

8901 Quality Rd. Suite 100  
Bonita Springs, FL 34134  
1 (844) 397-2692  
www.PalmEnergyLLC.com

4/20/21

Pennsylvania Public Utility Commission Secretary  
400 North Street, Keystone Building  
Harrisburg, PA 17120

DATE OF DEPOSIT

MAY 14 2021

A-2021-3024519

**Subject: UPDATED Natural Gas Supplier (NGS) License Application (Broker/Marketer)**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Recipient:

Enclosed please find our responses to the Commissions requests for corrections to our NGS application:

1. Reference Application, Section 1.c, Regulatory Contact – Applicant failed to provide an address for the regulatory contact. Please provide an updated application page with the appropriate corrections.

This has been corrected in the attached revised Application.

2. Reference Application, Section 1.c, Customer Complaints Contact Info – Applicant failed to provide an address for the primary customer complaints contact. Please provide an updated application page with the appropriate corrections.

This has been corrected in the attached revised Application.

3. Reference Application, Section 3.a, Affiliates – Applicant failed to provide the full name for its parent company. Please provide an updated application page with the appropriate corrections.

This has been corrected in the attached revised Application. Please note, our Parent company's full name is E2Comply, LLC. This is no longer a DBA of ELM Energy. Please refer to supporting IRS documentation contained in this package.

4. Reference Application, Section 7.a, Financial Fitness – Applicant failed to provide a natural gas distribution company bonding letter for each utility in whose service territory it wishes to operate. Please provide the missing documentation.

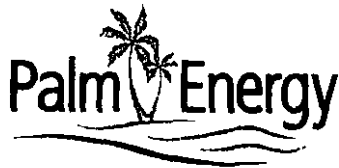
Application has been updated and the supporting documents have been included in this package.

5. Reference Application, Section 7.b, Financial Fitness – Applicant submitted a letter of financial responsibility that only included the parent company's fictitious name rather than the parent company's full name. Please provide an updated letter with the appropriate corrections.

We have not updated this document as per #3 above, E2Comply LLC is the appropriate full LEN. Accordingly, the document should be acceptable.

6. Reference Application, Section 7.f, Taxation – Applicant provided an incorrect Corporate Box Number instead of a Revenue ID Number on its Tax Certification Statement. Any company registered in the Commonwealth of Pennsylvania after March 2013 must contact the Pennsylvania Department of Revenue for its 10-digit Revenue ID Number. Please submit a corrected Tax Certification Statement.

Updated form attached.



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7. Reference Application, Section 11, Affidavits – The affidavits submitted incorrectly list the applicant as Steven Moffitt rather than Palm Energy LLC. Please resubmit the Application Affidavit and the Operations Affidavit.

Corrected forms attached.

Upon review, if there are any questions or additional information required, please contact us. Thank you for your time and review.

**Verification Statement per 52 PA Code 1.36:**

I, Steven Moffitt, hereby state that the facts above set forth 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 held 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).

Signature:

Sincerely,

*Steven Moffitt*

Steven Moffitt  
President  
Palm Energy LLC  
C: (713) 205-3174  
E: [Steve.Moffitt@PalmEnergyLLC.com](mailto:Steve.Moffitt@PalmEnergyLLC.com)

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of           Palm Energy LLC          , d/b/a           NA          , for approval to offer, render, furnish, or supply natural gas supply services as a(n) Broker/Marketer (no title to commodity) to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

### 1. IDENTIFICATION AND CONTACT INFORMATION

- a. **IDENTITY OF THE APPLICANT:** Provide name (*including any fictitious name or d/b/a*), primary address, web address, and telephone number of Applicant:

Palm Energy LLC  
8901 Quality Rd  
Bonita Springs, FL 34135

[www.palmenergyllc.com](http://www.palmenergyllc.com)

(239) 319-1193

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

- b. **PENNSYLVANIA ADDRESS / REGISTERED AGENT:** If the Applicant maintains a primary address outside of Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's secondary office within Pennsylvania. If the Applicant does not maintain a physical location within Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's Registered Agent within Pennsylvania.

**CAPITOL CORPORATE SERVICES, INC.**  
**125 LOCUST STREET HARRISBURG PA 17101**  
**Phone: 800-345-4647**  
**Fax: 800-432-3622**

- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application should be addressed.

Fazil Shaikh  
Vice President, Energy Management  
Palm Energy LLC  
(214) 724-7647  
[Fazil.Shaikh@palmenergyllc.com](mailto:Fazil.Shaikh@palmenergyllc.com)  
8901 Quality Rd.  
Bonita Springs, FL 34135

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

N/A – An attorney was not used to prepare this application

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, fax number, and e-mail **OF THE PERSON AND AN ALTERNATE PERSON (2 REQUIRED)** responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Natural Gas Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed NGSs.

Steven Moffitt  
President  
Palm Energy LLC  
8901 Quality Rd  
Bonita Springs, FL 34135  
[CustomerService@palmenergyllc.com](mailto:CustomerService@palmenergyllc.com)  
(239) 319-1193

Fazil Shaikh  
Vice President, Energy Management  
8901 Quality Rd  
Bonita Springs, FL 34135  
(214) 724-7647  
[Fazil.Shaikh@palmenergyllc.com](mailto:Fazil.Shaikh@palmenergyllc.com)

## 2. **BUSINESS ENTITY FILINGS AND REGISTRATION**

- a. **FICTITIOUS NAME:** *(Select appropriate statement and provide supporting documentation as listed.)*

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

Provide a copy of the Applicant's filing with Pennsylvania's Department of State Pursuant to 54 Pa. C.S. §311.

Or

The Applicant will not be using a fictitious name.

- b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**

*(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)*

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.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- \* 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 (15 Pa. C.S. §1308)
- foreign corporation (15 Pa. C.S. §4124)
- domestic limited liability company (15 Pa. C.S. §8913)
- foreign limited liability company (15 Pa. C.S. §8981)
- Other (Describe):

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

**Approved state entity filing, and good standing document included with application.**

- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.

**Palm Energy LLC was formed in Florida. Attached is a copy of our charter documentation.**

- Give name and address of officers.

**Steven Moffitt – President and Manager  
James Richmond - Manager  
Jeanne Richmond - Manager**

**All located at:**

**8901 Quality Rd  
Bonita Springs, FL 34135**

### **3. AFFILIATES AND PREDECESSORS**

*(both in state and out of state)*

- a. **AFFILIATES:** Give name and address of any affiliate(s) currently doing business and state whether the affiliate(s) are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are currently applying to do business in Pennsylvania.

**Palm Energy, LLC is a subsidiary of E2Comply, LLC.  
E2Comply is no longer a DBA of ELM  
Please see attached correspondence from the IRS supporting this change**

b. **PREDECESSORS:** Identify the predecessor(s) of the Applicant and provide the name(s) under which the Applicant has operated within the preceding five (5) years, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

Not Applicable

#### 4. OPERATIONS

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

Definitions

- Supplier – an entity which provides natural gas supply services to retail gas customers utilizing the jurisdictional facilities of a natural gas distribution company
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of natural gas, but does not take title to the natural gas.

- The Applicant is presently doing business in Pennsylvania as a
- natural gas interstate pipeline
  - municipality providing service outside its municipal limits
  - local gas distribution company
  - retail supplier of natural gas services in the Commonwealth
  - a natural gas producer
  - a broker/marketer engaged in the business of supplying natural gas services
  - Other. (Identify the nature of service being rendered)

or

- The Applicant is not presently doing business in Pennsylvania.

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

- Supplier or Aggregator of natural gas services
- Municipal supplier of natural gas services
- Cooperative supplier of natural gas services
- Broker/Marketer engaged in the business of supplying natural gas services
- Check here to verify that your organization will not be taking title to the natural gas nor will you be making payments for customers.
- Other (Describe):

c. **PROPOSED SERVICES:** Describe in detail the natural gas supply services which the Applicant proposes to offer.

1. **Resiliency Services** – Palm Energy will provide distributed energy systems with the intention of solving customers power resiliency needs during outages from weather disturbances or other factors. Palm Energy will provide this solution through a Resiliency Agreement, which may involve brokering the customers power and/or gas supply. Palm Energy plans to provide this solution across North America in both regulated and deregulated energy markets.
2. **Power and Gas Commodity Brokerage and Risk Management** – Palm Energy’s primary focus will be to provide Reliability Services with power and gas commodity brokerage included within the scope of the Resiliency Agreement; however, to the extent customers are seeking discrete power and gas brokerage services from Palm, Palm may provide. Palm’s approach to providing discrete power and gas brokerage services is to do so with transparent fee structures whether that is through a consulting payment or an agreed-upon and documented usage based fee embedded in the power or gas rate.
3. **Utility Bill Management Services** – Palm Energy will provide utility bill management services including data and analytics.
4. **Demand Response Services** – Palm Energy will provide demand response and ancillary services to customers across North America. Accordingly, Palm has filed for the appropriate licenses in the pertinent jurisdictions.

d. **PROPOSED SERVICE AREA:** Check the box of each Natural Gas Distribution Company for which the Applicant proposes to provide service.

- |  |   |
|--|---|
| <input type="checkbox"/> Columbia                            | <input type="checkbox"/> Peoples Gas Company          |
| <input type="checkbox"/> National Fuel Gas                   | <input type="checkbox"/> Philadelphia Gas Works       |
| <input type="checkbox"/> PECO                                | <input type="checkbox"/> UGI Utilities – Gas Division |
| <input type="checkbox"/> Peoples Natural Gas Company         | <input type="checkbox"/> Valley Energy                |
| <input type="checkbox"/> Peoples Natural Gas – Equitable Div | <input checked="" type="checkbox"/> All of the above  |

e. **CUSTOMERS:** Applicant proposes to provide services to:

- Residential Customers
- Small Commercial Customers - (Less than 6,000 Mcf annually)
- Residential and Small Commercial as Mixed Meter ONLY (CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)
- Large Commercial Customers - (6,000 Mcf or more annually)
- Industrial Customers
- Governmental Customers
- All of above (Except Mixed Meter)
- Other (Describe):

f. **START DATE:** Provide the approximate date the Applicant proposes to actively market within the Commonwealth. **2/1/2021**



## 5. COMPLIANCE

- a. **CRIMINAL/CIVIL PROCEEDINGS:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

Identify all such proceedings (active or closed), by name, subject and citation; whether before an administrative body or in a judicial forum. If the Applicant has no proceedings to list, explicitly state such.

**Applicant has no proceedings to list.**

- b. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any such proceedings listed above.

**Not Applicable**

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. **Applicant should also include if it had a Pennsylvania PUC EGS or NGS license previously cancelled by the Commission.** If the Applicant has no actions or complaints to list, explicitly state such.

**Applicant has no actions or complaints to list.**

- d. **SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above.

**Applicant has no actions or complaints to list.**

## 6. PROOF OF SERVICE

**Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.**  
(Example Certificate of Service is attached at Appendix C)

- a.) **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

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

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

Office of the Small Business Advocate  
Commerce Building, Suite 202  
300 North Second Street  
Harrisburg, PA 17101

Department of Revenue  
Bureau of Compliance  
PO Box 281230  
Harrisburg, PA 17128-1230

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building

400 North Street, 2 West  
Harrisburg, PA 17120

b.) **NGDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Natural Gas Distribution Companies the Applicant proposed to provide service in. 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. Contact information for each NGDC is as follows.

<p><b>Columbia Gas of PA, Inc.</b>  Michele Caddell  290 W. Nationwide Blvd.  Columbus, OH 43215  PH: 614.460.6841  FAX: 614.460.8447  e-mail: <a href="mailto:mcaddell@nisource.com">mcaddell@nisource.com</a></p>	
<p><b>Peoples Natural Gas Company LLC – Equitable Division</b>  Carol Scanlon  375 North Shore Drive  Pittsburgh, PA 15212  PH: 412.208.6931  FAX: 412.208.6577  e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p>	<p><b>National Fuel Gas Distribution Corp.</b>  Joanne E. Maciok  6363 Main Street  Williamsville, NY 14221  PH: 716.857.7670  FAX: 716.857.7479  e-mail: <a href="mailto:maciokj@natfuel.com">maciokj@natfuel.com</a></p>
<p><b>Peoples Natural Gas Company LLC</b>  Carol Scanlon  375 North Shore Drive  Pittsburgh, PA 15212  PH: 412.208.6931  FAX: 412.208.6577  e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p>	<p><b>PECO</b>  Carlos Thillet, Manager, Gas Supply and Transportation  2301 Market Street, S9-2  Philadelphia, PA 19103  PH: 215.841.6452  Email: <a href="mailto:carlos.thillet@exeloncorp.com">carlos.thillet@exeloncorp.com</a></p>
<p><b>Peoples Gas Company LLC</b>  Carol Scanlon  375 North Shore Drive  Pittsburgh, PA 15212  PH: 412.208.6931  FAX: 412.208.6577  e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p>	<p><b>Philadelphia Gas Works</b>  Ryan Reeves, Director Supply Transportation &amp; Control  800 West Montgomery Avenue  Philadelphia, PA 19122  PH: 215.787.5103  email: <a href="mailto:pgwchoicesupply@pgworks.com">pgwchoicesupply@pgworks.com</a></p>
<p><b>Valley Energy Inc.</b>  Ed Rogers  523 South Keystone Avenue  Sayre, PA 18840-0340  PH: 570.888-9664  FAX: 570.888.6199  email: <a href="mailto:erogers@ctenterprises.org">erogers@ctenterprises.org</a></p>	<p><b>UGI Utilities, Inc. – Gas Division</b>  Sherry Epler  1 UGI Drive  Denver, PA 17517  PH: 610.796.3447  Email: <a href="mailto:sepler@ugi.com">sepler@ugi.com</a></p>

## 7. FINANCIAL FITNESS

- a. **BONDING:** In accordance with 66 Pa. C.S. Section 2208(c), no natural gas supplier license shall be issued or remain in force unless the applicant or holder furnishes a bond or other security in a form and amount to ensure the financial responsibility of the natural gas supplier. The criteria used to determine the amount and form of such bond or other security shall be set by each NGDC. Provide documentation that the applicant has met the security requirement of each NGDC by submitting the letters sent by the NGDCs stating what bonding amounts they require. The contact information is located in Section 6.b.

**Applicant has obtained bonding letters from all natural gas suppliers and has included these letters with this application.**

- b. **FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must 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:
- **UPDATED:** Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.

Parent Company  
E2Comply, LLC

Palm Energy, LLC

Palm Energy, LLC class A  
members (listed in  
section 2 of application)

**TO SATISFY THE BELOW INFORMATION REQUESTS, PALM HAS FURNISHED THE FOLLOWING, PER THE RECOMMENDATION OF COMMISSION STAFF:**

1. 2 YEAR(S) FINANCIALS FOR PARENT COMPANY
2. 3 RECENT BANK STATEMENTS
3. LETTER OF RESPONSIBILITY – E2Comply, LLC is the Parent Company's full name, please see supporting document entitled "Name Change IRS".

- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- 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, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- 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.
- Audited financial statements exhibiting accounts over a minimum two year period.

- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

- c. **SUPPLIER FUNDING METHOD:** If Applicant is operating as anything other than **Broker/Marketer only**, explain how Applicant will fund its operations. Provide all credit agreements, lines of credit, etc., and elaborate on how much is available on each item.

**NOT APPLICABLE AS APPLICANT WILL BE OPERATING AS A BROKER/MARKETER ONLY**

- d. **BROKER PAYMENT STRUCTURE:** If applicant is a broker/marketer, explain how your organization will be collecting your fees.

**Palm Energy LLC will be compensated in one of two ways:**

1. **A discrete \$/DTh broker fee embedded within retail gas rate**
2. **A discrete consulting fee which Palm will invoice Customer for, and Customer will pay directly to Palm.**

- e. **ACCOUNTING RECORDS CUSTODIAN:** Provide the name, title, address, telephone number, FAX number, and e-mail address of Applicant's custodian for its accounting records.

Eric Clark  
Controller  
Eric.Clark@e2comply.com  
309-678-0200  
2116 W Townline Rd  
Peoria, IL 61615

- f. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix D to this application.

*All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identifications numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.*

*Items 7A and 7C on the Tax Certification Statement are designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.*

## **8. TECHNICAL FITNESS:**

To ensure that the present quality and availability of service provided by natural gas distribution companies does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

- a. **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

**FOR THIS SECTION PLEASE REFER TO SUPPLEMENTAL DOCUMENT ENTITLED "SUPPLEMENTAL INFORMATION"**

- Applicant's previous experience in the natural gas industry.
- Summary and proof of licenses as a supplier of natural gas services in other states or jurisdictions.
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
- Staffing structure and numbers as well as employee training commitments.
- Business plans for operations within the Commonwealth.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

**b. PROPOSED MARKETING METHOD** *(check all that apply)*

- Internal – Applicant will use its own internal resources/employees for marketing
- External NGS – Applicant will contract with a **PUC LICENSED NGS**
- Affiliate – Applicant will use a **NON-NGS affiliate that is a nontraditional marketer and/or marketing services consultant**
- External Third-Party – Applicant will contract with a **NON-NGS third party nontraditional marketer and/or non-selling marketer**
- Other (Describe):

**c. DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

**d. OVERSIGHT OF MARKETING:** Explain all methods Applicant will use to ensure all marketing is performed in an ethical manner, for both employees and subcontractors.

**Prospecting and Sales are led by Senior Utility Leaders. Sales collateral and tools are prepared by the operational team in PDF form so they cannot be manipulated. Broker margin is reviewed and approved by non-sales leaders, and margin levels above certain thresholds are escalated for approval by the President of the business. New marketing material is approved by the President of the business. Operative documents including Risk Management policies are adhered to by all staff. Our interest is to grow a business using the strength of our integrity and network and our reputation is very important.**

- e. **OFFICERS:** Identify Applicant's chief officers, and include the professional resumes for any officers directly responsible for operations. All resumes should include date ranges and job descriptions containing actual work experience.

**Steven Moffitt  
President  
Palm Energy LLC**

**Resume included with application**

## **9. DISCLOSURE STATEMENT:**

*(Not applicable for an applicant applying for a license exclusively as a broker/marketer.)*

**DISCLOSURE STATEMENTS:** If proposing to serve Residential and/or Small Commercial (less than 6,000 Mcf annually) Customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix E to this Application.

- Natural gas 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.

*Not applicable for an applicant applying for a license exclusively as a broker/marketer*

## **10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS**

- a. **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. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 62.114.

**AGREED**

- b. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission:

- Reports of Gross Receipts: Applicant shall file an annual report with the Commission on an annual basis no later than April 30<sup>th</sup> following the end of the calendar year per 52 Pa. Code § 62.110.

**AGREED**

- c. **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. § 2208(d). Transferee will be required to file the appropriate licensing application.

AGREED

- d. **ANNUAL FEES:** The Public Utility Code authorizes the PUC to collect an annual fee of \$350 from suppliers, brokers, marketers, and aggregators selling natural gas in the Commonwealth of PA, and a supplemental fee based on annual gross intrastate revenues, applicable to suppliers only.

ACKNOWLEDGED

- e. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 62.105.

AGREED

- f. **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.

AGREED

- g. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within thirty (30) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 62.105.

AGREED

- h. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

AGREED

- i. **FILING FEE:** The Applicant has enclosed or paid the required, non-refundable filing fee by **CERTIFIED CHECK OR MONEY ORDER** in the amount of \$350.00 payable to the Commonwealth of Pennsylvania. **The Commission does not accept corporate or personal checks for filing fees.**

PAYMENT ENCLOSED



**11. AFFIDAVITS**  
**(All affidavits must be notarized before filing.)**

a.) **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

**REVISED NOTARIZED APPLICATION INCLUDED HEREIN**

b.) **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the Public Utility Code of Pennsylvania and applicable federal and state laws. An example copy of this Affidavit can be found at Appendix B.

**REVISED NOTARIZED APPLICATION INCLUDED HEREIN**

**12. NEWSPAPER PUBLICATIONS**

*Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.*

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. The newspapers in which proof of publication are required is dependent on the service territories the applicant is proposing to serve.

The chart below dictates which newspapers are necessary for each NGDC. For example, an applicant that wants to operate in Peoples – Equitable would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

	Erie Times-News	Harrisburg Patriot-News	Philadelphia Daily News	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
Columbia Gas	X	X		X		X	X
National Fuel Gas	X			X			
PECO			X				
Peoples - Equitable	X			X			
Peoples Natural Gas	X			X			X
Peoples Gas Company				X			
Philadelphia Gas Works			X				
UGI Utilities – Gas Div.	X	X	X	X	X	X	X
Valley Energy					X	X	

Entire Commonwealth	X	X	X	X	X	X	X
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*(Example Publications are provided at Appendices F and G)*

**13. SIGNATURE**

Applicant: Palm Energy LLC \_\_\_\_\_

By:  \_\_\_\_\_

Title: President \_\_\_\_\_

## 14. CHECKLIST

For the applicant's convenience, please use the following checklist to ensure all relevant sections are complete. The Commission Secretary's Bureau will not accept an application unless each of the following sections is complete.

Applicant: Palm Energy LLC

	✓	<b>Signature</b>	
	✓	<b>Filing Fee (ONLY CERTIFIED CHECK OR MONEY ORDER)</b>	
	✓	<b>Application Affidavit</b>	
	✓	<b>Operations Affidavit</b>	
	✓	<b>Proof of Publication</b>	
	✓	<b>Tax Certification Statement</b>	
	✓	<b>Commonwealth Department of State Verification</b>	
	✓	<b>Certificate of Service</b>	

Applicant's Use

PUC Secretary's Bureau

Appendix A

APPLICATION AFFIDAVIT

DATE OF DEPO

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of Florida :

ss.

County of Lee :

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

[He/she is the President (Office of Affiant) of Palm Energy LLC (Name of Applicant);]

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

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

That the Applicant herein S Palm Energy 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 Palm Energy 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.

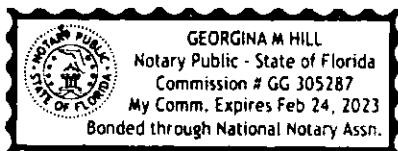
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

*Steven K. Moffitt*  
Signature of Affiant

Sworn and subscribed before me this 20<sup>th</sup> day of April, 2021.

*Georgina M. Hill*  
Signature of official administering oath

My commission expires Feb 24, 2023.



Appendix B

OPERATIONS AFFIDAVIT

DATE OF DEPOSIT

MAY 14 2021

[Commonwealth/State] of Florida :

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU  
SS.

County of Lee :

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

[He/she is the President (Office of Affiant) of Palm Energy LLC (Name of Applicant);]

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

That Palm Energy 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 Palm Energy 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 Palm Energy 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 Chapter 28 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.

**Appendix B (Continued)**

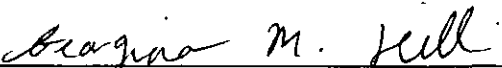
That Palm Energy LLC, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506 and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the 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.

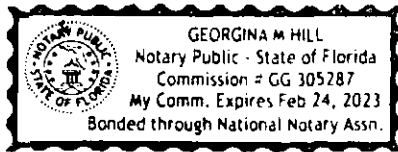
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 20<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires Feb. 24<sup>th</sup>, 2023.





**National Fuel**

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

February 23, 2021

Steve Moffitt, President  
Palm Energy LLC  
8901 Quality Road  
Bonita Springs, FL 34135

Dear Steve,

National Fuel Gas Distribution Corporation ("NFGDC") is aware Palm Energy LLC (PEL) 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, PEL must furnish acceptable security to each utility where PEL will do business. As such, under its tariff, NFGDC could require PEL 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 PEL intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that, in performing these services, PEL will never take title to any delivered natural gas.

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



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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2/24/2021

Mr. Steven Moffitt, President  
8901 Quality Road  
Bonita Springs, FL 34135

Email: [regulatory@palmenergyllc.com](mailto:regulatory@palmenergyllc.com)

RE: Security Requirement Bond for Palm Energy LLC

Dear Mr. Moffitt

Philadelphia Gas Works ("PGW") is aware that Palm 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, Palm Energy LLC must furnish acceptable security to each utility where Palm Energy LLC will do business. As such, under its tariff, Philadelphia Gas Works could require Palm 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 Palm Energy LLC intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that in performing these services Palm Energy LLC will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, Palm 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 Palm Energy LLC should change, Philadelphia Gas Works reserves the right to require security from Palm 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 'J. C. Zuk', is written above the printed name.

JOHN C. ZUK

Sr. Vice President, Gas Management

/dls





An Exelon Company

March 9, 2021

Steven Moffitt  
Palm Energy LLC  
8901 Quality Rd  
Bonita Springs, FL 34135

Re: Broker Requirements

Dear Palm Energy LLC:

PECO is aware that Palm 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, Palm 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. Palm 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 Palm 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 Palm Energy LLC the creditworthiness requirement for PECO's exposure to Palm Energy LLC changes in the future, PECO reserves the right to require Palm 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,

A handwritten signature in black ink that reads "Carlos P. Thillet".

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



375 North Shore Drive  
Pittsburgh, Pennsylvania 15212

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

**Carol Scanlon**  
Manager, Rates

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

March 5, 2021

Steven Moffitt  
President  
Palm Energy LLC  
8901 Quality Rd  
Bonita Springs FL 34135

Dear Mr. Moffitt:

We are pleased that Palm 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, and Peoples Gas Company LLC (formerly Peoples TWP) ("the Companies").

Since Palm Energy LLC is not currently serving customers on the Peoples systems, we have determined at this time that Palm 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 Palm 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  
Peoples Natural Gas Company LLC

Cc: Stephen Kelly  
Mina Speicher



# VALLEY ENERGY

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

February 24, 2021

**VIA EMAIL**

Palm Energy LLC  
[regulatory@palmenergyllc.com](mailto:regulatory@palmenergyllc.com)

To Whom It May Concern:

We understand that Palm 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 Palm Energy LLC intends to only provide natural gas aggregating, brokering, and consulting services at this time, we have determined that Palm 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 Palm 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

February 17, 2021

Steven Moffitt  
Palm Energy LLC  
8901 Quality Rd  
Bonita Springs, FL 34135

Dear Steven Moffitt:

We are pleased that Palm 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, Palm 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. Palm Energy LLC has indicated only brokering and consulting services will be provided. Therefore, we have determined at this time that Palm 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 Palm Energy LLC changes in the future, Columbia Gas might deem it appropriate to require Palm 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,

*Kylia Davis*

Kylia Davis  
Manager of Choice and Transportation Support Services

ORIGIN ID: AOSA (214) 724-7647  
FAZIL SHAIKH

8307 PRESIDIO DR

FRISCO, TX 75033  
UNITED STATES US

SHIP DATE: 14MAY21  
ACTWGT: 0.50 LB  
CAD: 6995951/SSFO2201

BILL CREDIT CARD

Part # 1562974403/AR020215SP 04/22

TO ROSEMARY CHIAVETTA SECRETARY  
PENNSYLVANIA PUBLIC UTILITY COMM.  
400 N ST

RECEIVED

HARRISBURG PA 17120

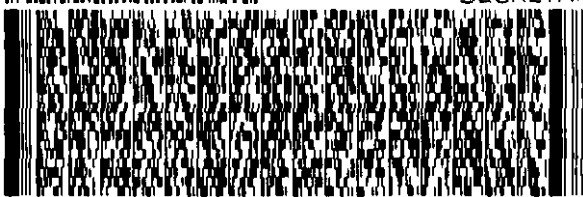
MAY 20 2021

(000) 000-0000  
THU:  
PO:

REF:

REF: PUBLIC UTILITY COMMISS

SECRETARY'S BUREAU



FedEx  
Express



AR020215SP 04/22

MON - 17 MAY 4:30P  
STANDARD OVERNIGHT

TRK# 7871 7234 2637  
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SH MDTA

17120  
PA-US MDT

