



EARLYBIRD POWER

Dear Sir/Madam:

We are pleased to submit our application for Natural Gas Broker for your review.

We have also previously been licensed for Electricity.

Thanks,

Shaun

Shaun Pandit

888-763-2759

Shaunpandit@earlybirdpower.com

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of ___Early Bird Power LLC_____, d/b/a _____, for approval to offer, render, furnish, or as a(n) ___[as specified in item #8 below]___ to the public in the Commonwealth of Pennsylvania.

To the Pennsylvania Public Utility Commission:

1. **IDENTITY OF THE APPLICANT:** The name, address, telephone number, and FAX number of the Applicant are:

Shaun Pandit
1 Adams St
Milton, MA 02186
888 763 2759
617 298 4241 FAX

Please identify any predecessor(s) of the Applicant and provide other names under which the Applicant has operated within the preceding five (5) years, including name, address, and telephone number.

2. a. **CONTACT PERSON:** The name, title, address, telephone number, and FAX number of the person to whom questions about this Application should be addressed are:

Shaun Pandit
1 Adams St
Milton, MA 02186
888 763 2759
617 298 4241 FAX

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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

- b. **CONTACT PERSON-PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:** The name, title, address telephone number and FAX number of the person with whom contact should be made by PEMA:

Shaun Pandit
1 Adams St
Milton, MA 02186
888 763 2759
617 298 4241 FAX

- 3.a. **ATTORNEY:** If applicable, the name, address, telephone number, and FAX number of the Applicant's attorney are:

Phillip Lake
Glovsky and Glovsky
Beverly, MA
978 578 3106

b. **REGISTERED AGENT:** If the Applicant does not maintain a principal office in the Commonwealth, the required name, address, telephone number and FAX number of the Applicant's Registered Agent in the Commonwealth are:

Incorp Services, INC
7208 Red Top Rd
Hummels Town, PA 17036

4. **FICTITIOUS NAME:** (select and complete appropriate statement)

The Applicant will be using a fictitious name or doing business as ("d/b/a"):

Attach to the Application a copy of the Applicant's filing with the Commonwealth's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

OR

The Applicant will not be using a fictitious name.

5. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:** (select and complete appropriate statement)

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.

* 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 (none)
- foreign corporation (15 Pa. C.S. §4124)
- domestic limited liability company (15 Pa. C.S. §8913)
- X foreign limited liability company (15 Pa. C.S. §8981)
- Other _____

Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation.

Give name and address of officers.

Shaun Pandit
1 Adams St
Milton, MA 02186

The Applicant is incorporated in the state of _____ Massachusetts _____.

6. **AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:** (select and complete appropriate statement)

Affiliate(s) of the Applicant doing business in Pennsylvania are: *none*

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

- Does the Applicant have any affiliation with or ownership interest in:
- (a) any other Pennsylvania retail natural gas supplier licensee or licensee applicant,
 - (b) any other Pennsylvania retail licensed electric generation supplier or license applicant,
 - (c) any Pennsylvania natural gas producer and/or marketer,
 - (d) any natural gas wells or
 - (e) any local distribution companies (LDCs) in the Commonwealth

If the response to parts a, b, c, or d above is affirmative, provide a detailed description and explanation of the affiliation and/or ownership interest.

- Provide specific details concerning the affiliation and/or ownership interests involving:
- (a) any natural gas producer and/or marketers,
 - (b) any wholesale or retail supplier or marketer of natural gas, electricity, oil, propane or other energy sources.

- X Provide the Pa PUC Docket Number if the applicant has ever applied:
- (a) for a Pennsylvania Natural Gas Supplier license, or
 - (b) X for a Pennsylvania Electric Generation Supplier license.

- If the Applicant or an affiliate has a predecessor who has done business within Pennsylvania, give name and address of the predecessor(s) and state whether the predecessor(s) were jurisdictional public utilities.

or

- The Applicant has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania.

7. **APPLICANT'S PRESENT OPERATIONS:** (select and complete the appropriate statement)

- The Applicant is presently doing business in Pennsylvania as a

- natural gas interstate pipeline.
- municipal providing service outside its municipal limits.
- local gas distribution company
- retail supplier of natural gas services in the Commonwealth
- a natural gas producer
- X Other. (Identify the nature of service being rendered.)

Electric Generation Supplier

or

- The Applicant is not presently doing business in Pennsylvania.

8. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

- supplier of natural gas services.
- Municipal supplier of natural gas services.
- Cooperative supplier of natural gas services.
- X Broker/Marketer engaged in the business of supplying natural gas services.
- X Aggregator engaged in the business of supplying natural gas services.
- Other (Describe):

9. **PROPOSED SERVICES:** Generally describe the natural gas services which the Applicant proposes to offer.

Procure quotes from different suppliers in order to provide the most competitive energy bill for customers through competitive gas supply to industrial and commercial clients

10. **SERVICE AREA:** Provide each Natural Gas Distribution Company (NGDC) in which Applicant proposes to offer services.

All of PA, all service areas
Currently licensed or able to do business in 10 states

11. **CUSTOMERS:** Applicant proposes to initially provide services to:

- Residential Customers
- Commercial Customers - (Less than 6,000 Mcf annually)
- Commercial Customers - (6,000 Mcf or more annually)
- Industrial Customers
- Governmental Customers
- All of above
- Other (Describe):

12. **START DATE:** The Applicant proposes to begin delivering services on August-1, 2014 (approximate date).

After Licensing.

Shun, Pen J

13. **NOTICE:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, serve a copy of the signed and verified Application with attachments on the following:

Irwin A. Popowsky
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120-1921

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

William R. Lloyd, Jr.
Commerce Building, Suite 1102
Small Business Advocate
300 North Second Street
Harrisburg, PA 17101

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

Any of the following Natural Gas Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

<p>Valley Energy Inc. Robert Crocker 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: rcrocker@ctenterprises.org</p>	<p>National Fuel Gas Distribution Corp. David D. Wolford 6363 Main Street Williamsville, NY 14221 PH: 716.857.7483 FAX: 716.857.7479 e-mail: wolfordd@natfuel.com</p>
<p>UGI Central Penn David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>The Peoples Natural Gas Company Joe Gregorini or Bill McKeown 625 Liberty Avenue Pittsburgh, PA 15222 e-mail: jgregorini@png.cng.com PH: 412.497.6851 or 412.497.6840 FAX: 412.497.6630</p>
<p>T. W. Phillips Gas and Oil Company Robert M. Hovanec 205 North Main Street Butler, PA 16001 PH: 724.287.2725 FAX: 724.287.5021 e-mail: rhovanec@twphillips.com</p>	<p>UGI David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>
<p>UGI Penn Natural David Beasten 2525 N. 12th Street, Suite 360 Reading, PA 19612-2677 PH: 610.796.3425 FAX: 610.796.3559</p>	<p>Equitable Gas Company Jerald Moody 225 North Shore Drive Pittsburgh, PA 15212-5352 PH: 412.395.3209 FAX: 412.395.3335</p>
<p>Carnegie Natural Gas Company Donald A. Melzer 800 Regis Avenue Pittsburgh, PA 19236 PH: 412.655.8510 ext. 331 FAX: 412.655.0335</p>	<p>Columbia Gas of PA, Inc. Heather Bauer 200 Civic Center Drive Columbus, OH 43215 PH: 614.460.5554 FAX: 614.460.4291</p>
<p>Philadelphia Gas Works Douglas Moser 800 West Montgomery Avenue Philadelphia, PA 19122 email: douglas.moser@pgworks.com PH: 215.684.6899</p>	<p>PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 Email: carlos.thillet@exeloncorp.com PH: 215.841.6452</p>

Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, attach Proof of Service of the Application and attachments upon the above named parties. 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.

14. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.

15. **COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, by name, subject and citation, dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

16. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION:** All services 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.

a. **Contacts for Consumer Service and Complaints:** Provide the name, title, address, telephone number and FAX number of the person and an alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with Applicant, the Distribution Company, the Pennsylvania Public Utility Commission or other agencies.

Kristin Hostetter
Assistant
1 Adams St.
Milton MA 02186
Toll free 888 763 2759
Fax 617 298 4241

Shaun Pandit Alternate
1 Adams St
Milton MA 02186
Cell 617 872 2384
Fax 617 298 4241

b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers. *NO RESID*

c. If proposing to serve Residential and/or Small Commercial customers, provide a disclosure statement. A sample disclosure statement is provided as Appendix B to this Application. *NO RESID*

17. **FINANCIAL FITNESS:**

A. Applicant shall 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.

Single Member LLC

- Published parent company financial and credit information.

- Applicant's balance sheet and income statement for the most recent fiscal year. Published financial information such as 10K's and 10Q's may be provided, if available.

Balance Sheet Attached

- 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 or other independent financial service reports.

Business is not rated and is broker only, so there will be no credit risk to customers from Early Bird Power LLC. Early Bird Power LLC has no debt and as seen on the balance sheet to date is profitable.

- 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.

Again, Early Bird Power LLC is a broker only, but does carry General Liability for \$1,500,000 and Professional Liability for \$2,500,000.

- Audited financial statements

Therefore, Early Bird Power LLC is a broker only and will not be a credit risk as it is not the supplier. A balance sheet attached (ATTACHMENT FINANCIAL FITNESS)

- Such other information that demonstrates Applicant's financial fitness.

B. Applicant must provide the following information:

- Provide proof of compliance with bonding/credit requirements for each NGDC the applicant is proposing to provide service in. This requirement is designated by each NGDC and can commonly be found in the NGDC supplier tariff. *N/A*
- Identify Applicant's chief officers including names and their professional resumes.

Shaun Pandit CEO/Director
1 Adams St.
Milton Ma 01286
888 763 2759 Telephone
617 298 4241 Fax

Shaun Pandit owns and operates Early Bird Power. Shaun has an Economics degree from Boston College and a Master's in Finance from Loyola Chicago Business School. After ten years trading commodities and foreign exchange, Shaun focused on electricity at the advent of deregulated markets in 1997. Shaun is an energy expert with senior level experience in the energy business and in depth knowledge of electricity and natural gas markets.

As Director of Origination and Structuring for Citizens Lehman Power and Constellation New Energy, he was responsible for optimizing generation assets and servicing Industrial and Commercial clients. He was a member of the team responsible for initiating the strategy that combined AES and New Energy, which was sold to Constellation.

He also was Risk Manager for TransCanada Power Marketing, managing power, gas, and credit exposures. Shaun was most recently V.P. of Trading and Marketing for International Power, responsible for all purchases and sales of power, emissions, and fuel for the North American generation assets. He is a Selectman on his town's Wind Energy Committee and a partner with Protect Our Winters. (POW), a non-profit organization helping schools install on-site solar generation.

Shaun has a broad understanding of energy markets, and key relationships that provide the lowest priced strategic options for companies seeking to lower their monthly power bills.

- Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records.

Shaun Pandit
1 Adams St
Milton Ma 01286
888 763 2759 Telephone
617 298 4241 Fax

18. **TECHNICAL FITNESS:** To ensure that the present quality and availability of service provided by natural gas utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- The identity of the Applicant's officers directly responsible for operations, including names and their professional resumes.

Shaun Pandit CEO/Director

1 Adams St.
Milton Ma 01286
888 763 2759 Telephone
617 298 4241 Fax

Shaun Pandit owns and operates Early Bird Power. Shaun has an Economics degree from Boston College and a Master's in Finance from Loyola Chicago Business School. After ten years trading commodities and foreign exchange, Shaun focused on electricity at the advent of deregulated markets in 1997. Shaun is an energy expert with senior level experience in the energy business and in depth knowledge of electricity and natural gas markets.

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Shaun has a broad understanding of energy markets, and key relationships that provide the lowest priced strategic options for companies seeking to lower their monthly power bills.

- A copy of any Federal energy license currently held by the Applicant.
- Proposed staffing and employee training commitments.

ATTACHMENT - ADDITIONAL LICENSES.

I am hiring an additional secretary and 2 Junior energy efficiency interns

- Business plans.

Consult users of Electricity; Natural Gas to lower their spend.

19. **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 2208(D). Transferee will be required to file the appropriate licensing application.
20. **UNIFORM 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.
21. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:
 - a. Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on an annual basis no later than 30 days following the end of the calendar year.

Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 22 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive natural gas market.
22. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur in the information upon which the Commission relied in approving the original filing.
23. **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.

24. **FEE:** The Applicant has enclosed the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

Applicant: Early Bird Power LLC
By: Alan P. ... Shaun Parrott
Title: CEO / Director

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SECRETARY'S BUREAU

AFFIDAVIT

[Commonwealth/State] of MA :

: ss.

County of Norfolk :

Shan Pandit, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the CEO (Office of Affiant) of Early Bird Power LLC (Name of Applicant);]

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

That Early Bird Power 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 Early Bird Power LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply 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 Early Bird Power LLC, 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 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of, 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 natural gas 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).

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.

That Early Bird Power LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, and the standards and billing practices of 52 PA. Code Chapter 56.

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That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Commission's Office of Communications 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 22 day of Nov, 2011.



Signature of official administering oath



NADEGE BEAUVAIS
Notary Public
Commonwealth of Massachusetts
My Commission Exp. May 13, 2016

My commission expires May 13, 2016.

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SECRETARY'S BUREAU

AFFIDAVIT

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[Commonwealth/State] of MA :

NOV 22 2011

County of Norfolk :

SS. PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Shawn Pandit, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the CEO (Office of Affiant) of Early B. & Power LLC (Name of Applicant);]

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

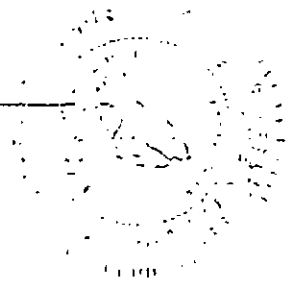
That Shawn Pandit, the Applicant herein certifies that it has caused the notice of the filing of its license applica:
published in the following newspapers on _____:
(date)

A copy of the notice as it appeared in each of the above newspapers is attached. Noted on each copy is the newspaper section (name, number or letter), if applicable, and the page number on which the notice appeared.

That Shawn Pandit, the Applicant will submit to the Commission the proof of publication from each newspaper in which notice of the application filing was published as soon as it is available.

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.

[Signature]
Signature of Affiant



Sworn and subscribed before me this 22 day of November 2011

[Signature]
Signature of official administering oath

My commission expires May 13, 2015

NADEGE BEAUVAIS
Notary Public
Commonwealth of Massachusetts
My Commission Exp. May 13, 2016

AFFIDAVIT

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[Commonwealth/State] of MA :

NOV 22 2011

ss.

County of Norfolk :

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Shawn Parlett, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the CEO (Office of Affiant) of Early Bird Power (Name of Applicant);]

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

That the Applicant herein Early Bird Power LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa. C.S. §2208(c)(1).

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

That the Applicant herein Early Bird Power 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 Early Bird Power 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.

[Signature]
Signature of Affiant

Sworn and subscribed before me this 22 day of Nov, 2011

[Signature]
Signature of official administering oath



My commission expires May 13, 2016

NADEGE BEAUVAIS
Notary Public
Commonwealth of Massachusetts
My Commission Exp. May 13, 2016

Broker only.
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Appendix B

Sample Disclosure Statement Format for Natural Gas Suppliers

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

This is an agreement for natural gas services, between NGS name and customer's name and full address.

Background

We at NGS Company Name are licensed by the Pennsylvania Public Utility Commission to offer and supply natural gas services in Pennsylvania. Our PUC license number is A-110XXX.

- We set the prices and charges that you pay. The Public Utility Commission regulates distribution or delivery prices and services. The Federal Energy Regulatory Commission regulates interstate pipeline prices and services.
- If you ask us, we can bill you directly for our service.
- Right of Recision - You may cancel this agreement at any time before midnight of the third business day after receiving this disclosure.

Definitions

- Interstate Pipeline Charges - Charges for moving natural gas to the distribution lines of a distribution company.
- Nonbasic Charges - *Define each nonbasic service being offered.*

Terms of Service

1. (a) **Basic Service Prices** - *Itemize Basic Services you are billing for and their prices.*

You will pay rate per (Mcf/Dth/ccf) for the commodity of natural gas.
Suppliers are to include any variable pricing conditions and limits, if charging a variable rate.

You will pay rate per (Mcf/Dth/ccf) for other natural gas service.
Suppliers are to include transmission service prices if billed.

(b) **Nonbasic Service Prices** - *Itemize Nonbasic Services you are offering and their prices.*

2. **Length of Agreement**

You will buy your natural gas services for the above street address from company's name beginning date through date of expiration, if any.

3. **Special Terms and Conditions** - *List and explain all that apply.*

- Sign-up bonuses
- Add-ons
- Limited time offers
- Other Sales Promotions
- Exclusions

4. **Special Services** - *Provide explanation of price, terms and conditions, including advanced metering deployment, if applicable.*

5. Penalties, Fees and Exceptions - List any that apply including a late payment charge. The print size for this section must be larger than the print in the rest of the agreement.

6. Cancellation Provisions - This category may consist of both customer initiated cancellation provisions and supplier initiated cancellation provisions.

7. Renewal Provision - If this is a fixed term agreement with automatic renewal, explain the procedure here.

8. Agreement Expiration/Change in Terms

If you have a fixed term agreement with us and it is approaching the expiration date or if we propose to change our terms of service, we will send you written notice in each of our last three bills or in separate mailings before either the expiration date or the effective date of the changes. We will explain your options in these three advance notices.

9. Dispute Procedures

Contact us with any questions concerning our terms of service. You may call the PUC if you are not satisfied after discussing your terms with us.

10. Contact Information

Supplier Name: _____

Address: _____

Phone Number: _____

Internet Address: _____

Distribution Company Name: _____

Provider of Last Resort Name: _____

Address: _____

Phone Number: _____

Public Utility Commission (PUC)

Address: P.O. Box 3265 Harrisburg, PA 17105-3265

Natural Gas Competition Hotline Number: 1-888-xxx-xxxx

Universal Service Program Name: _____

Phone Number: _____

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APPENDIX C
EXAMPLE FORM OF NOTICE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

*Application of **Company Name** (d/b/a "**Trade Name**") For Approval To Offer, Render, Furnish Natural Gas Supply Services as a Marketer/Broker or Aggregator Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania, Docket No. **A-125XXX**.*

On **Month Date, Year, Company Name** filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as (1) a supplier of natural gas, (2) a broker/marketer engaged in the business of supplying natural gas, and (3) an aggregator engaged in the business of providing natural gas supply services. **Company Name** proposes to sell natural gas and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Company Name** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Company's Name** attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is

A-125XXX.

By and through Counsel: Attorney's Name

Company Name

Address

Address

Phone

FAX

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APPENDIX D

Standards of Conduct

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

- (1) The [natural gas distribution company] should apply its tariffs in a nondiscriminatory manner to its affiliate, its own marketing division and any nonaffiliate.
- (2) The [natural gas distribution company] should likewise not apply a tariff provision in any manner that would give its affiliate or division an unreasonable preference over other marketers with regard to matters such as scheduling, balancing, transportation, storage, curtailment, capacity release and assignment, or nondelivery, and all other services provided to its affiliated suppliers.
- (3) If a tariff provision is mandatory, the [natural gas distribution company] should not waive the provision for its affiliate or division absent prior approval of the Commission.
- (4) If a tariff provision is not mandatory or provides for waivers, the [natural gas distribution company] should grant the waivers without preference to affiliates and divisions or non-affiliates.
- (5) The [natural gas distribution company] should maintain a chronological log of tariff provisions for which it has granted waivers. Entries should include the name of the party receiving the waiver, the date and time of the request, the specific tariff provision waived and the reason for the waiver. Any chronological log should be open for public inspection during normal business hours.
- (6) The [natural gas distribution company] should process requests for transportation promptly and in a nondiscriminatory fashion with respect to other requests received in the same or a similar period. The [natural gas distribution company] should maintain a chronological log showing the processing of requests for transportation services. Any chronological log should be open for public inspection during normal business hours.
- (7) Transportation discounts and fee waivers and rebates provided to the [natural gas distribution company's] or its marketing affiliate's favored customers should be offered to other similarly situated customers and should not be tied to any unrelated service, incentive or offer on behalf of either the parent or affiliate. A chronological

log should be maintained showing the date, party, time and rationale for the action. Any chronological log should be open for public inspection during normal business hours.

- (8) The [natural gas distribution company] should not disclose any customer proprietary information to its marketing affiliate or division, and to the extent that it does disclose customer information, it should contemporaneously provide this same information to other similarly situated marketers in a similar fashion so as not to selectively disclose, delay disclosure, or give itself or its affiliate any undue advantage related to the disclosure. A chronological log should be maintained showing the date, time and rationale for the disclosure. Any chronological log should be open for public inspection during normal business hours. A natural gas distribution company should not provide information received from non-affiliated customers or suppliers to its affiliated natural gas suppliers.
- (9) The [natural gas distribution company] should justly and reasonably allocate to its marketing affiliate or division the costs or expenses for general administration or support services.
- (10) The [natural gas distribution company] selling surplus gas supplies and/or upstream capacity on a short-term basis (as defined by the Federal Energy Regulatory Commission) to its affiliate should make supplies available to similarly situated marketers on a nondiscriminatory basis. The [natural gas distribution company] should not make any gas supplies and/or upstream capacity available through private disclosure to the [natural gas distribution company's] affiliate unless the availability is made simultaneously with public dissemination in a manner that fairly apprises interested parties of the availability of the gas supplies and/or upstream capacity. The [natural gas distribution company] should maintain a chronological log of these public disseminations. Any chronological log should be open for public inspection during normal business hours.
- (11) The [natural gas distribution company] should not condition or tie agreements to release interstate pipeline capacity to any service in which the [natural gas distribution company] or affiliate is involved.
- (12) The [natural gas distribution company] should not directly or by implication . . . represent to any customer, supplier or third party that an advantage may accrue to any party through use of the [natural gas distribution company's] affiliate or subsidiary.

- (13) The [natural gas distribution company] should establish and file with the Commission a complaint procedure for dealing with any alleged violations of any of the standards listed in paragraphs (1) through (12), this paragraph or paragraphs (14) and (15), excepting for paragraph (9), which should be exclusively under the purview of the Commission. These procedures should be developed in consultation with interested parties during consideration of any tariff guided by this section and §69.191 (relating to general). The Commission may expect establishment of a complaint procedure or other recordkeeping requirements if warranted by subsequent facts or circumstances.
- (14) The [natural gas distribution company] should keep a chronological log of any complaints, excepting paragraph (9), regarding discriminatory treatment of natural gas suppliers. This chronological log should include the date and nature of the complaint and the [natural gas distribution company's] resolution of it. Any chronological log should be open for inspection during normal business hours.
- (15) Parties alleging violations of these standards may pursue their allegations through the Commission's established complaint procedures. A complainant bears the burden of proof consistent with 66 Pa. C.S. (relating to Public Utility Code) in regard to the allegations.
- (16) Licensees shall provide accurate information about their natural gas supplier services using plain language and common terms. Where new terms are used, such terms must be defined again using plain language: Information should be provided in a format which will allow for comparison of the various natural gas supply services offered and the prices charged for each type of service.
- (17) Licensees shall provide notification of the change in conditions of service, intent to cease operation as a natural gas supplier, explanation of denial of service, proper handling of deposits and proper handling of complaints in accordance with Commission regulations where applicable.
- (18) Licensees shall maintain the confidentiality of customers' historic payment information and right of access to their own load and billing information.

- (19) Licensees shall not discriminate in the provision of natural gas supply services as to availability and terms of service based on race, color, religion, national origin, sex, marital status, age receipt of public assistance income, and exercise of rights under the Consumer Credit Protection Act, 15 U. S. C. §§1691-1691f; Regulation B, 12 C.F.R. §§202-202.14.
- (20) Licensees will be responsible for any fraudulent deceptive or other unlawful marketing or billing acts performed by their agents or representatives. Licensee shall inform consumers of state consumer protection laws that govern the cancellation or rescission of natural gas supply service contracts. 73 P. S. §201-7.
- (21) The natural gas distribution company shall not give any affiliate or marketing division preference over a non-traditional affiliate in the provision of goods and services such as processing requests for information, complaints and responses to service interruptions. The natural gas distribution company shall provide comparable treatment without regard to a customer's chosen natural gas supplier.
- (22) No transaction between the natural gas distribution company and an affiliated natural gas supplier shall involve an anti-competitive cross-subsidy and all such transactions shall comply with applicable law.
- (23) Natural gas distribution company employees who have responsibility for operating the distribution system, including natural gas delivery or billing and metering, shall not be shared with an affiliated or divisional Supplier, and their offices shall be physically separated from the office(s) used by those working for the Supplier. Such natural gas distribution company employees may transfer to a Supplier provided such transfer is not used as a means to circumvent these interim standards of conduct. Any supplier shall have its own direct line management. Any shared facilities shall be fully and transparently allocated between the natural gas distribution company function and the Supplier function. The natural gas distribution company accounts and records shall be maintained such that the costs a Supplier incurs may be clearly identified.
- (24) (a) Neither the natural gas distribution company nor an affiliated or divisional Supplier may directly or by implication falsely and unfairly represent:

that the Pa PUC jurisdictionally regulated services provided by the natural gas distribution company are of a superior quality when power is purchased from an affiliated or divisional Supplier; or

that the merchant services (for natural gas) are being provided by the natural gas distribution company rather than an affiliated or divisional Supplier;

that the natural gas purchased from a Supplier that is not an affiliate or division of the natural gas distribution company may not be reliably delivered;

that natural gas must be purchased from an affiliate or divisional Supplier to receive Pa PUC jurisdictional regulated services.

(b) The natural gas distribution company shall not jointly market or jointly purchase its Pa PUC jurisdictional regulated services with the services of an affiliated or divisional Supplier. This prohibition includes prohibiting the natural gas distribution company from including bill inserts in its natural gas distribution company bills promoting an affiliated or divisional Supplier's services, and further precludes a reference or link from the natural gas distribution company's web-site to any affiliated or divisional supplier.

(c) When an affiliated or divisional Supplier markets or communicates to the public using the natural gas distribution company name or logo, it shall include a disclaimer that states:

(i) That the Supplier is not the same company as the natural gas distribution company; (2) that the prices of the Supplier are not regulated by the Pa PUC; and (3) that a customer does not have to buy natural gas or other products from the Supplier in order to receive the same quality service from the natural gas distribution company. When a Supplier advertises or communicates verbally through radio or television to the public using the natural gas distribution company name or logo, the Supplier shall include at the conclusion of any such communication a disclaimer that includes all of the disclaimers listed in this paragraph.

(25) The natural gas distribution company must: (a) make interstate capacity available for release, assignment, or transfer to its affiliated or divisional Supplier only through the interstate pipeline electronic bulletin boards and the competitive bidding procedures in place on those interstate systems; (b)

not give its affiliated or divisional Supplier any preference over non-affiliated or non-divisional Suppliers, or potential non-affiliated or non-divisional Suppliers, in matters relating to the assignment, release, or other transfer of the natural gas distribution company's capacity rights on interstate pipeline systems; and (c) not condition or tie its agreement to release, assign, or otherwise transfer interstate pipeline capacity to any agreement by a gas Supplier, customer or other third party relating to any service in which its marketing affiliate is involved.

NOTE ATTACHED

Early Bird Power LLC

1 Adams St

Milton MA 02186

617 872 2384

Commonwealth of PA Public Utility Commission:

In regard to EarlyBird Power's application for approval to supply natural gas brokerage services.

Pursuant to section 1.57 and 1.58 of the commissions regulations:

I attest that Early Bird Power LLC has served a copy of the signed and verified application with attachments to the following:

Robert Crocker, Valley Energy, Inc.

David Beasten, UGI Central Penn

Robert Hovanec, T.W. Phillips Gas and Oil Company

David Beasten, Penn Natural

Donald Melzer, Carnegie Natural Gas Company

Douglas Moser, Philadelphia Gas Works

David Wolford, National Fuel Gas Distribution Corp.

Joe Gregorini, The Peoples Natural Gas Company

David Beasten, UGI

Jerald Moody, Equitable Gas Company

Heather Bauer, Columbia Gas of PA, Inc

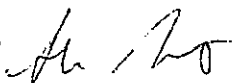
Carlos Thillet, PECO

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NOV 22 2011

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Sincerely,



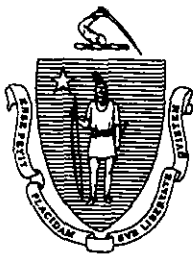
11/17/11

Shaun Pandit
CEO Director
EarlyBird Power
1 Adams St Milton MA 02186

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NOV 22 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

August 4, 2010

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of organization of a Limited Liability Company was filed in this office by

EARLY BIRD POWER LLC

in accordance with the provisions of Massachusetts General Laws Chapter 156C on **April 9, 2009.**

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation or withdrawal; and that said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are: **SHAUN KRISHNA PANDIT**

I further certify, the names of all persons authorized to execute documents filed with this office and listed in the most recent filing are: **SHAUN KRISHNA PANDIT**

The names of all persons authorized to act with respect to real property listed in the most recent filing are: **SHAUN KRISHNA PANDIT**

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NOV 22 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

Secretary of the Commonwealth



EXTENSION SCHEDULE OF UNDERLYING INSURANCE POLICIES



This extension schedule forms a part of the policy designated in the Declarations.

Carrier, Policy Number and Policy Period:

A. SENTINEL INSURANCE COMPANY, LIMITED

83 SBM F03037 01/29/11 TO 01/29/12

Type of Coverage

Business Liability - including:

Employees as Additional Insureds
 Contractual Liability
 Limited Non-Owned Watercraft
 Additional Insureds
 Damages To Premises Rented To You

Personal and Advertising Injury
 Products/Completed Operations

Hired Auto and Non-Owned Auto

Applicable Limits
 Bodily Injury and Property Damage
 Liability Combined
 \$1,000,000 each occurrence
 \$2,000,000 general aggregate

Property Damage Liability
 \$1,000,000 each occurrence

\$1,000,000
 \$2,000,000 Prod./Comp. Ops.
 aggregate
 Limit of Liability

B.

Comprehensive Automobile Liability -
 Owned Automobiles

Non-Owned Automobiles

Hired Automobiles

Uninsured Motorist

Bodily Injury Liability
 each person
 each accident
 Property Damage Liability
 each accident
 Bodily Injury and Property Damage
 Liability Combined
 each accident
 each occurrence

C.

Employer's Liability

each accident*
 each employee by
 disease*
 total policy by disease*

D.

Liquor Liability

An "X" marked in the box indicates the coverage is provided in the Underlying Policies.

(Note Maintenance of Underlying Insurance Condition SX 80 02 or SX 80 03)

*Except that in any jurisdiction where the amount of Employers Liability Coverage afforded by the underlying insurer is by law unlimited, the limit stated does not apply and the policy of which this extension schedule forms a part shall afford no insurance with respect to Employers Liability in such jurisdiction.

58475

40100083 F030370112



**EXTENSION SCHEDULE OF UNDERLYING
INSURANCE POLICIES (Continued)**

POLICY NUMBER: 83 SBM FQ3037

Carrier, Policy Number and Policy Period:
E.

Type of Coverage	Applicable Limits
<input type="checkbox"/> Foreign Commercial General Liability- including: Personal and Advertising Injury Products/Completed Operations	each occurrence Personal and Advertising Injury aggregate Products/Completed Operations aggregate
<input type="checkbox"/> Foreign Contingent Auto Liability	each accident
<input type="checkbox"/> Foreign Employer's Liability	each accident * each employee by disease* total policy by disease*

An "X" marked in the box indicates the coverage is provided in the Underlying Policies.

(Note Maintenance of Underlying Insurance Condition SX 80 02 or SX 80 03)

*Except that in any jurisdiction where the amount of Employers Liability Coverage afforded by the underlying insurer is by law unlimited, the limit stated does not apply and the policy of which this extension schedule forms a part shall afford no insurance with respect to Employers Liability in such jurisdiction.



EARLYBIRD POWER

Attachment F

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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Certificate of Professional Liability Insurance

This certificate is issued for informational purposes only.

It certifies that the policies listed in this document have been issued to the Named Insured. It does not grant any rights to any party nor can it be used, in any way, to modify coverage provided by such policies. Alteration of this certificate does not change the terms, exclusions or conditions of such policies.

Coverage is subject to the provisions of the policies, including any exclusions or conditions, regardless of the provisions of any other contract, such as between the certificate holder and the Named Insured. The limits shown below are the limits provided at the policy inception. Subsequent paid claims may reduce these limits.

Named Insured:	Early bird Power LLC		
Insurer Name:	Hiscox Insurance Company Inc.		
Policy Number:	UDC-1240686-EO-12		
Policy Effective Date:	January 05, 2012	Policy Expiration Date:	January 05, 2013

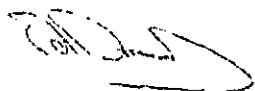
Limits of Insurance

Each Claim:	\$ 1,000,000	Each Claim
Aggregate for all Claims:	\$ 1,000,000	Aggregate for all Claims
Deductible:	\$ 5,000	Each Claim
Retroactive Date:	April 01, 2009	

The policy referred to in this certificate was issued on a claims made and reported basis.

Description of Endorsements/Special Provisions

Not applicable



Authorized Representative

October 24, 2011

Date



EARLYBIRD POWER

Attachment : Financial Address

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NOV 22 2011

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

EARLYBIRD POWER



Attachment: Additional Licenses

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**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
SUPPLIER DIVERSITY OFFICE
Massachusetts Transportation Building
Ten Park Plaza, Suite 3740, Boston, MA 02116

TELEPHONE
(617) 973-8692

FACSIMILE
(617) 973-8637

July 9, 2010

Mr. Shaun Pandit
Early Bird Power, LLC
256 Canton Avenue
Milton, MA 02186

Dear Mr. Pandit:

Congratulations on your certification! The Massachusetts Supplier Diversity Office (SDO) formerly known as The State Office of Minority and Women Business Assistance (SOMWBA) is pleased to notify you that your firm was certified as a minority-owned business enterprise (MBE) with the certified business description, ENERGY CONSULTANT, ASSIST MUNICIPALS TO SPEND LESS, USE LESS AND GO GREEN; LICENSED ELECTRICITY AND NATURAL GAS BROKER.

Your company will be listed in both the SDO (f/k/a: SOMWBA) Directory and in the Massachusetts Central Register, which are published at regular intervals. The SDO (f/k/a: SOMWBA) Directory is sent to other state agencies and private organizations that seek to fulfill MBE utilization requirements.

Furthermore, you have a continuing duty to notify SDO (f/k/a: SOMWBA) of a change in any information that is relevant to the firm's certification eligibility and to ensure that the information and documentation relied upon by SDO (f/k/a: SOMWBA) to certify or to maintain the certification of the business enterprise is accurate, complete and not misleading. You are required to notify SDO (f/k/a: SOMWBA) in writing of any change of such information or documentation within thirty calendar days. By way of example and not limitation, any change in ownership, control, investment, ongoing or independence may be considered material. Failure to abide by the continuing duty requirements shall constitute grounds for the business entity's decertification.

Certification is not a fixed designation and SDO (f/k/a: SOMWBA) reserves the right to monitor your company, do random spot checks, site visits and to conduct periodic reviews of your company's books, contracts, company structure, facilities, job locations; to seek other relevant information and documentation; and to revoke certification of your firm should this become necessary.

Your company's certification will automatically expire two years from the date of certification. If your company continues to meet all applicable certification criteria, no later than thirty (30) business days before your firm's certification renewal date of June 30, 2012, and every two years thereafter, please send SDO (f/k/a: SOMWBA) the following documents to renew your certification.

- 1) All company financial statements since the date of the company's then most recent SDO (f/k/a: SOMWBA) certification.

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NOV 22 2011

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



ILLINOIS COMMERCE COMMISSION

December 10, 2010

Early Bird Power LLC

10-0632

Application for Licensure of
Agents, Brokers and Consultants
under Section 16-115C of the
Public Utilities Act.

SERVED ELECTRONICALLY

Shaun Pandit CEO
Early Bird Power LLC
Adams St
Milton MA 02186
shaunpandit@earlybirdpower.com

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

Dear Sir/Madam

Notice is hereby given of the attached Administrative Law Judge's Ruling.

Sincerely,

Elizabeth A. Rolando
Chief Clerk

EAR: kb
Administrative Law Judge Yoder

Phil Hardas, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol Ave.,
Springfield, IL 62701. phardas@icc.illinois.gov
Greg Rockrohr, ALJ's Assistant, Illinois Commerce Commission, 527 E. Capitol
Ave., Springfield, IL 62701. grockroh@icc.illinois.gov

THE STATE OF NEW HAMPSHIRE



Tel (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH
1-800-735-2964

Website
www.puc.nh.gov

PUBLIC UTILITIES COMMISSION
21 S Fruit Street, Suite 10
Concord, N.H. 03301-2429

March 10, 2010

Shawn Pandit
CEO Director
Early Bird Power, LLC
256 Canton Ave
Milton, MA 02186

Re: DM 10-026, Notification of Early Bird Power, LLC's (Early Bird) Intent to Provide Electric Aggregation Service

Dear Mr. Pandit:

This is to confirm that the New Hampshire Public Utilities Commission (Commission) has received Early Bird's notice of intent to provide electric aggregation service in the State of New Hampshire, pursuant to New Hampshire Administrative Rules Puc 2003.02. Staff has reviewed the application provided and believes that it meets the requirements of Puc 2003.02. Based on Staff's recommendation and the Commission's review, the Commission approves Early Bird's application to provide electric aggregation service in New Hampshire.

Please note the following provision of Puc 2003.02 (f): "[E]ach aggregator shall re-file with the commission an up-to-date written notice of intent to provide service as an aggregator every 2 years on or before its original notice anniversary date. Early Bird's original notice anniversary date is **February 10, 2010** and therefore it is required to refile an up-to-date written notice on or before **February 10, 2012** if it continues to offer and provide electric aggregation service. In addition, Early Bird is subject to the provisions of Puc 2004.03, telephone solicitation of customers, and Puc 2004.07, customer protections provided by aggregators.

If you have any questions regarding these provisions, please contact the Commission. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland".

Debra A. Howland
Executive Director



PUBLIC SERVICE COMMISSION

#43, 3/10/10 AM; ML#s 120792 and 121452
License Reference No.: IR-1798

March 10, 2010

Sham Pandit
Director/CEO
Early Bird Power, LLC
226 Canton Ave
Milton MA 02186

Dear Mr. Pandit:

On January 5, 2010, Early Bird Power, LLC filed an Application for a License to supply electricity or electric generation services in Maryland under COMAR 20.51. Supplemental information was filed on February 16, 2010. The Company proposes to provide electricity broker services in Maryland for commercial and industrial customers with no restrictions on the number and size of end use customers as described in the application.

After considering this matter at the March 10, 2010 Administrative Meeting, the Commission granted Early Bird Power, LLC a license to supply electricity or electric generation services in Maryland in accordance with its Application (License Reference Number IR-1798). The license granted by the Commission under this Letter Order is limited solely to providing electricity broker services to commercial and industrial customers.

Early Bird Power, LLC is reminded that it is under a continuing obligation to notify the Commission within 30 days of any substantial changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

Terry J. Romine
Executive Secretary

118
Phu Vanderheyden, Electricity Division
Paula M. Carmody, People's Counsel

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

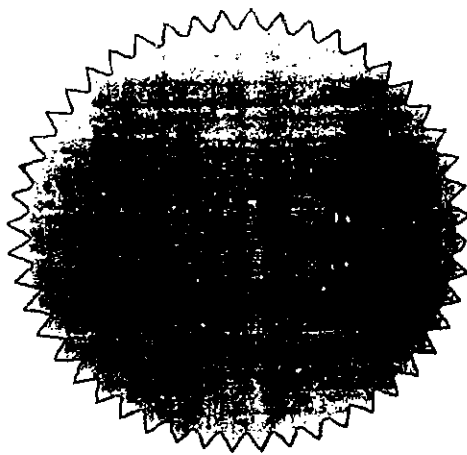
IN THE MATTER OF THE APPLICATION OF: A-2010-2176721

The Application of Early Bird Power LLC for approval to begin to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to the public within the Commonwealth of Pennsylvania.

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

LICENSE FOR ELECTRIC GENERATION SUPPLIER.

In Witness Whereof, the PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 14th day of October 2010.



Secretary

PUBLIC UTILITIES COMMISSION OF OHIO

Certified as a Competitive Retail Electric Service Provider

Certificate Number:

09-164E (1)

Issued Pursuant to Case Number(s):

09-742-EL-AGG

A certificate as a Competitive Retail Electric Service Provider is hereby granted to, **Early Bird Power, LLC** whose office or principal place of business is located at **256 Canton Ave., Milton, MA 02186** to provide aggregation and power broker services within the State of Ohio effective **September 24, 2009**.

The certification of competitive retail electric suppliers is governed by Section 4901:1-24-(01-13) of the Ohio Administrative Code, Section 4901:1-21-(01-15) of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code.

This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met.

Subject to all rules and regulations of the Commission, now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio.

Dated September 30, 2009

By Order of

PUBLIC UTILITIES COMMISSION OF
OHIO



Renee J. Jenkins, Secretary

Betty McCauley, Acting Secretary

Mariruth C. Wright, Acting Secretary

Certificate Expires: September 24, 2011

July 9, 2009

EARLY BIRD POWER
Application for License to Operate as a
Competitive Electricity Provider

ORDER GRANTING LICENSE

REISHUS, Chairman, VAFIADES, and CASHMAN, Commissioners

I. SUMMARY

In this Order, we license Early Bird Power to operate as a competitive electricity provider furnishing aggregator/broker services in Maine pursuant to Chapter 305 of the Commission's Rules.

II. APPLICATION AND DECISION

On July 7, 2009, Early Bird Power (EBP) applied to the Commission to operate in Maine as a competitive electricity provider pursuant to Chapter 305. EBP proposes to provide aggregator/broker services to medium and large non-residential customers throughout Maine. EBP met all the Chapter 305 filing requirements. As a licensed competitive electricity provider, EBP is required to comply with all applicable requirements and regulations, including all conditions of licensing, customer protection rules, and the filing of annual reports.

Pursuant to a Delegation Order dated April 23, 2008 in Docket No. 2008-185, *PUBLIC UTILITIES COMMISSION, Delegation of Authority to License Competitive Electricity Providers*, the Commission delegated to the Director of Technical Analysis the authority under 35-A M.R.S.A., § 3203 (1)(2) and Chapter 305, §2 to license competitive electricity providers.

Accordingly, it is

ORDERED

That Early Bird Power is hereby issued a license to operate as a competitive electricity provider pursuant to Chapter 305 of the Commission's Rules, to provide aggregator/broker services to medium and large non-residential customers throughout Maine, and

2 That this license is effective on the date of this Order and valid until revoked or suspended by the Commission pursuant to section 3(A)(4) of Chapter 305, or abandoned by the licensee pursuant to sections 2(D)(10) and 2(D)(11) of Chapter 305 of the Commission's Rules.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF PUBLIC UTILITIES AND CARRIERS

Thomas F. Ahern
ADMINISTRATOR
100 Letters in Boulevard
Warwick, RI 02888

OFFICE (401) 941-4500 x115
FAX (401) 941-9207
TDD (401) 941-4500

August 11, 2009

Mr. Saikat Pandit
Chief Executive Officer
Early Bird Power, LLC
256 Canton Ave
Milton, MA 02186

Re: Early Bird Power, LLC's Application for Registration as a Non-Regulated Power Producer pursuant to R.I.G.L. 39-1-27.1(c) - Division Docket D-96-6 (A4)

Dear Mr. Pandit:

The Division of Public Utilities has reviewed Early Bird Power, LLC's application for registration as a nonregulated power producer, pursuant to R.I.G.L. 39-1-27.1(c) and the Division's Rules Applicable to Nonregulated Power Producers. The application is complete as to the statutory requirements of 39-1-27.1(c), itemized in statute at (i) through (ix) and the Division's rules.

The Division accepts the registration application of Early Bird Power, LLC as a nonregulated power producer. In conformance with the law, please note that the registration must be updated within ten days of any change to the information included in your application.

Sincerely,

State of New Jersey



Board of Public Utilities

Two Gateway Center, Newark, New Jersey 07102

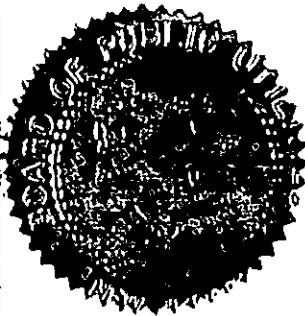
HEREBY REGISTERS


Early Bird Power LLC

256 Canton Avenue
Milton, Massachusetts 02186

To conduct business in the State of New Jersey as a

Private Aggregator

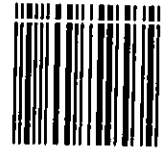
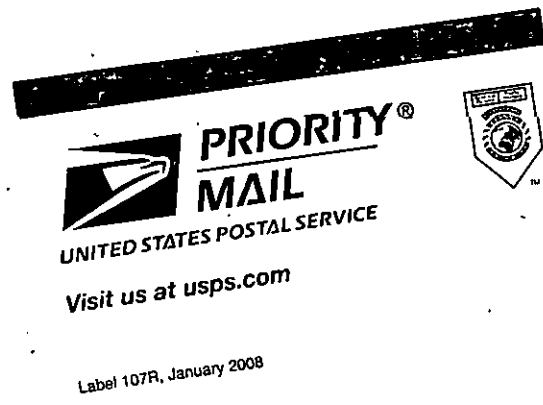




Kristi Izzo
Secretary of the Board

Registration No. PA-0062
Effective Date: September 16, 2009
Expiration Date: September 15, 2010

rd Power LLC
st
MA 02186



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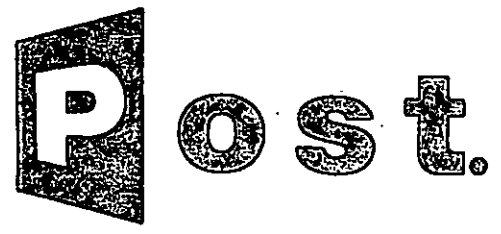
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