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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

February 14, 2020

Pennsylvania Public Utility Commission  
Rosemary Chiavetta, Secretary to the Commission  
Office of the Secretary  
400 North Street, Keystone Building  
Harrisburg, PA 17120

A-2020-3018832

Dear Secretary Chiavetta,

Thank you for the opportunity for Open Market Energy, LLC to submit additional information to our Application Form for Parties Wishing to Offer, Render, Furnish or Supply Natural Gas Services to the Public in the Commonwealth of Pennsylvania. Open Market Energy LLC seeks approval to operate as a Natural Gas Broker.

Enclosed please find:

1. Pennsylvania Department of State Bureau of Corporations and Charitable Organizations registration.


2. Bonding Letters from Utilities

Thank you. Please contact me if you have any questions.

Sincerely,

John P. Gardiner  
President  
Open Market Energy, LLC  
(202)379-8202

PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

<input type="checkbox"/> Return document by mail to: <b>Corporation Service Company</b> Name: <b>Case No. 03468353</b> Address:  City: _____ State: _____ Zip Code: _____ <input checked="" type="checkbox"/> Return document by email to: <u>keisey.eulert@cscglobal.com</u>	<b>Amendment of Foreign Registration</b> <b>DSCB:15-413</b> <b>(rev. 2/2017)</b>  <b>TCO160914MCD437</b>
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Read all instructions prior to completing. This form may be s

Fee: \$250

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. § 413 (relating to amendment of foreign registration statement), the undersigned registered foreign association hereby states that:

1. The name of the association under which it is registered to do business in this Commonwealth is:

Open Market Energy LLC

2. The type of association is (check only one):

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Business Corporation                 | <input type="checkbox"/> Limited Partnership                     | <input type="checkbox"/> Business Trust           |
| <input type="checkbox"/> Nonprofit Corporation                | <input type="checkbox"/> Limited Liability (General) Partnership | <input type="checkbox"/> Professional Association |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Liability Limited Partnership   |   |

3. The (a) address of the association's registered office in this Commonwealth or (b) name of its Commercial Registered Office Provider and the county of venue is:

Complete part (a) OR (b) - not both:

(a) \_\_\_\_\_  
Number and street City State Zip County  
OR

(b) c/o: Registered Agents Inc Montgomery  
Name of Commercial Registered Office Provider County

4. Effective date of amendment of foreign registration (check, and if appropriate complete, one of the following):

- The Amendment of Foreign Registration shall be effective upon filing in the Department of State.  
 The Amendment of Foreign Registration shall be effective on: \_\_\_\_\_ at \_\_\_\_\_  
Date (MM/DD/YYYY) Hour (if any)

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SECRETARY'S BUREAU

5. Check, and if appropriate complete, one of the following:

The association desires that its registration be amended to change or correct the following information:

The name of association's Commercial Registered Office Provider and county of venue is hereby changed to:

c/o Corporation Service Company, Dauphin County.

The amendment adopted by the association is set forth in full in Exhibit A attached hereto and made a part hereof.

If the amendment reflects a change in name for the association which does not comply with 15 Pa.C.S. § 414 and §§ 201-209, the foreign association must adopt an alternate name that complies with 15 Pa.C.S. §§ 201-209 for use in Pennsylvania.

IN TESTIMONY WHEREOF, the undersigned association has caused this Amendment of Foreign Registration Statement to be signed by a duly authorized representative thereof this 6<sup>TH</sup> day of SEPTEMBER 20 18.

Open Market Energy LLC

Name of Association

John Gardiner

Signature

President, John Gardiner

Title

January 23, 2020

John P. Gardiner  
Open Market Energy, LLC  
7625 Wisconsin Avenue, Suite 200  
Bethesda, MD 20814

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear John P. Gardiner:

We are pleased that Open Market Energy, LLC has applied for a license to provide Natural Gas Broker/Marketer Services on the distribution system of Columbia Gas of Pennsylvania, Inc. ("Columbia Gas").

Under Paragraph 2.4.5 of the Rules Applicable to Distribution Service section of the Tariff of Columbia Gas, Open Market Energy, LLC could be required to provide to Columbia Gas a bond or other financial security instrument in an amount that Columbia Gas determines to be appropriate. Open Market Energy, LLC has indicated only brokering and consulting services will be provided. Therefore, we have determined at this time that Open Market Energy, LLC does not need a bond or other financial security requirement to provide broker natural gas services to Columbia Gas customers.

If the creditworthiness requirement or Columbia Gas' exposure to Open Market Energy, LLC changes in the future, Columbia Gas might deem it appropriate to require Open Market Energy, LLC to provide a bond or other financial security instrument.

Please feel free to contact me at 614-460-4980 should you have any questions regarding a bond or other financial security instrument requirements of Columbia Gas.

Sincerely,

*Kylian Davis*

Kylian Davis  
Manager of Choice and Transportation Support Services



375 North Shore Drive  
Pittsburgh, Pennsylvania 15212

[www.peoples-gas.com](http://www.peoples-gas.com)

**Carol Scanlon**  
Manager, Rates & Regulation

**Peoples Service Company LLC**  
Phone: 412-208-6931  
Email: [Carol.Scanlon@peoples-gas.com](mailto:Carol.Scanlon@peoples-gas.com)

February 12, 2020

**John Gardiner**  
President  
Open Market Energy, LLC  
7625 Wisconsin Avenue Suite 200  
Bethesda, MD 20184

Dear Mr. Gardiner:

We are pleased that Open Market Energy, LLC has applied for a license to provide natural gas services on the Peoples Group of Companies. Specifically you have requested to be licensed as a supplier on the distribution systems of Peoples Natural Gas Company LLC, Peoples Natural Gas Company LLC – Equitable Division, and Peoples Gas Company LLC (formerly Peoples TWP) (“the Companies”).

Since Open Market Energy, LLC is not currently serving customers on the Peoples systems, we have determined at this time that Open Market Energy, LLC does not need a bond or other financial security requirement to provide these services to the Company’s customers.

If a Pool is established, and customers are enrolled which alters the creditworthiness requirement or the Company’s exposure to Open Market Energy, LLC provision of services on the Peoples’ system changes in the future, the Companies may deem it appropriate to require a bond or other financial instrument.

If you have any questions feel free to contact me at 412-208-6931 or by email at [Carol.Scanlon@peoples-gas.com](mailto:Carol.Scanlon@peoples-gas.com).

Sincerely,

Carol Scanlon  
Manager, Rates and Regulation  
Peoples Natural Gas Company LLC

Cc: Stephen Kelly  
Mina Speicher



**National Fuel**

January 28, 2020

John P. Gardiner, President  
Open Market Energy, LLC  
7625 Wisconsin Avenue, Suite 200  
Bethesda, MD 20814  
Re: Open Market Energy, LLC

Dear John,

National Fuel Gas Distribution Corporation ("NFGDC") is aware Open Market Energy, LLC (OME) has filed an application with the Pennsylvania Public Utility Commission to supply natural gas service to the public in Pennsylvania and specifically within the service territory of NFGDC.

As you know, in making such an application, OME must furnish acceptable security to each utility where OME will do business. As such, under its tariff, NFGDC could require OME to provide a bond or other financial security instrument in an amount that NFGDC determines to be appropriate.

However, you have indicated, and it is NFGDC's understanding that OME intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that, in performing these services, OME will never take title to any delivered natural gas.

Based upon your representations, NFGDC has determined that, at this time, OME does not need to post a bond or other form of security to operate in its service territory. However, if the services provided by OME change in the future, NFGDC reserves the right to require security from OME as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at 716-857-7541.

Yours truly,

Nicole Barker  
Transportation Services Department

January 22, 2020

John P. Gardiner, President  
Open Market Energy, LLC  
7625 Wisconsin Avenue, Suite 200  
Bethesda, Maryland 20814

Re: Broker Requirements

Dear Open Market Energy, LLC:

PECO is aware that Open Market Energy, LLC has applied for a license to provide brokering and consulting services to commercial and industrial customers on the distribution system of PECO.

In making such an application, Open Market Energy, LLC could be required to provide to PECO a bond or other acceptable financial security in an amount that PECO determines to be appropriate. Open Market Energy, LLC has indicated that it intends to provide only brokering and consulting services to commercial and industrial customers, and will not take title to any delivered natural gas; nor will accept any customer payments or deposits. Therefore, PECO has determined at this time that Open Market Energy, LLC does not need a bond or other financial security requirement, since they are not directly engaging in business with PECO and only providing brokering or consulting services to PECO customers. However, if the services provided by Open Market Energy, LLC the creditworthiness requirement for PECO's exposure to Open Market Energy, LLC changes in the future, PECO reserves the right to require Open Market Energy, LLC to provide a bond or other financial security instrument.

If you should have any questions regarding this matter, please contact Chris Sauerbaum at 215-841-6422 or myself at 215-841-6452.

Respectfully submitted,



Carlos P. Thillet  
Manager, Gas Supply and Transportation  
2301 Market Street  
Philadelphia, Pa 19103



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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February 13, 2020

Mr. John P. Gardiner, President  
Open Market Energy, LLC  
7625 Wisconsin Avenue, Suite 200  
Bethesda, MD 20814  
Email: [Kate@openmarketenergy.net](mailto:Kate@openmarketenergy.net)

RE: Security Requirement Bond for Open Market Energy, LLC

Dear Mr. Gardiner:

Philadelphia Gas Works ("PGW") is aware that Open Market Energy, LLC has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the services territory of Philadelphia Gas Works.

As you know, in making such an application, Open Market Energy, LLC must furnish acceptable security to each utility where Open Market Energy, LLC will do business. As such, under its tariff, Philadelphia Gas Works could require Open Market Energy, LLC to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate.

However, you have indicated, and it is Philadelphia Gas Works' understanding, that Open Market Energy, LLC intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that in performing these services Open Market Energy, LLC will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, Open Market Energy, LLC does not need to post a bond or other form of security to operate in its service territory. If the services provided by Open Market Energy, LLC should change, Philadelphia Gas Works reserves the right to require security from Open Market Energy, LLC as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at 215-684-6725.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Zuk', is written above the printed name.

JOHN ZUK

Sr. Vice President, Gas Management

/dls





UGI Utilities, Inc.  
1 UGI Drive  
Denver, PA 17517

610-796-3400

VIA E-MAIL &  
FIRST CLASS MAIL

February 10, 2020

Open Market Energy, LLC  
7625 Wisconsin Avenue  
Bethesda, MD 20814

**ATTENTION: John Gardiner, President**

**RE: Open Market Energy, LLC  
Application to Serve as a Natural Gas Broker**

Dear Mr. Gardiner,

Based on your assertion that Open Market Energy, LLC ("Open Market") is applying with the State of Pennsylvania to operate as a natural gas broker/marketer, UGI Utilities, Inc.-Gas Division ("UGIU") has concluded that Open Market will not need to post security with UGIU. This is based on the declaration that Open Market will be acting in conjunction with a licensed natural gas supplier who has been approved by the Pennsylvania Public Utility Commission to serve in the applicable UGIU service territories and who has posted the required financial security as specified in the UGIU Tariff. If Open Market wishes to directly serve Choice customers in the service territories of UGIU in the future as a natural gas supplier, it will have to post security as specified in the UGIU Tariff prior to the commencement of the service.

Please feel free to contact me with any additional questions you may have.

Sincerely,

Sherry Epler  
Senior Manager  
Tariff & Supplier Administration

SE/rks



# VALLEY ENERGY

523 S. Keystone Avenue, P.O. Box 340, Sayre, PA 18840  
800/998-4427 • 570/888-9664 • FAX 570/888-6199

February 10, 2020

Open Market Energy, LLC  
John P. Gardiner, President  
7625 Wisconsin Ave., Suite 200  
Bethesda, MD 20184

Dear Mr. Gardiner:

We understand that Open Market Energy, LLC has applied with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania including our company's service area.

Because Open Market Energy, LLC intends to only provide natural gas aggregating, brokering and consulting services at this time, we have determined that Open Market Energy, LLC will not be required to post a bond or other form of financial security instrument to provide these services in our service area. However, if the services provided change in the future, we reserve the right to require security from Open Market Energy, LLC as deemed appropriate.

If you have any questions, please contact Jamie Levering at 570-888-9664 (Ext. 5232).

Sincerely,

Edward E. Rogers  
President & CEO

EER/ss

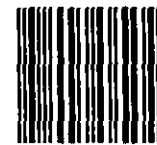
cc: J. Levering, Valley Energy  
[kate@openmarketenergy.net](mailto:kate@openmarketenergy.net)

PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL



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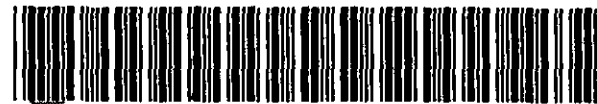
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**1625 Wisconsin**  
**Bethesda, MD 20814**

To: PUC MASTER

Agency: PUC  
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External Carrier: EXPRESS



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TO: (PLEASE PRINT) **PUC** PHONE: **800 692 9380**  
**Secretary Chiquetta**  
**400 North Street**  
**Keystone Bldg.**  
**Harrisburg PA**  
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Date Accepted (MM/DD/YY) <b>2-18-20</b>	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> NOON	Insurance Fee \$	COD Fee \$
Time Accepted <b>4:33 PM</b>	10:30 AM Delivery Fee \$	Return Receipt Fee \$	Live Animal Transportation Fee \$
Special Handling/Fragile \$	Sunday/Holiday Premium Fee \$	Total Postage & Fees <b>\$ 26.35</b>	
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