN
Qualified in Erie County
My Commission Expires Sept. 8, 2022
RIDE6013009



EnergyMark, LLC

BUY LOCAL ENERGY

TO: Secretary's Office
COMPANY: PA PUC

FROM: Cragg Chaffee
ADDRESS: 6653 Main Street
Williamsville, NY 14221

PHONE:

PHONE: (716) 632-1800

FAX:

FAX: (716) 632-1818

DATE: 10/29/2019

RE: Attachment A

PAGES:

This section is Attachment A and contains documents that coincide with the section listed on the top of each page.

State of New York
Department of State } ss:

I hereby certify, that TRANSIT ENERGY MARKETING, LLC a NEW YORK Limited Liability Company filed Articles of Organization pursuant to the Limited Liability Company Law on 09/06/2009, and that the Limited Liability Company is existing so far as shown by the records of the Department.

A Certificate of Amendment TRANSIT ENERGY MARKETING, LLC, changing its name to ENERGYMARR, LLC, was filed 11/02/2009.



...
WITNESS my hand and the official seal
of the Department of State at the City of
Albany, this 11th day of July two
thousand and eleven.

A handwritten signature in black ink, appearing to be "R. J. ...", written over a faint circular stamp.

First Deputy Secretary of State

UNI-37

091102000

153

DRAWDOWN

CERTIFICATE OF AMENDMENT OF THE
ARTICLES OF ORGANIZATION OF
TRANSIT ENERGY MARKETING, LLC

Under Section 211 of the Limited Liability Company Law

100

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED NOV 02 2009

EXS. 9
GS. BT

FILED BY:

EDMERRY, SAWICKI & AGOSTINELLI LLP
250 Main Street, Suite 404
Buffalo, New York 14203
(716) 835-8200

CUST. REF. # ENER60442

65-1111-2 11:11:59

162

RECEIVED
OCT 30 PM 4:06

STATE OF NEW YORK

DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on November 2, 2009.

A handwritten signature in black ink, appearing to read "Daniel B. Shapiro".

Daniel B. Shapiro
First Deputy Secretary of State

Section 2B



**Department of
Public Service**

Public Service Commission
John B. Rhodes
Chair and
Chief Executive Officer

Gregg C. Sayre
Diane X. Burman
James S. Alesi
Commissioners

Thomas Congdon
Deputy Chair and
Executive Deputy

John J. Sipos
Acting General Counsel

Kathleen H. Burgess
Secretary

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

January 8, 2019

Mr. Gary A. Marchiori
EnergyMark, LLC
6653 Main Street
Williamsville, NY 14221

RE: EnergyMark, LLC - Annual Compliance 2019

Dear Mr. Marchiori:

Thank you for your recent submittal pursuant to Section 2.D.1 of the New York State Department of Public Service's Uniform Business Practices (UBP). This letter is to inform you that the documentation submitted has been reviewed by Staff and determined to be in compliance with the UBP.

Be advised that to maintain your ESCO eligibility, you must notify Staff of any contact changes, substantive legal, financial or business-related changes to your company as they occur. If your business plan changes and you decide to expand your service offerings, you must immediately submit the appropriate documentation for Staff review and determination of how it affects your current eligibility.

If you are using vendors to provide ESCO related services (e.g., EDI), the ESCO remains fully responsible for any activities the vendors perform. If you have not already done so, or if you have changed vendors since last reporting them to us, please provide Staff a list with contact information for all vendors that you are now using.

Please do not hesitate to contact me with any further questions or concerns at (518) 474-5858 or Kathleen.ORiley@dps.ny.gov.

Sincerely,

Office of Consumer Services

4. Identify the Types and Locations of Markets

For Eligible ESCOs that have completed Phase III Testing, place an "X" in the applicable cells of the table below to 1) designate the individual utility retail access programs in which you participate, and the customer market(s) in each program you serve; 2) indicate the commodities you offer in each service territory, and 3) indicate the billing options you offer in each territory. If you are a new ESCO applying for eligibility, please leave this section blank. If you are an ESCO that has eligibility but are not serving, leave this section blank.

Utility	Customer Markets		Commodity		Billing Options			
	Res	Non Res	Nat Gas	Electric	Utility Rate Ready	Utility Bill. Ready	*Single Retailer	Dual Bill
Central Hudson						n/a	n/a	n/a
Con Edison						n/a	n/a	n/a
Coming Natural Gas	X	X	X	n/a	n/a	n/a	n/a	n/a
LIPA			n/a		n/a	n/a	n/a	n/a
National Grid (KEDNY, KEDLI)				n/a	n/a		n/a	n/a
National Grid (Upstate)	X	X	X	X	X	n/a	n/a	n/a
National Fuel Gas	X	X	X	n/a	X	n/a	X	X
NYSEG	X	X	X	X	n/a	X	n/a	n/a
Orange & Rockland						n/a	n/a	
Rochester Gas & Electric	X	X	X	X	n/a	X	n/a	n/a
St. Lawrence				n/a	n/a	n/a	n/a	n/a

The designation "N/A" indicates that either a commodity or billing option is not available in a specific service territory.

*Single Retailer is also known as "ESCO Consolidated Billing"

Summary

Order Reference: dmansour@energymarkllc.com | Report as of: 07-29-2019 8:59 PM | using Currency as USD

ENERGYMARK, LLC

Tradestyle(s): -

ACTIVE **SINGLE LOCATION**

Address: 6653 Main St Ste 1, Williamsville, NY,
14221, UNITED STATES
Phone: (716) 632-1800
D-U-N-S: 83-268-6880
In Portfolio: No

Failure Score	Delinquency Score	Age of Business	Employees
82 (No change since last month)	99 (No change since last month)	15 years 2004 Year Started	12

Company Profile

D-U-N-S 83-268-6880	Mailing Address United States	Employees 12
Legal Form Partnership	Telephone (716) 632-1800	Age (Year Started) 15 years (2004)
History Record Clear	Present Control Succeeded 2009	Named Principal Timothy Wright, MBR
Ownership Not publicly traded		Line of Business Natural gas distribution

Risk Assessment

Overall Business Risk



Maximum Credit Recommendation

US\$ 60,000

Dun & Bradstreet Thinks...

- Overall assessment of this organization over the next 12 months: **VERY STABLE CONDITION**
- Based on the predicted risk of business discontinuation: **HIGH LIKELIHOOD OF CONTINUED OPERATIONS**
- Based on the predicted risk of severely delinquent payments: **VERY LOW POTENTIAL FOR SEVERELY DELINQUENT PAYMENTS**

The recommended limit is based on a low probability of severe delinquency.

D&B Viability Rating

Portfolio Comparison Score

2

Low Risk (1)

High Risk (9)

Company's risk level is: **(LOW)**

Probability that a company will go out of business, become dormant/inactive, or file for bankruptcy/insolvency within the next 12 months: **3.00 %**

Failure Score Formerly Financial Stress Score

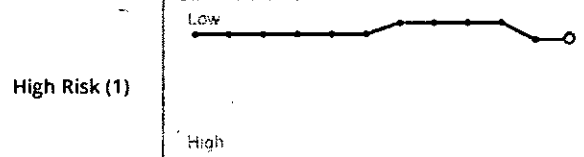
82

Low Risk (100)

Company's risk level is: **(LOW-MODERATE)**

Probability of failure over the next 12 months: **0.09 %**

Past 12 Months



Delinquency Score Formerly Commercial Credit Score

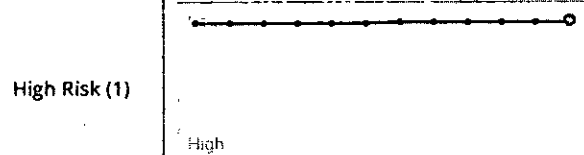
99

Low Risk (100)

Company's risk level is: **(LOW)**

Probability of delinquency over the next 12 months: **0.73 %**

Past 12 Months



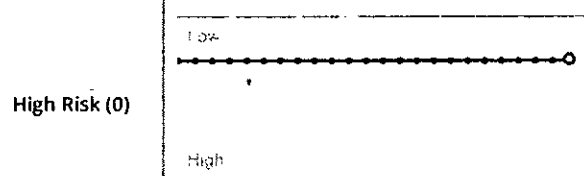
PAYDEX ®

80

Low Risk (100)

Pays On Time

Past 24 Months



D&B Rating

Current Rating as of 05-03-2019

Employee Size

1R: 10 employees and over

Risk Indicator

2: Low Risk

Previous Rating

Financial Strength

3A: US\$ 1,000,000 to US\$ 9,999,999 in Net Worth or Equity

Risk Indicator

2: Low Risk

Legal Events

Events	Occurrences	Last Filed
Bankruptcies	0	-
Judgements	0	-
Liens	0	-
Suits	0	-
UCC	20	04-28-2016

Trade Payments

Highest Past Due

US\$ 0

Highest Now Owing
US\$ 1,000

Total Trade Experiences
5

Largest High Credit
US\$ 1,000

Average High Credit
US\$ 533

Ownership

This company is a **Single Location**

Financial Overview

This company does not have a Financial Summary.

Country/Regional Insight

United States



Risk Category

LOW

Low Risk

MODERATE

HIGH

High Risk

A shift towards greater monetary accommodation looks all but certain.

8A



**Department of
Public Service**

Public Service Commission
John B. Rhodes
Chair and
Chief Executive Officer

Gregg C. Sayre
Diane X. Burman
James S. Alesi
Commissioners

Thomas Congdon
Deputy Chair and
Executive Deputy

John J. Sipos
Acting General Counsel
Kathleen H. Burgess
Secretary

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

January 8, 2019

Mr. Gary A. Marchiori
EnergyMark, LLC
6653 Main Street
Williamsville, NY 14221

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Please do not hesitate to contact me with any further questions or concerns at (518) 474-5858 or Kathleen.ORiley@dps.ny.gov.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen O'Riley".

Office of Consumer Services

4. Identify the Types and Locations of Markets

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Con Edison								
Coning Natural Gas	X	X	X	n/a	n/a	n/a		n/a
LIPA			n/a		n/a	n/a		n/a
National Grid (KEDNY, KEDLI)				n/a	n/a			n/a
National Grid (Upstate)	X	X	X	X	X	n/a		n/a
National Fuel Gas	X	X	X	n/a	X	n/a	X	X
NYSEG	X	X	X	X	n/a	X	n/a	n/a
Orange & Rockland						n/a	n/a	
Rochester Gas & Electric	X	X	X	X	n/a	X	n/a	n/a
St. Lawrence				n/a	n/a	n/a	n/a	n/a

The designation "N/A" indicates that either a commodity or billing option is not available in a specific service territory.

*Single Retailer is also known as "ESCO Consolidated Billing"

GARY A. MARCHIORI

Energy Industry Experience:

- | | |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2/10 – Present | President, EnergyMark, LLC. Natural Gas, Liquids, and Power supply company, Energy consulting, Energy Asset Management, Utilities Consultant, NYS Community Choice Aggregator |
| 4/06 – 2/10 | Vice President, NorthEast Region -Constellation NewEnergy – Gas Division Amherst, NY |
| 10/02 – 4/06 | Managing Partner, NOCO Energy Marketing, LLC, Buffalo, NY |
| 10/96 – 10/02 | Regional Marketing Director - Texaco Natural Gas Inc., Williamsville, NY |
| 7/85 – 10/96 | National Fuel Gas Company, Buffalo, NY
National Fuel Gas Supply Corp. 4/93 – 10/96
National Fuel Gas Distribution Corp. 7/85-4/93 |

EDUCATION:

- State University of New York at Buffalo
Master of Business Administration 1991
- Indiana University of Pennsylvania 1976
Bachelor of Science, Marketing/Accounting
- University of Michigan
Executive management program 1992
- Illinois Institute of Gas Technology, Chicago, IL
Chartered Industrial Gas Consultant

PROFESSIONAL ORGANIZATIONS:

- Vice Pres. Independent Oil & Gas Association of New York
Director, Town of Tonawanda Development Corp.
Director, Clean Communities of Western NY
Director, Art Park
Chairman, Wholesale Energy Committee , National Energy Supply Association

TIMOTHY D. WRIGHT

EMPLOYMENT:

2/10 – Present	EnergyMark, LLC, Buffalo, NY	Vice President
4/06 – 2/10	Constellation NewEnergy Gas, Buffalo, NY	Regional Sales Manager
10/02 – 4/06	NOCO Energy Marketing, Buffalo, NY	Managing Partner
3/98 – 10/02	Texaco Natural Gas Inc., Buffalo, NY	Energy Consultant
12/89 – 3/98	National Fuel Gas Company, Buffalo, NY	
	National Fuel Resources, Inc. 4/96 – 3/98	
	National Fuel Gas Distribution Corp. 12/89 – 4/96	
4/88 – 12/89	General Electric, Syracuse, NY	

EDUCATION:

Niagara University, Lewiston, NY

Master of Business Administration 1996 G.P.A. 3.65 (magna cum laude)

Bachelor of Arts 1988 G.P.A. 3.64 (magna cum laude)

Illinois Institute of Gas Technology, Chicago, Illinois

Professional Organizations:

Member, Independent Oil & Gas Association of New York



ELECTRIC RESIDENTIAL AND SMALL COMMERCIAL SUPPLIER CONTRACT, DISCLOSURE SUMMARY, AND TERMS AND CONDITIONS (CHOICE POOL)

COMPANY PUC License _____ Company: EnergyMark, LLC Address: 6653 Main St. City / State / Zip: Williamsville, NY 14221 Attn: Customer Service Phone: (716) 632-1800 Fax: (716) 632-1818 Email: customersupport@energymarkllc.com Disclosure: EnergyMark is responsible for electric supply charges.	CUSTOMER Customer: _____ Address: _____ City / State / Zip: _____ Attn: _____ Phone: _____ Fax: _____ Email: _____
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------

Account Information					
Account #	Utility	Service Address	City	State	Zip

QUANTITY: The Customer's full Electric requirements for the account(s) listed above.

Initial Term		
Start Month:	End Month:	Initial Term:

Pricing		
Product Type	Start Month	Term
*Guaranteed Rate Plan - @ Current Monthly Market Price.		Month-to-Month
Fixed Rate: / kWh		36

*Disclosure: Customer's Price will vary monthly, without ranges/ceilings for the Guaranteed Rate Plan. These products do not require a deposit nor have any incentives included within the plan and are as is. If Customer has a fixed term Contract with Company that is longer than 3 months and it is approaching the expiration date, Company will send Customer advance written notices at about 90 days and 60 days before the expiration date. If Company proposes to change terms of service in any type of Contract, Company will send Customer advance written notices at about 90 days and 60 days before the effective date of the change. If Company is billing Customer directly for services, then Company will provide the notices as a bill message, a bill insert, or in a separate corresponding mailing. If the Utility is billing Company charges, then Company will provide the notices in separate corresponding mailings. Company will explain Customers options in these two advance notifications.

Billing Information	
<input checked="" type="checkbox"/> Balanced Billing	<input checked="" type="checkbox"/> Direct Pay

PROVISIONS FOR RENEWAL OF THE CONTRACT: At the End of the Contract this Contract shall continue for additional one (1) month Periods unless terminated by either Party. See page two, section 2 of this Contract for additional information.

PROCESS CUSTOMER MAY USE TO RESCIND CONTRACT WITHOUT PENALTY: Customer may cancel this Contract at any time before midnight of the third business day after the day on which Customer receives this Contract.

AMOUNT OF EARLY TERMINATION FEE AND METHOD OF CALCULATION: No early termination fee under the Guaranteed Rate Plan. Company reserves the right to assess an early termination fee if the Customer cancels this Contract prior to the end of the Initial Term. The amount of such early termination fee, if applicable and assessed, for Fixed Price Customers, the amount of such early termination fee, if applicable and assessed, shall be \$99 for Contracts with 12 or less months remaining and \$199 for Contracts with more than 12 months remaining. Any cancellation is effective at the next available cycle out meter reading.

AMOUNT OF LATE PAYMENT FEE AND METHOD OF CALCULATION: Late payment fees are determined and collected by the Utility at a rate of 1.5% or the Utility's then applicable rate.

CONDITIONS UNDER WHICH SAVINGS TO CUSTOMER ARE GUARANTEED: This Contract offers a Guaranteed Savings for the Guaranteed Rate Plan. For the Fixed Rate Plan, during the term of your Contract, the Price may be higher or lower than the Utility's Price-to-compare, which changes over time based upon your Utility's procurement structure. Therefore, savings are not guaranteed.

DELIVERY POINT: Local Distribution Company, ("Utility") – EnergyMark, LLC Choice Pool.

Electric Distribution Company Information: Your Utility is responsible for distribution charges. In cases of emergencies relating to your service, such as a power outage, please call your Utility: Pennsylvania Power & Light Company at 1-800-342-5775, Philadelphia Electric Company at 1-800-841-4141, West Penn Power at 1-888-544-4877, Metropolitan Edison Company 1-888-544-4877, Pennsylvania Electric Company at 1-888-544-4877, Pennsylvania Power Company at 1-888-544-4877, or Duquesne Light at 1-888-393-7000.

THE TERMS AND CONDITIONS ON PAGE 2 ARE PART OF THIS CONTRACT.

Company: EnergyMark, LLC Signature: _____ Name: Gary A. Marchiori Title: President Date: _____	Customer: Authorized Signature: _____ Name: _____ Title: _____ Date: _____
----------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------

1. Quantities and Type of Service: Company agrees to sell to Customer, and Customer agrees to purchase from Company (each a "Party" or jointly "Parties"), the full natural electric requirements in accordance with the "Quantity" provisions on the face of this Contract. Sales and purchases under this Contract shall be made on a "firm" basis.

2. Term: After the Initial Contract Term, this Contract shall continue for additional one (1) month periods (each a "Renewal Term") unless terminated by either Party upon written notice to the other Party at least thirty (30) days prior to the end of the Initial Contract Term or the then-current Renewal Term as applicable; provided, however, that this Contract will remain in effect until both Parties have fulfilled all of their obligations agreed to prior to the termination date. If Customer wishes to reject the renewal of this Contract under a month-to-month renewal the customer can do so without incurring an early termination fee by contacting Company. When receiving service on a month-to-month basis, the Customer may provide written notice of termination or call Company or call the Utility Company to terminate the Contract. Company may terminate this Contract by providing 30 days' written notice to the Customer.

3. Supply Price: In lieu of a Fixed Price, Customer's Price Under a variable Guaranteed Savings program, during the initial term of the Contract and all renewals the Buyer will receive a variable monthly Price that will be below the Utility rate during the annual term. This Guaranteed Savings will include the billed rate combined with any tax savings or eliminated Utility charges realized by the buyer.

4. Cancellation: There is no cancellation fee for Guaranteed Price contracts. Company reserves the right to assess an early termination fee if the Customer cancels this Contract prior to the end of the Initial Term. The amount of such early termination fee, if applicable and assessed, for Fixed Price Customers, the amount of such early termination fee, if applicable and assessed, shall be \$99 for Contracts with 12 or less months remaining and \$199 for Contracts with more than 12 months remaining. Any cancellation is effective at the next available cycle out meter reading.

5. Billings and Payments: Company shall arrange with the Utility for the monthly invoice to Customer. The invoice will include the Utility charges for delivering the electric from the Delivery Point to the Customer. Customer agrees to pay Utility's invoice within normal Utility payment terms. Company will give Customer notice at least fifteen (15) days before discontinuation of supply services to allow Customer the opportunity to pay the overdue bill or obtain services from another provider. Customer will be entitled to a refund of any substantial overcharges discovered within one (1) year after billing date, if Customer makes a claim within two (2) months of discovery. Company will likewise be entitled to bill and be paid for any substantial undercharges discovered within one (1) year after the original billing date if the corrected billing is made within two (2) months of the discovery. By signing and returning this Contract, Customer agrees to authorize the Utility to release Customer's consumption and payment information to Company.

6. Authorized Signature: By signing this Contract Customer affirms that they are an authorized representative vested (explicitly, implicitly, or through conduct) with the powers to commit the authorizing organization to a binding contract

7. Title: Title to the electric sold hereunder shall pass to Customer at the Delivery Point(s). Company shall pay or cause to be paid all royalties, overriding royalties, and other amounts due on production of the electric, and hold Customer harmless against all such claims and charges. Company shall be deemed to be in control and possession of the electric and responsible for any injury or damage caused thereby until the electric is delivered at the Delivery Point(s). Once the electric is delivered at the Delivery Point(s), Customer shall be deemed to be in control and possession thereof and responsible for any injury or damage caused thereby.

8. Taxes: Unless Customer's Price indicates otherwise, the Price does not include any federal, Indian, state, or local sales, use, consumption taxes, import taxes, or similar taxes which may now or hereafter be imposed on the transfer of title or possession of the electric to Customer or on Customer's subsequent

use or disposition thereof. Customer shall pay any such taxes directly to the taxing authority unless Company is required by law to collect and remit such taxes, in which case Customer shall reimburse Company for all amounts so paid. If Customer claims exemption from any such taxes, Customer shall provide Company a proper exemption certificate.

9. Force Majeure: If either Party is unable to perform its obligations under this contract due to force majeure, other than Customer's obligation to pay for electric delivered hereunder, performance of such obligations shall be suspended until the force majeure is corrected. The Party claiming such inability shall give written notice thereof to the other Party as soon as practicable after the occurrence of the force majeure. Force majeure shall mean acts of God, strikes, lightning, fires, floods, explosions, storms or storm warnings, breakage of machinery or pipelines, sudden failure of electric supply, failure or curtailment of firm transportation, and any other causes not within the control of the Party claiming force majeure. Any suspension of obligations under this paragraph shall not extend the term of this Contract. During any curtailment caused by force majeure, Company's available supplies at the affected points shall be prorated, based on nominated volumes, among Company's firm customers receiving electric at those points.

10. Assignment: This Contract may be assigned by Company without the prior written consent of Customer. This Contract may not be assigned by Customer without prior written consent of Company. Change of control or ownership, merger or recapitalization of either Party shall not be considered an assignment.

11. Confidentiality: Both Parties shall keep the terms of this Contract confidential except as may be required to effectuate transportation of the electric or to meet the requirements of a regulatory agency having jurisdiction over the matter for which information is sought.

12. Title and Indemnification: Company warrants that it shall have the right to sell the electricity delivered and that such electricity shall be free from liens and adverse claims of any kind. Company will save and hold Customer harmless from all loss, damage and expense due to adverse claims against Customer for the electric delivered as related to Customer's right to sell the electric delivered.

13. Entire Contract, Modification: This is the complete Contract between the Parties and can only be amended in writing signed by both Parties. However, Company may modify any terms that do not adversely affect Customer's Price, payment terms, or the length of this Contract at any time by notifying Customer of the change. In addition, Company may modify this contract based on changes to applicable tariffs, rules, regulations, or laws, including changes that adversely affect Company's ability to economically operate the program. This Contract shall be governed by and construed in accordance with laws of the Commonwealth of Pennsylvania. The services provided by the Utility will continue to be protected by the State's Residential and Nonresidential Rules.

14. Consumer Contact Information: Should Customer have any questions, request previous average monthly billed Prices for their rate class, or require additional information regarding this Contract, Customer can contact Company at customerservice@energymarkllc.com, (716) 632-1800, or (888) 885-1955. Customer may also contact the Pennsylvania Public Utility Commission (800)-692-7380, Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120, or at www.puc.state.pa.us. Additional information on electric providers for Pennsylvania can be found at www.paelectricswitch.com, by calling the Commission at 1-800-692-73870, or at www.oca.state.pa.us

15. Dispute Resolution: In the event of a billing dispute or a disconnect involving Company's service, Customer should contact Company's Customer Service Center. Customer must pay the bill in full, except for the specified disputed amount, during the pendency of the dispute. If the parties cannot resolve the dispute within 45 days, either party may avail itself of all remedies available under law or equity. Customer may request the American Arbitration Association to appoint an arbitrator. The arbitrator shall not have the power to amend or add to this Contract. The decision of the arbitrator shall be confined to the issues(s) presented for arbitration. Subject to such limitation, the decision of the arbitrator shall be final and binding, except that any Party may petition a court of competent jurisdiction for review or errors of law. The decision of the arbitrator shall determine and specify how the expense of the arbitration shall be borne.

CUSTOMER'S INITIALS _____



AD#: 0009286812

Commonwealth of Pennsylvania,) ss
County of Cumberland)

Victoria Soto 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 08/15/2019

Victoria Soto

Principal Clerk of the Publisher

Sworn to and subscribed before me this 16th day of August 2019

Crystal B. Rosensteel

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**

Applications of EnergyMark, LLC
For Approval To Offer, Render, or
Furnish Services as a Supplier,
Engaged in The Business Of Supplying
Natural Gas Supply Services and
Electricity, To The Public in The
Commonwealth Of Pennsylvania.

EnergyMark, LLC will be filing an
application with the Pennsylvania
Public Utility Commission ("PUC") for
a license to provide natural gas supply
services as a supplier of natural gas.
EnergyMark, LLC will also be filing an
application with the PUC for a license
to supply electricity services as a
supplier of electric power.

EnergyMark proposes to sell
electricity, natural gas, and related
services in Citizens' Electric, Columbia
Gas, Duquesne, Met Ed, PECO Peoples -
Equitable, Peoples Natural Gas,
Peoples Gas Company, Philadelphia
Gas Works, PECO, Penelac, Penn
Power, Pike, PPL, UGI, Valley Energy,
Wellsboro, West Penn under the
provisions of the new Natural Gas
Choice and Competition Act and the
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 EnergyMark, LLC 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
EnergyMark's attorney at the address
listed below.

By and through Counsel:
Guy J. Agostinelli, Esq.
Zdarsky, Sawicki & Agostinelli LLP
404 Cathedral Place
298 Main Street
Buffalo, New York 14202
Phone: (716) 855-3200
Fax: (716) 855-3101

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:

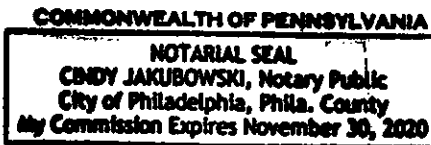
August 15, 2019

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 15th day of August 2019.

Notary Public

My Commission Expires:



Copy of Notice of Publication

PENNSYLVANIA PUBLIC UTILITY COMMISSION
NOTICE
Application of EnergyMark, LLC For Approval To Offer, Render, or Furnish Services as a Supplier, Engaged in The Business Of Supplying Natural Gas Supply Services and Electricity, To The Public In The Commonwealth Of Pennsylvania. EnergyMark, LLC will be filing an application with the Pennsylvania Public Utility Commission (PUC) for a license to provide natural gas supply services as a supplier of natural gas. EnergyMark, LLC will also be filing an application with the PUC for a license to supply electricity services as a supplier of electric power. EnergyMark proposes to sell electricity, natural gas, and related services in Citizens' Electric, Columbia Gas, Duquesne, Met Ed, PECO Peoples & Equitable, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, PECO, Penelec, Penn Power, Pike, PPL, UGI, Valley Energy, Weisboro, West Penn under the provisions of the new Natural Gas Choice and Competition Act and the 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 EnergyMark, LLC 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 EnergyMark's attorney at the address listed below. By and through Counsel: Guy J. Agostinelli, Esq., Zdersky, Sawicki & Agostinelli LLP, 404 Cathedral Place, 299 Main Street, Buffalo, New York 14202. Phone: (716) 855-3200; Fax: (716) 855-8103.

Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss D. Rullo, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

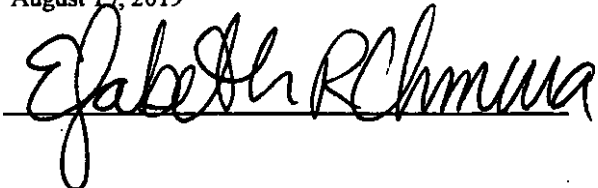
15 of August, 2019

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.



PG Publishing Company

Sworn to and subscribed before me this day of:
August 15, 2019



Elizabeth R. Chmura

Commonwealth of Pennsylvania - Notary Seal
Elizabeth R. Chmura, Notary Public
Allegheny County
My commission expires February 8, 2022
Commission number 1326781
Member, Pennsylvania Association of Notaries

STATEMENT OF ADVERTISING COSTS

EnergyMark, LLC
6653 Main St.
Williamsville New York 14221

To PG Publishing Company

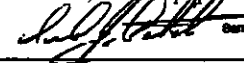
Total ----- \$480.50

Publisher's Receipt for Advertising Costs

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office
2201 Sweeney Drive
CLINTON, PA 15026
Phone 412-263-1338

PG Publishing Company, a Corporation, Publisher of
Pittsburgh Post-Gazette, a Newspaper of General Circulation

By  Samuel J. Arbutine

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA
PUBLIC UTILITY
COMMISSION NOTICE

Applications of EnergyMark, LLC For Approval To Offer, Render, or Furnish Services as a Supplier, Engaged in The Business Of Supplying Natural Gas Supply Services and Electricity, To The Public In The Commonwealth Of Pennsylvania.

EnergyMark, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. EnergyMark, LLC will also be filing an application with the PUC for a license to supply electricity services as a supplier of electric power. EnergyMark proposes to sell electricity, natural gas, and related services in Citizens' Electric, Columbia Gas, Duquesne, Met Ed, PECO Peoples - Equitable, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, PECO, Penelec, Penn Power, Pike, PPL, UGI, Valley Energy, Wellsboro, West Penn under the provisions of the new Natural Gas Choice and Competition Act and the 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 EnergyMark, LLC 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 EnergyMark's attorney at the address listed below.

By and through Counsel:
Guy J. Agostinelli, Esq.
Zdarsky, Sawicki &
Agostinelli LLP
404 Cathedral Place
298 Main Street
Buffalo, New York 14202
Phone: (716) 855-3200
Fax: (716) 855-3101

Section 12

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

ENERGY MARK, LLC
CRAGG CHAFFEE
6653 MAIN ST WILLIAMSVILLE NY 14221

Account # 634994
Order # 82362355
Ad Price: 283.00

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:

08/14/2019

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 Ann Marie Fortese

Sworn and subscribed to before me
this 14th day of August A.D., 2019

Sharon Venturi
(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
Applications of EnergyMark, LLC For Approval To Offer, Render, or Furnish Services as a Supplier, Engaged in The Business Of Supplying Natural Gas Supply Services and Electricity To The Public in The Commonwealth Of Pennsylvania.

EnergyMark, LLC will be filing an application with the Pennsylvania Public Utility Commission (PUC) for a license to provide natural gas supply services as a supplier of natural gas. EnergyMark, LLC will also be filing an application with the PUC for a license to supply electricity services as a supplier of electric power. EnergyMark proposes to sell electricity, natural gas, and related services in Citizens Electric, Columbia Gas, Duquesne, Met Ed, PECO, Peoples Equitable, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, PECO, Pennlec, Penn Power, Pike, PPL, UGI, Valley Energy, Wellsboro, West Penn under the provisions of the new Natural Gas Choice and Competition Act and the 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 EnergyMark, LLC 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 EnergyMark's attorney at the address listed below.

By and through Counsel:
Guy J. Agostinelli, Esq.
Zdarsky, Sawicki & Agostinelli LLP
404 Cathedral Place
298 Main Street
Buffalo, New York 14202
Phone: (716) 855-3200
Fax: (716) 855-3101

PROOF OF PUBLICATION
In
THE ERIE TIMES-NEWS
COMBINATION EDITION

ENERGYMARK LLC
300 CORPORATE PKWY
AMHERST NY 14226-1295

REFERENCE: 111635 372416
PUC Notice

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Jennifer L. Trott, being duly sworn, deposes and says that: (1) he/she is a designated agent of the Times Publishing Company (TPC) to execute Proofs of Publication on behalf of the TPC; (2) the TPC, whose principal place of business is at 205 W. 12th Street, Erie, Pennsylvania, owns and publishes the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, and published at Erie, Erie County Pennsylvania; (3) the subject notice or advertisement, a true and correct copy of which is attached, was published in the regular edition(s) of said newspaper on the date(s) referred to below. Affiant further deposes that he/she is duly authorized by the TPC, owner and publisher of the Erie Times-News, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 08/15/19

TOTAL COST: \$543.00 AD SPACE: 0 Lines

FILED ON: 08/15/19

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE
Applications of EnergyMark, LLC For Approval To Offer, Render, or Furnish Services as a Supplier, Engaged In The Business Of Supplying Natural Gas, Supply Services and Electricity, To The Public In The Commonwealth Of Pennsylvania.

EnergyMark, LLC will be filing an application with the Pennsylvania Public Utility Commission (PUC) for a license to provide natural gas supply services as a supplier of natural gas. EnergyMark, LLC will also be filing an application with the PUC for a license to supply electricity services as a supplier of electric power. EnergyMark proposes to sell electricity, natural gas, and related services in Citizens' Electric, Columbia Gas, Duquesne, Met Ed, PECO Peoples - Equitable, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, PECO, Penelec, Penn Power, Pike, PPL, UGI, Valley Energy, Wellsboro, West Penn under the provisions of the new Natural Gas Choice and Competition Act and the 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 EnergyMark, LLC 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 EnergyMark's attorney at the address listed below.

By and through Counsel: Guy J. Agostinelli, Esq.
Zdarsky, Sawicki & Agostinelli LLP
404 Cathedral Place
298 Main Street
Buffalo, New York 14202
Phone: (716) 855-3200
Fax: (716) 855-3101

EP372416

Sworn to and subscribed before me this 28th day of August 2019

Affiant: Jennifer L. Trott

NOTARY: Barbara J. Moore

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Barbara J. Moore, Notary Public
City of Erie, Erie County
My Commission Expires March 23, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

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:

August 15, 2019

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
Applications of EnergyMark, LLC For Approval To Offer, Render, or Furnish Services as a Supplier, Engaged in The Business Of Supplying Natural Gas Supply Services and Electricity, To The Public In The Commonwealth Of Pennsylvania.
EnergyMark, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. EnergyMark, LLC will also be filing an application with the PUC for a license to supply electricity services as a supplier of electric power. EnergyMark proposes to sell electricity, natural gas, and related services in Citizens Electric, Columbia Gas, Duquesne, Met Ed, PECO, Peoples Gas, Peoples Equitable, Peoples Natural Gas.

Peoples Gas Company, Philadelphia Gas Works, PECO, Penelec, Penn Power, Pike, PPL, UGI, Valley Energy, Wellsboro, West Penn under the provisions of the new Natural Gas Choice and Competition Act and the 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 EnergyMark, LLC 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 EnergyMark's attorney at the address listed below.
By and through Counsel: Guy J. Agostinelli, Esq. Zoarsky, Sawicki & Agostinelli LLP, 404 Cathedral Place, 298 Main Street, Buffalo, New York 14202. Phone: (716) 855-3200. Fax: (716) 855-3101.

[Signature]
SUN-GAZETTE LLC

Sworn to and subscribed before me
The 16th day of August 20 19

Beth A. Miller
COMMONWEALTH OF PENNSYLVANIA Notary Public

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.....\$ 282.00
Probated same.....\$
Total.....\$ 282.00

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.

COMMONWEALTH OF PENNSYLVANIA }
County of Cambria } SS

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE
Applications of EnergyMark, LLC For Approval To Offer, Render, or Furnish Services as a Supplier, Engaged In The Business Of Supplying Natural Gas, Supply Services and Electricity, To The Public in The Commonwealth Of Pennsylvania.
EnergyMark, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. EnergyMark, LLC will also be filing an application with the PUC for a license to supply electricity services as a supplier of electric power. EnergyMark proposes to sell electricity, natural gas, and related services in Citizens' Electric, Columbia Gas, Duquesne, Met Ed, PECO Peoples - Equitable, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, PECO, Penelec, Penn Power, Pike, PPL, UGI, Valley Energy, Wellsboro, West Penn under the provisions of the new Natural Gas Choice and Competition Act and the Electricity Generation Customer Choice and Competition Act.
The PUC may consider this application without a hearing. Protests directed to the technical or financial files of EnergyMark, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, 100 North Street, Harrisburg, PA 17120. You should send any protest to EnergyMark's attorney at the address listed below.
By and through Counsel: Guy J. Agostinelli, Esq.
Zdzarsky, Sawicki & Agostinelli LLP
404 Cathedral Place
298 Main Street
Buffalo, New York 14202
Phone: (716) 855-3200 | Fax: (716) 855-3101

published
that the ar
of The Joh
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of said put

On this 16th day of August A.D. 2019, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Christine Marhefka, who being duly sworn according to law, deposes and says as Sales Manager / Major Accounts of the Tribune-Democrat, Johnstown, PA, a newspaper of general circulation as defined by the "Newspaper Advertising Act", a merger September 8, 1952, of the Johnstown Tribune, established December 7, 1853; and of the Johnstown Democrat, established March 5, 1863, of Cambria, and Commonwealth of Pennsylvania and matter published in said publication in the regular issues on August 14, 2019; and that the Affiant is not interested that all of the allegations as to time, place and character

Christine Marhefka

STATEMENT OF ADVERTISING COSTS

Signed and sworn to before me on
16th day of August, 2019,
by Christine Marhefka making the statement.

Vivian Ohs

0.00 Lines @	\$2.50 per line	0.00
7 Inches @	\$25.00 per inch	175.00
Notary Fee		5.00
Clerical Fee		2.50
Total Cost		182.50

Commonwealth of Pennsylvania - Notary Seal
Vivian Ohs, Notary Public
Cambria County
My commission expires December 6, 2020
Commission number 1123017
Member, Pennsylvania Association of Notaries

To The Tribune-Democrat, Johnstown, PA
For publishing the notice or publication
attached hereto on the above stated dates.

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

_____ for publisher of _____
a newspaper of general circulation, hereby acknowledges receipt of the aforesaid
and publication costs and certifies that the same has been duly paid.

(Name of Newspaper)

By _____

Appendix C

CERTIFICATE OF SERVICE

On this the 25th day of October 2019, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all **NON-CONFIDENTIAL** attachments have been served, as a hardcopy upon 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

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

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

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

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

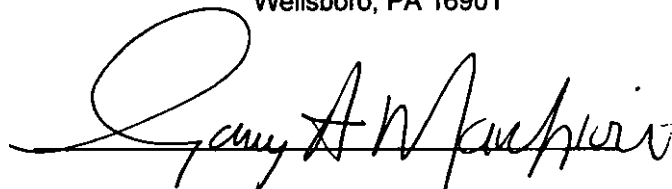
Wellsboro Electric Company
Attn: EGS Coordination
33 Austin Street
P. O. Box 138
Wellsboro, PA 16901

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

RECEIVED

OCT 30 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Gary A. Marchiori, President EnergyMark, LLC

1022
1052

FedEx NEW Package
Express US Airbill

FedEx
Tracking
Number

8005 1789 6168

Form
ID No.

0215

Recipient's Copy

RECIPIENT: PEEL HERE

1 From This portion can be removed for Recipient's records. FedEx Tracking Number **800517896168**

Date 10/30/19

Sender's Name GARY MARCHIORI Phone 632-1800
716 614-1800

Company ENERGYMARK, LLC

Address 6653 MAIN ST Dept./Floor/Suite/Room _____

City WILLIAMSVILLE State NY ZIP 14221-5906

2 Your Internal Billing Reference

3 To

Recipient's Name Public Utility Phone 302-642-7380
Commissioner Secretary

Company Commissioner Secretary

Address 400 North Street **HOLD Weekday**
We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room _____
FedEx location address REQUIRED. NOT available for FedEx First Overnight.

Address Keystone Building **HOLD Saturday**
Use this line for the HOLD location, address or for continuation of your shipping address. Dept./Floor/Suite/Room _____
FedEx location address REQUIRED. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

City Harrisburg State PA ZIP 17120

0451716967



8005 1789 6168

4 Express Package Service *To most locations. Packages up to 150 lbs. For packages over 70 lbs, use the new FedEx Express Freight US Airbill.
NOTE: Service order has changed. Please select carefully.

Next Business Day

FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Priority Overnight
Next business morning. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Standard Overnight
Next business afternoon. Saturday Delivery NOT available.

2 or 3 Business Days

NEW FedEx 2Day A.M.
Second business morning. Saturday Delivery NOT available.

FedEx 2Day
Second business afternoon. Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Express Saver
Third business day. Saturday Delivery NOT available.

5 Packaging *Declared value limit \$500.

FedEx Envelope* **FedEx Pak*** FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options

SATURDAY Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
Package may be left without obtaining a signature for delivery.

Direct Signature
Someone at recipient's address may sign for delivery. Fee applies.

Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. Fee applies.

Does this shipment contain dangerous goods?

No Yes Yes Dry Ice Cargo Aircraft Only

One box must be checked.
As per attached Shipper's Declaration. Shipper's Declaration not required. Dry Ice, 5.1 UN 1845. Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below. Obtain recip. Acct. No.

Sender Acct. No. in Section 7 will be billed. Recipient Third Party Credit Card Cash/Check

Total Packages 1 Total Weight 0.9 lbs. Credit Card Auth. 611

Your liability is limited to \$100 unless you declare a higher value. See the current FedEx Service Guide for details.

fedex.com 1800 FedEx 1800 463 3339