

Eckert Seamans Cherin & Mellott, LLC 213 Market Street 8th Floor Harrisburg, PA 17101 TEL 717 237 6000 FAX 717 237 6019 www.eckertseamans.com

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Sarah C. Stoner 717.237.6026 sstoner@eckertseamans.com

March 17, 2020

Via Federal Express

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission 400 North Street Harrisburg, PA 17120 PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Re:

XOOM Energy Pennsylvania, LLC Letter Petition to Reduce its Financial Security Level

to 5% of Gross Receipts: Docket No. A-2012-2283821; Utility Code: 1114186

### Dear Secretary Chiavetta:

Please accept this Letter Petition on behalf of XOOM Energy Pennsylvania, LLC ("XOOM Energy") requesting that its required level of financial security be reduced to the level of 5% of its last twelve months of gross receipts. This request is being made pursuant to the Commission's Bond Reduction Order at Docket No. M-2013-2393141<sup>1</sup> and is being submitted at least 90 days prior to the expiration date of XOOM Energy's current security.<sup>2</sup> In support of XOOM Energy's request, please find the following information and documentation:

- 1) XOOM Energy's gross receipts in Pennsylvania for the most recent four quarters is attached hereto as Appendix A (CONFIDENTIAL);
- 2) XOOM Energy is current with its tax liabilities to the Commonwealth of Pennsylvania and is providing proof of its prepaid gross receipts taxes toward its estimated revenues for the current year in Appendix B (CONFIDENTIAL);
- 3) A letter evidencing XOOM Energy's compliance with Alternative Energy Portfolio Standards requirements is attached hereto as Appendix C (CONFIDENTIAL);
- 4) XOOM Energy has been licensed as an electric generation supplier in the Commonwealth of Pennsylvania for over two years; and
- 5) XOOM Energy is compliant with the Commission's annual and supplemental fee requirements.

Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers; Acceptable Security Instruments, Docket No. M-2013-2393141, Final Order entered July 24, 2014.

XOOM Energy has requested a Tax Status Letter from the Pennsylvania Department of Revenue to evidence that it is current with its tax liabilities to the Commonwealth. XOOM Energy will supplement this Letter Petition upon receipt of the Tax Status Letter.

Please note that the confidential attachments to this Letter Petition are being provided to the Commission under seal and it is requested that they be maintained in a non-public folder.

Enclosed please find a verification attesting to the truthfulness of facts set forth in this request. Also enclosed is a check in the amount of \$350.00 for the required filing fee for this Letter Petition. The Certificate of Service evidences that the statutory advocates, the Commission's Bureau of Investigation & Enforcement, the Office of Attorney General, the Pennsylvania Department of Revenue and pertinent electric distribution companies have been served with a copy of this Letter Petition.

Thank you for your attention to this matter. Should you have any questions or concerns regarding this matter, please feel free to contact me.

Sincerely,

Sarah C. Stoner

Sarah Stone IIIs

cc: Stephen Jakab, Bureau of Technical Utility Services (with appendices)
Certificate of Service (without appendices)

### Confidential Appendix A

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## Confidential Appendix B

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# Confidential Appendix C

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### **VERIFICATION**

I, Mike Starck, hereby state that I am Vice President of XOOM Energy Pennsylvania, LLC and am authorized to make this verification on its behalf. The facts set forth in the foregoing Petition for Initial Security Reduction Request are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C. S. § 4904 (relating to unsworn falsification to authorities).

3/16/2020

Dated

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### **CERTIFICATE OF SERVICE**

I hereby certify that this day I served a copy of XOOM Energy Pennsylvania, LLC's Letter Petition upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

#### Via First Class Mail

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

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

Office of Consumer Advocate 5th Floor, Forum Place 555 Walnut Street Harrisburg, PA 17101-1923

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

Office of Small Business Advocate Forum Place 555 Walnut Street, 1<sup>st</sup> Floor 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

Met-Ed, Penelec, and Penn Power: Legal Department First Energy 2800 Pottsville Pike Reading PA, 19612

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

Legal Department Attn: Kimberly A. Klock PPL Two North Ninth Street Allentown, PA 18108-1179

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Dated: March 17, 2020

Sarah C. Stoner, Esq.

ORIGIN ID:MDTA (717) 237-6000 SARAH STONER ESQ. ECKERT SEAMANS CHERIN & MELLOTT 213 MARKET ST 8TH FLOOR HARRISBURG, PA 17101 UNITED STATES US

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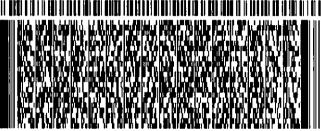
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TO ROSEMARY CHIAVETTA, SECRETARY **PUC HARRISBURG** FILE ROOM- 400 NORTH STREET, 2ND FL., NORTH HARRISBURG PA 17120 (717) 772-7777 REF 6000

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