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December 5, 2019

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

VIA HAND DELIVERY

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**Re: Employers' Energy Alliance of Pennsylvania, Inc.; Docket No. A-2019-3007149
Notice of EGS Application Update Regarding Bonding
EXPEDITED ACTION REQUESTED**

Dear Secretary Chiavetta,

Section 54.34(a) of the Pennsylvania Public Utility Commission's ("PUC" or "Commission") Regulations¹ requires electric generation suppliers ("EGSs") to notify the Commission of certain material changes in the information provided in the EGS's application during the pendency of the application, or while the licensee is operating in the Commonwealth of Pennsylvania. In compliance with this requirement, and pursuant to the Commission's Bureau of Technical Utility Services' ("TUS") direction, this correspondence provides notice regarding an upcoming change to the agent/broker of record for Employers' Energy Alliance of Pennsylvania, Inc.'s ("EEA-PA"), Continuous Fidelity Bond. **In addition, and out of an abundance of caution, EEA-PA requests expedited Commission guidance on whether EEA-PA must either submit an amendment to its existing bond or post a new bond to reflect the change in its agent/broker of record. For the reasons discussed below, EEA-PA respectfully requests Commission guidance on or before December 16, 2019.**

Notice of Change in Agent/Broker

On December 26, 2018, as amended and updated on January 11, 2019, and February 22, 2019, EEA-PA filed with the Commission an Application for Approval to Offer, Render, Furnish, or Supply Electricity or Electric Generation Services as a Broker to the Public in the Commonwealth of Pennsylvania ("EGS Application" or "Application"). In response to Section 7.a. (Bonding), EEA-PA provided a Confidential Continuous Fidelity Bond.² A copy of this document is attached to this Notice as **Confidential Attachment A** (Continuous Fidelity Bond). **Confidential Attachment A** is being provided under seal to the Commission only.

¹ 52 Pa. Code § 54.34 (2019).

² EGS Application at 12.

On March 28, 2019, the Commission approved EEA-PA's EGS Application.³

On November 15, 2019, the current agent/broker of record for EEA-PA's Continuous Fidelity Bond, USI Insurance Services LLC ("USI"), informed EEA-PA that it will no longer act as EEA-PA's agent/broker of record, effective December 30, 2019. A copy of this document is attached to this Notice as **Confidential Attachment B** (USI November 15, 2019, Notice). **Confidential Attachment B** is being provided under seal to the Commission only.

Following receipt of USI's notice, EEA-PA identified a different broker/agent that is willing to continue the current policy on behalf of EEA-PA. The Commission's regulations governing financial assurance requirements do not address this scenario.

Request for Expedited Commission Guidance

As previously stated, USI is currently the agent/broker of record for EEA-PA's Continuous Fidelity Bond on file with the Commission. The Continuous Fidelity Bond includes the signature of a USI representative as the Attorney-in-Fact. Because USI will no longer be EEA-PA's broker/agent of record as of December 30, 2019, and because the USI representative appears as the Attorney-in-Fact on EEA-PA's Continuous Fidelity Bond, EEA-PA seeks Commission guidance regarding whether it is necessary to file a new bond or amend its current bond to reflect the change in EEA-PA's broker/agent of record. **Accordingly, EEA-PA respectfully requests Commission action on or before December 16, 2019.** Expedited PUC action is necessary to ensure that EEA-PA has sufficient time to move its policy to a new agent/broker of record without an interruption in coverage, particularly in light of the intervening holidays, and that EEA-PA remains compliant with the Commission's financial assurance requirements for EGSs.

Request for Confidential Treatment

EEA-PA respectfully requests that the Commission grant CONFIDENTIAL treatment of the documents found at Attachments A and B. EEA-PA believes this information is of a proprietary or confidential nature because it may reveal non-public financial information or other information that is commercially sensitive and whose release may be injurious to EEA-PA's competitive position. To this end, the propriety and confidential information set forth in Attachments A and B is so designated by being labeled "CONFIDENTIAL" and is being provided under protective seal to the Commission only. For these reasons, EEA-PA requests that the Commission treat these documents as confidential and prevent public disclosure in accordance with the Commission's procedures. Any party desiring access to the foregoing documents can contact the undersigned counsel with such a request.

³ Order, *Application of EMPLOYERS' ENERGY ALLIANCE OF PENNSYLVANIA, INC. for Approval to Offer, Render, Furnish or Supply Electricity or Electric Generation Services as a Broker/Marketer*, Docket No. A-2019-3007149 (Mar. 28, 2019).

Secretary Chiavetta
December 5, 2019
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As evidenced by the attached Certificate of Service, copies of this filing are being duly served on the appropriate parties. Please contact the undersigned if you have any questions regarding this filing. In addition, please date stamp the enclosed extra copy of this filing, and kindly return it to our messenger for our filing purposes. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 
Vasiliki Karandrikas (PA I.D. No. 89711)

Counsel to Employers' Energy Alliance of Pennsylvania, Inc.

Attachments

c: Certificate of Service (without confidential attachments)
Stephen Jakab, Bureau of Technical Utility Services (via E-Mail)

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CERTIFICATE OF SERVICE

On this 5th day of December 2019, I certify that a true and correct copy of the foregoing Notice and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a CD-ROM, upon the following:

Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2 West
Harrisburg, PA 17120

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

Office of Small Business Advocate
1st Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading, PA 19612

Office of the Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

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

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

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

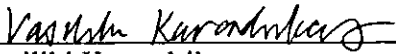
Office of General Counsel
Attn: Kimberly A. Klock
PPL
Two North Ninth Street (GENTW3)
Allentown, PA 18101-1179

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

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

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



Vasiliki Karandrikas

Counsel to Employers' Energy Alliance of
Pennsylvania, Inc.

Dated this 5th day of December, 2019, in Harrisburg, Pennsylvania.

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McNees
Wallace & Nurick LLC

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Docket No.
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