

April 29, 2020

VIA FEDEX

Secretary's Bureau  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

RE: Respond Power, LLC's 1<sup>st</sup> Qtr 2020- Gross Receipts Report and Request for Confidential Treatment

Dear Secretary:

Pursuant to 52 Pa. Code § 54.6, Respond Power, LLC ("Respond") hereby submits to the Pennsylvania Public Utility Commission ("Commission") its quarterly gross receipts report for 1<sup>st</sup> Qtr 2020. Please find enclosed two copies of the report with confidential data expurgated and two copies of the unexpurgated report.

In addition to the total quarterly amount of gross receipts that Respond is required to report, the total amount of electricity sold and the percentage of total electricity supplied by each energy source has been expurgated from the report for public disclosure.

In accordance with established Commission procedures under 52 Pa. Code § 5.423, Respond request confidential treatment of its reported total amount of electricity sold (kWh) within its quarterly gross receipts report. Respond request that this information be treated as confidential for it constitutes highly sensitive and confidential business information that should be maintained and treated as confidential in the Commission's files and exempt from public disclosure. This is sensitive commercial and financial trade secret information concerning Respond's business, the disclosure of which would cause substantial harm to Respond and disadvantage it with respect to its competitors. Public disclosure would impair Respond's ability to respond competitively to opportunities in the marketplace and would place Respond at a competitive disadvantage.

Please contact me if you have any questions or need any further information.

Respectfully submitted,

  
Martha Lopez  
Manager, Regulatory

Enclosure

**ELECTRIC CHOICE QUARTERLY REPORT****Pennsylvania Gross Receipts<sup>1</sup>**Name of Company: Repond Power, LLCCompany Address: 12140 Wickchester Ln, Ste. 100Name and Title of Contact Person: Martha LopezPhone Number of Contact Person: 832-217-1909Company Email Contact: Martha.lopez@sparkenergy.com

Period of Operation:

From January, 2020 (Month, Year) to March, 2020 (Month, Year)

**Complete one Quarterly Gross Receipts Report for each License/Certificate issued by the Commission. This form may be photocopied for reporting purposes. Please mark with a "✓" the category that applies:**

- Takes title to the electricity (Supplier, Generator, Aggregator, Municipal Supplier, or Electric Cooperative Supplier of electric power)
- Municipal Suppliers and Electric Cooperatives should only report on retail activity that has occurred outside of their municipal boundaries or certified territory.
- Does not take title to the electricity (Broker/Marketer)
- If collecting charges from PA licensed or certificated electricity providers for interstate electric energy sales, check the "Sales for Resale" box below and report total sales (kWh). No Gross Receipts are reported for these types of sales.

<b>CALENDAR YEAR:</b>  <u>2020</u>	<b>CHECK APPROPRIATE BOX:</b>  <input checked="" type="checkbox"/> Retail Sales Report <input type="checkbox"/> Sales for Resale  <div style="background-color: black; width: 100px; height: 15px; margin: 5px auto;"></div> kWh
<b>GROSS RECEIPTS (if applicable)*:</b> \$ <div style="background-color: black; width: 100px; height: 15px; display: inline-block;"></div>	

**\*Note: If you are a broker/marketer who does not take title to any electricity you should report \$0 as your total gross receipts for the quarter.**

<sup>1</sup> Gross receipt information is proprietary and will not be released to the public. Commission Order entered 7/20/00 at P-00991752. Confidential treatment of other information may also be requested. See Notice to Electricity Providers.

**ELECTRIC CHOICE QUARTERLY REPORT**

**Disaggregated Pennsylvania Retail Sales (kWh) by EDC Service Area**

Name of Company: Respond Power, LLC

Period of Operation:

From January, 2020 (Month, Year) to March, 2020 (Month, Year)

**Complete one Quarterly Report of Retail Sales (kWh) for each License/Certificate issued by the Commission. Please mark with an "X" each Electric Distribution Company (EDC) applicable to your company's retail sales within the Commonwealth of Pennsylvania. Indicate the total kWh sold for distribution within each service area.**

- \_\_\_\_\_ Citizens Electric Co.
- \_\_\_\_\_ Duncannon, Borough of
- [REDACTED] Duquesne Light Co.
- [REDACTED] Metropolitan-Edison Co. (Met-Ed)
- [REDACTED] PPL Electric Utilities Corp.
- [REDACTED] PECO Energy Co.
- [REDACTED] Pennsylvania Electric Co. (Penelec)
- [REDACTED] Pennsylvania Power Co.
- \_\_\_\_\_ Pike County Light & Power Co.
- \_\_\_\_\_ St. Clair, Borough of
- \_\_\_\_\_ Schuylkill Haven, Borough of
- \_\_\_\_\_ Smethport, Borough of
- \_\_\_\_\_ UGI Utilities Inc.
- \_\_\_\_\_ Wellsboro Electric Co.
- [REDACTED] West Penn Power Co.

Please print name here and sign below: Martha Lopez

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

## NOTICE TO LICENSED ELECTRICITY PROVIDERS

### Availability of Confidential Treatment for Information Provided in Quarterly and Annual Reports

Note that pursuant to 52 PA Code § 54.39(d) these annual and quarterly reports “will be made available for public review upon request to the Commission subject to any rulings on confidentiality made by the Commission.” However, the Commission has issued a general ruling that the total amount of gross receipts that licensed EGSs are required to report pursuant to 52 Pa. Code § 54.39(b)(2) is considered proprietary and shall not be released to the public. See Petitions of Exelon Energy; Reliant Energy Retail, Inc.; and Statoil Energy Services, Inc for Protective Order, Order entered July 20, 2000 at Docket Nos. P-00991752; P-00991753; P-00991755, p. 5. Updates to tax information requested in the application form; the total amount of electricity sold (kWh); and, the percentage of total electricity supplied by each energy source remain available for public review. Confidential treatment of this information may be requested in accordance with established Commission procedures. See also 52 Pa. Code § 5.423.

To request confidential treatment of submitted information, a company must:

- (a) indicate clearly in its transmittal letter that the filing contains proprietary information;
- (b) explain briefly why the information should be treated as confidential; and,
- (c) supply two versions of the filing: one version of the report with confidential data redacted and one version of the proprietary report. The proprietary version must be clearly marked “Confidential.” The Secretary’s Bureau and the Bureau of Fixed Utility Services will maintain copies of each type of filing accordingly.

Pending Commission review of a request for confidential treatment and upon its approval, information designated as proprietary will not be made available for public review. However, if any member of the public, the Office of Consumer Advocate or the Office of Small Business Advocate requests to examine the propriety information, or if the Commission’s Office of Special Assistants or Bureau of Investigation & Enforcement believes that proprietary claim is frivolous or otherwise not justified, the Secretary’s Bureau will issue a Secretarial Letter directing the company to file within 14 days a petition for protective order pursuant to 52 Pa. Code § 5.423. During the 14-day period, the Commission will continue to honor the proprietary claim. Absent the timely filing of such a petition, the proprietary information claim will be deemed to have been waived.

While the Commission is considering whether to grant a petition for protective order, the company’s proprietary information claim will be honored unless a proceeding has been initiated to challenge the filing. In that event, the provisions of 52 Pa. Code § 5.423(b)(4) would apply. This provision requires the company to disclose the proprietary information to a party involved in the proceeding if the party "agrees to treat the information as if it were covered by a protective order until the presiding officer or the Commission issues the order or determines that issuance of the order would not be appropriate.”