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May 13, 2021

VIA ELECTRONIC MAIL

Administrative Law Judge Elizabeth Barnes  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**RE: Application of All Choice Energy MidAmerica LLC for approval to supply electricity or electric generation services as a supplier of electricity to the public**  
**Dkt. No. A-2021-3024563**

**Application of All Choice Energy MidAmerica LLC for approval to supply natural gas services as a supplier or aggregator engaged in the business of supplying natural gas services**  
**Dkt. No. A-2021-3024607**

Dear Judge Barnes:

I am counsel for All Choice Energy MidAmerica LLC in the above-captioned matters, which are scheduled for a hearing on May 20, 2021. Enclosed please find the following Exhibits that All Choice Energy MidAmerica LLC intends to submit into evidence at the hearing:

- Exhibit 1 – Choice Energy, LLC d/b/a 4 Choice Energy, LLC Fictitious Name Registration
- Exhibit 2 – All Choice Energy MidAmerica LLC Department of State Registration
- Exhibit 3 – 15 PA.C.S. 132
- Exhibit 4 – 54 PA.C.S. 303
- Exhibit 5 – Choice Energy, LLC d/b/a 4 Choice Energy, LLC EGS License
- Exhibit 6 – Your Choice Energy, LLC EGS License
- Exhibit 7 – Choice Energy Services, Retail EGS License
- Exhibit 8 – Choose Energy, Inc. EGS License
- Exhibit 9 – CleanChoice Energy, Inc. EGS License

STEVENS & LEE  
LAWYERS & CONSULTANTS

ALJ Elizabeth Barnes  
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Should you have any questions or concerns, please do not hesitate to contact me.

Best Regards,

STEVENS & LEE

A handwritten signature in blue ink that reads "Michael A. Gruin". The signature is written in a cursive style with a large initial "M".

Michael A. Gruin

Enclosures

cc: John Coyle, Esq. (via email)  
Brian Deeney, Esq. (via email)  
Julie Steamer, Esq. (via email)

**PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU**

**Application for Registration of Fictitious Name**  
54 Pa.C.S. § 311

Name			
Choice Energy, LLC			
Address			
4257 US Highway 9, Suite 6C			
City	State	Zip Code	
Freehold, NJ		07728	

Document will be returned to the name and address you enter to the left.

Fee: \$70

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is:  
4 Choice Energy, LLC

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is:  
Electric Generation Supplier

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):

715 E. 2nd Street, Des Moines, IA 50309	Polk
Number and street	City State Zip County

4. The name and address, including number and street, if any, of each individual interested in the business is:

Name	Number and Street	City	State

5. Each entity, other than an individual, interested in such business is (are):

Choice Energy, LLC	Limited Liability Company	Iowa
Name	Form of Organization	Organizing Jurisdiction
715 E. 2nd Street, Des Moines, IA 50309		
Principal Office Address		
PA Registered Office, if any		
Name	Form of Organization	Organizing Jurisdiction
Principal Office Address		
PA Registered Office, if any		

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. Optional): The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

25th day of May, 2012.

Individual Signature	Individual Signature
Individual Signature	Individual Signature
Choice Energy, LLC	
Entity Name	Entity Name
	Signature
Co-Managing Member	Signature
Title	Title

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS  
401 NORTH STREET, ROOM 206  
P.O. BOX 8722  
HARRISBURG, PA 17105-8722  
WWW.CORPORATIONS.PA.GOV

PENNCORP SERVICEGROUP INC  
Counter Pickup  
PA


All Choice Energy MidAmerica LLC

THE BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS IS HAPPY TO SEND YOUR FILED DOCUMENT. THE BUREAU IS HERE TO SERVE YOU AND WE WOULD LIKE TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE BUREAU, PLEASE VISIT OUR WEBSITE AT [www.dos.pa.gov/BusinessCharities](http://www.dos.pa.gov/BusinessCharities) OR YOU MAY CONTACT US BY TELEPHONE AT (717)787-1057. INFORMATION REGARDING BUSINESS AND UCC FILINGS CAN BE FOUND ON OUR SEARCHABLE DATABASE AT [www.corporations.pa.gov/Search/CorpSearch](http://www.corporations.pa.gov/Search/CorpSearch) .

ENTITY NUMBER : 6795797

PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

<input type="checkbox"/> Return document by mail to: <u>93525</u>  Mia Murray PennCorp Servicegroup, Inc. 600 N. 2nd St., Ste. 401 PO Box 1210 Harrisburg, PA 17108-1210 <input checked="" type="checkbox"/> Return document by email to: <u>penncorp@penncorp.net</u>	Certificate of Amendment - Domestic Limited Partnership/Limited Liability Company DSCB:15-8622/8822 (rev. 2/2017)  TCO190802JD0507
---	---

Read all instructions prior to completing. This form may be

Fee: \$70

Check one:  Limited Partnership (§ 8622)  Limited Liability Company (§ 8822)

In compliance with the requirements of the applicable provisions (relating to Amendment or Restatement of Certificate), the undersigned, desiring to amend or restate its Certificate of Limited Partnership/Certificate of Organization, hereby certifies that:

1. The name of the limited partnership/limited liability company is: All Choice Energy (PJM) LLC

2. The date of filing of the original Certificate of Limited Partnership/Certificate of Organization is:

11/8/2018  
Date (MM/DD/YYYY)

3. The current registered office address as on file with the Department of State, Complete part (a) OR (b) - not both:

(a) \_\_\_\_\_  
Number and Street City State Zip County

(b) c/o: Business Filings Incorporated Dauphin  
Name of Commercial Registered Office Provider County

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

The amendment adopted by the limited partnership/limited liability company, set forth in full, is as follows:

1. The name of the limited liability company (designator is required, i.e., "company", "limited or "limited liability company" or abbreviation): All Choice Energy MidAmerica LLC

The amendment adopted by the limited partnership/limited liability company is set forth in full in Exhibit A attached hereto and made a part hereof.

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

The amendment shall be effective upon filing this Certificate of Amendment in the Department of State.

The amendment shall be effective on: \_\_\_\_\_ at \_\_\_\_\_  
Date (MM/DD/YYYY) Hour (if any)

2018 AUG -2 AM 9 54

PA. DEPT. OF STATE

6. ~~Check if the amendment restates the Certificate of Limited Partnership/Certificate of Organization.~~

~~The restated Certificate of Limited Partnership/Certificate of Organization supersedes the original Certificate of Limited Partnership/Certificate of Organization and all previous amendments thereto.~~

~~IN TESTIMONY WHEREOF, the undersigned limited partnership/limited liability company has caused this Certificate of Amendment to be executed by a duly authorized person thereof, this 31 day of July, 2019~~

All Choice Energy (PJM) LLC

~~Name of Limited Partnership/Limited Liability Company~~

/s/ Christopher Polke

~~Signature~~

Manager

~~Title~~

**TITLE 15**  
**CORPORATIONS AND UNINCORPORATED ASSOCIATIONS**

**Part**

- I. Preliminary Provisions
- II. Corporations
- III. Partnerships and Limited Liability Companies
- IV. Unincorporated Associations
- V. Business Trusts

**Enactment.** Unless otherwise noted, the provisions of Title 15 were added November 15, 1972, P.L.1063, No.271, effective in 90 days.

**Special Provisions in Appendix.** See sections 104, 107, 206, 303 and 304 of Act 177 of 1988 in the appendix to this title for special provisions relating to legislative findings as to acceptance of Constitution of Pennsylvania, prior law transitional provision, conforming cross references in unconsolidated statutes, preparation of act for printing and effective date and applicability.

See sections 309, 402 and 404 of Act 198 of 1990 in the appendix to this title for special provisions relating to conforming cross references in unconsolidated statutes, preparation of act for printing and effective dates and applicability.

See sections 56 and 57 of Act 67 of 2013 in the appendix to this title for special provisions relating to restoration of provisions and retroactivity.

See section 1.1 of Act 172 of 2014 in the appendix to this title for special provisions relating to legislative findings and declarations.

**Short Titles of Implementing Statutes.** Section 101 of Act 177 of 1988 provided that the act shall be known and may be cited as the General Association Act of 1988.

Section 101 of Act 198 of 1990 provided that the act shall be known and may be cited as the GAA Amendments Act of 1990.

Section 1 of Act 169 of 1992 provided that the act shall be known and may be cited as the GAA Amendments Act of 1992.

Section 1 of Act 106 of 1994 provided that the act shall be known and may be cited as the Limited Liability Company Act.

Section 1 of Act 34 of 2001 provided that the act shall be known and may be cited as the GAA Amendments Act of 2001.

Section 1 of Act 67 of 2013 provided that the act shall be known and may be cited as the GAA Amendments Act of 2013.

Section 1 of Act 172 of 2014 provided that the act shall be known and may be cited as the Association Transactions Act.

**PART I**  
**PRELIMINARY PROVISIONS**

**Chapter**



**2014 Amendment.** Act 172 added section 113.

**Cross References.** Section 113 is referred to in sections 8413, 8613, 8813 of this title.

**§ 114. Defense of usury.**

A domestic association other than a business corporation shall be subject to section 1510 (relating to certain specifically authorized debt terms) with respect to obligations, as defined in that section, governed by the laws of this Commonwealth or affecting real property situated in this Commonwealth, to the same extent as if the domestic association were a domestic business corporation.

(Nov. 21, 2016, P.L.1328, No.170, eff. 90 days)

**2016 Amendment.** Act 170 added section 114.

**SUBCHAPTER B**

**FUNCTIONS AND POWERS OF DEPARTMENT OF STATE**

**Sec.**

131. Application of subchapter.
132. Functions of Department of State.
133. Powers of Department of State.
134. Docketing statement.
135. Requirements to be met by filed documents.
136. Processing of documents by Department of State.
137. Court to pass upon rejection of documents by Department of State.
138. Statement of correction.
139. Tax clearance of certain fundamental transactions.
140. Custody and management of orphan corporate and business records.
141. Abandonment of filing before effectiveness.
142. Effect of signing filings.
143. Liability for inaccurate information in filing.
144. Signing and filing pursuant to judicial order.
145. Subsistence certificate.

**Cross References.** Subchapter B is referred to in section 7123 of this title; section 102 of Title 54 (Names).

**§ 131. Application of subchapter.**

As used in this subchapter, the term "this title" includes Titles 17 (relating to credit unions) and 54 (relating to names) and any other provision of law that:

(1) makes reference to the powers and procedures of this subchapter; or

(2) to the extent not inconsistent with this subchapter:

(i) requires a filing in the bureau; and

(ii) does not specify some or all of the necessary procedures for the filing provided in this subchapter.

(Dec. 19, 1990, P.L.834, No.198, eff. imd.; July 9, 2013, P.L.476, No.67, eff. 60 days)

**§ 132. Functions of Department of State.**

(a) **General rule.**--The function of the Department of State under this title is to act in a manner comparable to the offices

of recorder of deeds under former provisions of law as an office of public record wherein articles and other papers relating to association affairs may be filed to establish the permanent and definitive text thereof and to afford all persons the opportunity of acquiring knowledge of the contents thereof.

**(b) Names and marks.**--The department shall supervise and administer the provisions of this title and of Title 54 (relating to names) concerning names and marks.

**(c) Collection of taxes and charges imposed by statute.**--This subchapter shall not limit the power and duty of the department to assess and collect taxes and charges imposed or authorized by statute.

**(d) Notice of decennial filings.**--Whenever a decennial filing is required by Title 54 to be made in the department, the department shall, not earlier than the November 1 prior to the commencement of the decennial year wherever practicable, give notice by mail to the registrant or other party of the decennial filing requirement, which notice shall be accompanied by appropriate application blanks or forms. Failure by the department to give notice to any party, or failure by any party to receive notice, of a decennial filing requirement shall not relieve any party of the obligation to make the decennial filing.

**Cross References.** Section 132 is referred to in section 133 of this title.

**§ 133. Powers of Department of State.**

**(a) General rule.**--The department has the power and authority reasonably necessary to enable it to administer this subchapter efficiently and to perform the functions specified in section 132 (relating to functions of Department of State), in 13 Pa.C.S. (relating to commercial code) and in 17 Pa.C.S. (relating to credit unions). The following shall not be agency regulations for the purposes of section 612 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, or any similar provision of law, but shall be subject to the opportunity of public comment requirement under section 201 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law:

(1) Sample filing forms promulgated by the department.

(2) Instructions accompanying sample filing forms and other explanatory material published in the Pennsylvania Code that is intended to substantially track applicable statutory provisions relating to the particular filing or to any of the functions of the department covered by this subsection, if a regulation of the department expressly states that those instructions or explanatory materials shall not have the force of law.

(3) Regulations, which the department is hereby authorized to promulgate, that:

(i) Authorize payment of fees and other remittances through or by a credit or debit card issuer or other financial intermediary.

(ii) Authorize contracts with credit or debit card

8833, 8872, 8871, 9305, 9503 of this title; sections 304, 903, 904, 1101, 1102, 1105, 1302, 1305 of Title 17 (Credit Unions); sections 311, 312, 313, 502, 503, 506, 1112, 1114, 1115, 1116, 1311, 1312, 1313, 1314, 1511, 1512, 1513, 1514, 1515 of Title 54 (Names).

**§ 135. Requirements to be met by filed documents.**

**(a) General rule.**--A document shall be accepted for filing by the department if it satisfies the following requirements:

(1) The document purports on its face to relate to matters authorized or required to be filed under this title or contains a caption indicating that relationship and, if no applicable statement has been prescribed under section 134 (relating to docketing statement), contains sufficient information to permit the department to prepare a docket record entry:

(i) Identifying the name of the association or other person to which the document relates.

(ii) Identifying the association or associations, if any, the existence of which is to be created, extended, limited or terminated by reason of the filing and the duration of existence of any such association.

(iii) Specifying the date upon which the creation or termination of existence, if any, of the association or associations effected by the filing will take effect.

(2) The document complies with any regulations promulgated by the department and is accompanied by any applicable statement prescribed under section 134.

(3) In the case of a document that creates a new association or effects or reflects a change in name:

(i) the document is accompanied by evidence that the proposed name has been reserved by or on behalf of the applicant; or

(ii) the proposed name is available for use under the applicable standard established by this title and any other applicable provision of law.

(4) In the case of any other document that sets forth a name or mark, the proposed name or mark is available for use under the applicable standard established by law.

(5) All fees, taxes and certificates or statements relating thereto required by section 139 (relating to tax clearance of certain fundamental transactions) or otherwise have been tendered therewith.

(6) All certificates and other instruments required by statute evidencing the consent or approval of any department, board, commission or other agency of this Commonwealth as a prerequisite to the filing of the document in the Department of State have been incorporated into, attached to or otherwise tendered with the document.

(7) It is in record form and executed. The department shall not examine a document to determine whether the document has been signed by an authorized person or by sufficient authorized persons or otherwise is duly signed.

**(b) Attorney-in-fact.**--Any person, other than an incorporator or officer of a corporation, as such, may sign a document by an attorney-in-fact or fiduciary. It shall not be necessary to present to or file in the department the original or a copy of any document evidencing the authority of an attorney-in-fact or

(1) Use of punctuation marks and of symbols or characters specified by regulation of the department under section 133(a)

(3)(vi) (relating to powers of Department of State).

(2) Use of a definite or indefinite article.

(3) Use of any of the following terms to designate the status of an association: corporation, company, incorporated, limited, association, fund, syndicate, limited partnership, limited liability company, trust or business trust. This paragraph includes abbreviations, in any language, of the terms listed in this paragraph.

(Dec. 19, 1990, P.L.834, No.198; June 22, 2000, P.L.356, No.43, eff. 60 days; July 9, 2013, P.L.476, No.67, eff. 60 days; Oct. 22, 2014, P.L.2640, No.172, eff. July 1, 2015)

**2014 Amendment.** Act 172 amended subsec. (e) (1).

**2013 Amendment.** Act 67 amended subsecs. (a) intro. par., (2) and (7) and (d).

**2000 Amendment.** Act 43 added subsec. (e).

**1990 Amendment.** Act 198 amended subsec. (c) and added subsecs. (a) (7) and (d), effective in four months as to subsec. (c) (2) and immediately as to the other amendments.

**Cross References.** Section 135 is referred to in sections 133, 136, 137, 138, 208, 209, 335, 345, 355, 366, 375, 412, 413, 415, 417, 418, 1109, 1311, 1341, 1977, 1989, 5109, 5308, 5311, 5341, 5977, 5989, 8201, 8433, 8434, 8474, 8482, 8621, 8622, 8625, 8636, 8665, 8681.1, 8682, 8702, 8821, 8822, 8825, 8832, 8833, 8872, 8878, 9120, 9503 of this title; sections 103, 503 of Title 54 (Names).

### **§ 136. Processing of documents by Department of State.**

**(a) Filing of documents.--**If a document conforms to section 135 (relating to requirements to be met by filed documents) the Department of State shall forthwith file the document, certify that the document has been filed by endorsing upon the document the fact and date of filing, make and retain a copy thereof and return the document or a copy thereof so endorsed to or upon the order of the person who delivered the document to the department.

#### **(b) Duplicate copy.--**

(1) If a duplicate copy, which may be either a signed or conformed copy, of any articles or other document authorized or required by this title to be filed in the department is delivered to the department with the original signed document, the department shall stamp the duplicate copy with the date received by the department and return the duplicate copy to the person who delivered it to the department.

(2) (Reserved).

(3) In lieu of date stamping the duplicate copy of the original signed document as provided in paragraph (1), the department may make a copy of the original signed document at the cost of the person who delivered it to the department.

**(c) Effective date and time.--**Except as otherwise provided in this title and subject to sections 138 (relating to statement of correction) and 141 (relating to abandonment of filing before effectiveness), a document filed by the department under a provision of this title is effective:

(1) on the date and at the time of its delivery to the

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# Title 54

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## CHAPTER 3 FICTITIOUS NAMES

### Sec.

- 301. Short title of chapter.
- 302. Definitions.
- 303. Scope of chapter.
- 304. Effect of registration under prior statutes.
- 311. Registration.
- 312. Amendment.
- 313. Cancellation or withdrawal.
- 321. Decennial filings required (Deleted by amendment).
- 331. Contracts entered into by entity using unregistered fictitious name.
- 332. Effect of registration.

**Enactment.** Chapter 3 was added December 16, 1982, P.L.1309, No.295, effective in 90 days.

**Prior Provisions.** Former Chapter 3, which related to the same subject matter, was added November 15, 1972, P.L.1063, No.271, and repealed December 16, 1982, P.L.1309, No.295, effective in 90 days.

**Cross References.** Chapter 3 is referred to in sections 202, 414 of Title 15 (Corporations and Unincorporated Associations).

### § 301. Short title of chapter.

This chapter shall be known and may be cited as the "Fictitious Names Act."

### § 302. Definitions.

(a) **Definitions.**--The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"**Business.**" Any commercial or professional activity.

"**Entity.**" Any individual or any corporation, association, partnership, joint-stock company, business trust, syndicate, joint adventuresship or other combination or group of persons, regardless of whether it is organized or formed under the laws of this Commonwealth or any other jurisdiction.

"**Fictitious name.**" Any assumed or fictitious name, style or designation other than the proper name of the entity using such name. The term includes a name assumed by a general partnership, syndicate, joint adventuresship or similar combination or group of persons.

"**Proper name.**" When used with respect to an association of a type listed in the following paragraphs, the term means the name set forth in:

- (1) the public organic record, for a domestic filing association;
- (2) the statement of registration, for a limited liability partnership;
- (3) (Deleted by amendment).
- (4) the statement of election, for an electing partnership;

- (5) (Deleted by amendment).
- (6) (Deleted by amendment).
- (7) (Deleted by amendment).
- (8) (Deleted by amendment).
- (9) the statement of registration of a foreign registered association under 15 Pa.C.S. § 412(a)(1)(i) (relating to foreign registration statement) or, if that name does not comply with 15 Pa.C.S. § 202 (relating to requirements for names generally), the name set forth in the statement under 15 Pa.C.S. § 412 (a)(1)(ii).

**(b) Other defined terms.**--The definitions in 15 Pa.C.S. § 102 (relating to definitions) apply to this title except to the extent they are inconsistent with the provisions of this title. (June 22, 2000, P.L.356, No.43, eff. 60 days; June 22, 2001, P.L.418, No.34, eff. 60 days; Oct. 22, 2014, P.L.2640, No.172, eff. July 1, 2015)

**§ 303. Scope of chapter.**

**(a) Voluntary registration.**--Any one or more entities may elect to register a fictitious name under this chapter for the purpose of establishing a public record of their relationship to any business or other activity carried on under or through such fictitious name.

**(b) Mandatory registration.**--

(1) Except as provided in paragraph (2), any entity which either alone or in combination with any other entity conducts any business in this Commonwealth under or through any fictitious name shall register the fictitious name under this chapter and shall amend such registration whenever necessary to maintain the accuracy of the information disclosed thereby.

(2) Paragraph (1) shall not apply to any:

- (i) Nonprofit or professional activities.
- (ii) Activities which are expressly or impliedly prohibited by law from being carried on under a fictitious name.
- (iii) (Deleted by amendment).
- (iv) Unincorporated association.
- (v) (Deleted by amendment).
- (vi) (Deleted by amendment).
- (vii) (Deleted by amendment).
- (viii) (Deleted by amendment).

**(c) Other restrictions unaffected.**--The registration of a fictitious name under this chapter shall not be a defense to any action or proceeding brought to enforce any law which expressly or impliedly prohibits any activity from being carried on under a fictitious name.

**(d) Effect of registration.**--The registration of a name under this chapter does not render the name unavailable for use by another entity.

(Dec. 21, 1988, P.L.1444, No.177, eff. Oct. 1, 1989; Dec. 7, 1994, P.L.703, No.106, eff. 60 days; June 22, 2000, P.L.356, No.43, eff. 60 days; Oct. 22, 2014, P.L.2640, No.172, eff. July 1, 2015)

**2014 Amendment.** Act 172 added subsec. (d).

**2000 Amendment.** Act 43 deleted subsec. (b)(2)(iii), (v), (vi), (vii) and (viii).

**1988 Amendment.** Act 177 amended subsec. (b)(2).

**§ 304. Effect of registration under prior statutes.**

Fictitious names registered under the former provisions of the following statutes shall be deemed to be registered under this chapter:

Act of June 28, 1917 (P.L.645, No.227), relating to individual fictitious names.

Act of May 24, 1945 (P.L.967, No.380), referred to as the Fictitious Name Act.

Act of July 11, 1957 (P.L.783, No.374), known as the "Fictitious Corporate Name Act"

to execute the application, but only the trustees of the trust or the governing body of the similar entity shall be named in and shall execute the application.

(3) Otherwise, the application for registration shall be executed by each individual party thereto and, in the case of any other entity, by the entity. See section 103 (relating to execution of documents).

(4) The application of any party may be executed by the attorney-in-fact of the party.

**(e) Duplicate use of names.**--The fictitious name shall be distinguishable upon the records of the department from:

(1) The name of any domestic filing entity, domestic limited liability limited partnership, domestic electing partnership, registered foreign association or the name of any corporation or other association registered at any time under Chapter 5 (relating to corporate and other association names) unless such name is available or is made available for use under the provisions or procedures of 15 Pa.C.S. § 202(b)(1) (relating to requirements for names generally).

(2) (Deleted by amendment).

(3) The name of any administrative department, board or commission or other agency of this Commonwealth.

(4) A name the exclusive right to which is at the time reserved or registered by any other person under 15 Pa.C.S. § 208 (relating to reservation of name) or 209 (relating to registration of name of nonregistered foreign association) or another statute.

**(f) Required approvals.**--The fictitious name shall not contain:

(1) The words "college," "university" or "seminary" when used in such a way as to imply that the entity is an educational institution conforming to the standards and qualifications prescribed by the State Board of Education unless there is submitted a certificate from the Department of Education certifying that the entity is entitled to use such designation.

(2) The words "engineer" or "engineering" or "surveyor" or "surveying" or any other word implying that any form of the practice of engineering or surveying, as defined in the act of May 23, 1945 (P.L.913, No.367), known as the Professional Engineers Registration Law, is provided unless at least one of the parties to the registration has been properly registered with the State Registration Board for Professional Engineers and there is submitted to the department a certificate from the board to that effect.

(3) The words "bank," "banking," "banker" or "trust" or any other word implying that the entity is a bank, bank and trust company, savings bank, private bank or trust company, as defined in the act of November 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965, unless approved by the Department of Banking.

(4) The word "cooperative" or any abbreviation thereof unless it is subject to 15 Pa.C.S. Pt. II Subpt. D (relating to cooperative corporations).

(5) The words "architect" or "architecture" or any other word implying that any form of the practice of architecture, as defined in the act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law, is provided unless at least one of the parties to the registration has been properly registered with the Architects Licensure Board in the practice of architecture and there is submitted to the department a certificate from the board to that effect.

(6) The words "credit union" or any other words implying that the entity is a credit union as defined in 17 Pa.C.S. § 102 (relating to application of title), unless approved by the Department of Banking.

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF: A-2012-2337893

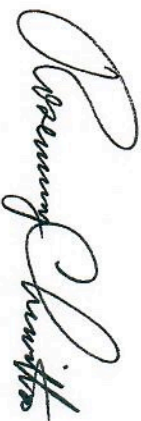
The Application of Choice Energy, LLC d/b/a 4 Choice Energy, LLC to begin to offer, render, furnish or supply electric generation supplier services to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), and governmental customers in all of the electric distribution company service territories throughout the Commonwealth of Pennsylvania.

**EFFECTIVE DATE: July 16, 2013**

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 16<sup>th</sup> day of July 2013.



Secretary



**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held July 16, 2013

Commissioners Present:

Robert F. Powelson, Chairman  
John F. Coleman, Jr., Vice Chairman  
Wayne E. Gardner  
James H. Cawley  
Pamela A. Witmer

License Application of Choice Energy, LLC d/b/a  
4 Choice Energy, LLC for Approval to Offer,  
Render, Furnish or Supply Electricity or Electric  
Generation Services as a Supplier of Retail Electric  
Power

Docket Number:  
A-2012-2337893

**ORDER**

**BY THE COMMISSION:**

On December 5, 2012, Choice Energy, LLC d/b/a 4 Choice Energy, LLC (Choice Energy) filed an application seeking to become a licensed electric generation supplier (EGS) in all of the Electric Distribution Companies' (EDC) service territories within the Commonwealth of Pennsylvania. The application was filed pursuant to the Commission's regulations at 52 Pa. Code §§54.31-54.43, which became effective on August 8, 1998, and which were established under Section 2809 of the Public Utility Code, 66 Pa. C.S. §2809.

§2809 provides in pertinent part that:

License Requirement.--No person or corporation, including municipal corporations which choose to provide service outside their municipal limits except to the extent

provided prior to the effective date of this chapter, brokers and marketers, aggregators and other entities, shall engage in the business of an electric generation supplier in this Commonwealth unless the person or corporation holds a license issued by the Commission. 66 Pa. C.S. §2809.

An electric generation supplier is defined as:

A person or corporation, including municipal corporations which choose to provide service outside their municipal limits except to the extent provided prior to the effective date of this chapter, brokers and marketers, aggregators or any other entities, that sells to end-use customers electricity or related services utilizing the jurisdictional transmission or distribution facilities of an electric distribution company, or that purchases, brokers, arranges or markets electricity or related services for sale to end-use customers utilizing the jurisdictional transmission and distribution facilities of an electric distribution company. 66 Pa. C.S. §2803.

Choice Energy is a foreign limited liability company, and received its Certificate of Organization from the State of Iowa on January 12, 2010. As of June 4, 2012, Choice Energy LLC is registered to do business in Pennsylvania as 4 Choice Energy, LLC. Choice Energy proposes to act as a supplier of retail electric power to residential, small commercial (25 kW and under demand), large commercial (over 25 kW demand) and governmental customers in the all of the EDC service territories throughout the Commonwealth of Pennsylvania.

Since Choice Energy proposes to provide electric generation supplier services to residential customers it is required to comply with, and be governed by, applicable Chapter 56 residential service regulations as set forth in the Commission Order *Guidelines for Maintaining Customer Service at the Same Level of Quality Pursuant to 66 Pa. C.S. §2807(d), and Assuring Conformance with 52 Pa. Code Chapter 56 Pursuant to 66 Pa. C.S. §2809(e) and (f)*, at Docket No. M-00960890 F0011, Order entered July 11, 1997. Thus, we deem it appropriate to reiterate certain items with respect to Chapter 56 of our regulations. Chapter 56 (52 Pa Code Chapter 56) is applicable to residential accounts.

An electric generation supplier cannot physically disconnect a residential customer from the electricity grid; therefore, the rules relating to residential service termination are not applicable to electric generation suppliers. An electric generation supplier may seek to terminate its generation service through an appropriate written notice to the customer and the distribution company. The residential customer can then attempt to repair their relationship with the supplier, seek a new supplier, or return to utility service at default service rates in accordance with the utility's obligations under Section 2807(e), 66 Pa. C.S. §2807(e). The customer would only be disconnected from the electricity grid pursuant to appropriate regulations if the customer failed to meet its obligations to the utility or the electric generation supplier that has been designated by the Commission as the provider of last resort.

Additionally, we specifically note that the licensee must comply with, and ensure that its employees, agents, representatives and independent contractors comply with the standards of conduct and disclosure for licensees set out in Commission regulations at 52 Pa. Code §54.43 that were enacted to protect consumers of this Commonwealth. These standards include, *inter alia*, the provision of timely and accurate information about the services offered by the licensee, the practice of nondiscrimination in service in regard to race, color, religion, national origin, marital status, etc., the safeguarding of a consumer's personal information, and compliance with applicable state and federal consumer protection laws. Also, we take this opportunity to remind the licensee of its agreement to abide by, and to ensure that its employees, representatives, agents and independent contractors abide by all applicable federal and state laws, and Commission regulations, procedures and orders, 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.

We also note that the licensee must comply with our decision in Docket No. M-2010-2157431, Motion adopted at the February 11, 2010, Public Meeting, regarding EGS membership in the PJM Interconnection (PJM). Specifically, our Motion directed that such EGS applicants must file with the Commission, within 120 days of receiving an EGS license, proof of membership in the PJM as a Load Serving Entity (LSE) or proof of a contractual arrangement with an existing PJM LSE that facilitates the applicant's retail operations. Since Choice Energy is taking title to electricity, it is required to comply with this requirement.

Choice Energy has provided proofs of publication in Pennsylvania newspapers and proofs of service to the interested parties as required by the Commission.

Regarding the financial and technical requirements of the license application, Choice Energy submitted a two year audited history of statements of income and balance sheets from 2010 and ending December 31, 2011. Choice Energy has also supplied extensive resume data for its chief officers. Sufficient information has been provided by Choice Energy to demonstrate its financial and technical fitness in order to be licensed as a supplier of retail electric power in the service territories throughout the Commonwealth of Pennsylvania.

Choice Energy has provided a \$250,000 surety bond as required by the license application.

As of July 5, 2013, no protests have been filed.

We find that the applicant:

1. Is fit, willing and able to properly perform the service proposed in conformance with applicable provisions of the Public Utility Code

and lawful Commission orders and regulations, specifically including 52 Pa. Code Chapter 56 (relating to Standards and Billing Practices for Residential Utility Service).

2. Has agreed to lawfully abide by all Commission regulations, procedures and orders, 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.
3. That the proposed service, to the extent authorized by the license, will be consistent with the public interest and the policy declared in the Electricity Generation Customer Choice and Competition Act.

Upon full consideration of all matters of record, we find that approval of this application is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:**

1. That the application of Choice Energy, LLC d/b/a 4 Choice Energy, LLC is hereby approved, consistent with this Order.

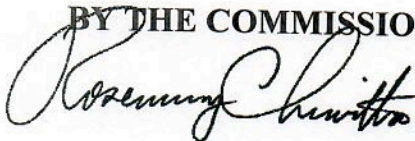
2. That a license be issued authorizing Choice Energy, LLC d/b/a 4 Choice Energy, LLC to begin to offer, render, furnish or supply electric generation supplier services to residential, small commercial (25 kw and under demand), large commercial (over 25 kw demand), and governmental customers in all of the electric distribution company service territories throughout the Commonwealth of Pennsylvania.

3. That Choice Energy, LLC d/b/a 4 Choice Energy, LLC must submit within 120 days, proof that it is a PJM registered Load Serving Entity as a party to the reliability assurance agreement or that it has a contract with an entity who is such a party.

4. That a copy of this Order be served on the Department of Revenue, Bureau of Corporation Taxes.

5. That this proceeding at Docket No. A-2012-2337893 be closed.

BY THE COMMISSION,



Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: July 16, 2013

ORDER ENTERED: July 16, 2013

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

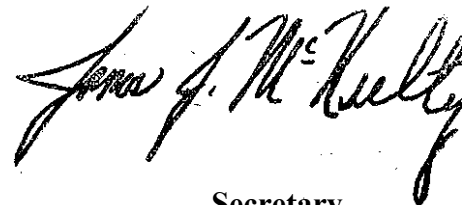
IN THE MATTER OF THE APPLICATION OF: A-2009-2129027

**The Application of Your Choice Energy, 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 19<sup>th</sup> day of November 2009.**

A handwritten signature in black ink, appearing to read "James J. McKelty". The signature is written in a cursive style with a large, prominent initial "J".

Secretary

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

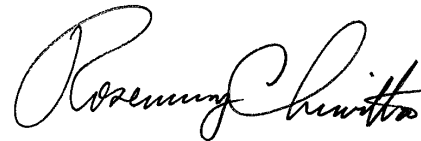
IN THE MATTER OF THE APPLICATION OF: A-2009-2142612

**The Application of Choice Energy Services, Retail for approval to begin to offer, render, furnish or supply electricity or electric generation services as a broker/marketer to residential customers, in additional to small commercial and large commercial in the electric distribution services territories throughout 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 15<sup>th</sup> day of July 2010.**



Secretary



**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF: A-2012-2331930

The Application of Choose Energy, Inc. for approval to begin to offer, render, furnish or supply electric generation supplier services as a broker/marketer to residential and small commercial (demand under 25 kW) customers in the electric distribution company service territories throughout the Commonwealth of Pennsylvania.

EFFECTIVE DATE: January 24, 2013

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 24<sup>th</sup> day of January 2013.



Secretary

ALL CHOICE ENERGY MID AMERICA LLC EX. NO. 9

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF: A-2012-2308371

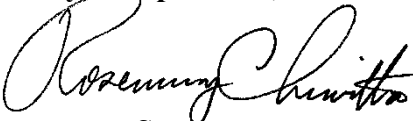
EFFECTIVE DATE: September 13, 2012

The Application of CleanChoice Energy, Inc. d/b/a CleanChoice Energy d/b/a Ethical Electric d/b/a Clean Energy Option the right to begin to offer, render, furnish, or supply electric generation services as a supplier to residential, small commercial (demand under 25 kW), and large commercial (over 25 kW) customers in all of the electric distribution company service territories throughout 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 6st day of September, 2016.

  
Secretary

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of All Choice Energy MidAmerica LLC  
for approval to supply electricity or electric  
generation services as a supplier of electricity to the  
public in the service territories of PECO Energy  
Company and PPL Electric Utilities Corporation

Dkt. No. A-2021-3024563

Application of All Choice Energy MidAmerica LLC  
for approval to supply natural gas services as a  
supplier or aggregator engaged in the business  
of supplying natural gas services in the service  
territories of PECO Energy Company, Philadelphia  
Gas Works and UGI Utilities

Dkt. No. A-2021-3024607

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13<sup>th</sup> day of May, 2021, copies of the foregoing Exhibits have been served upon the persons listed below in accordance with the requirements of 52 Pa. Code Sections 1.54 and 1.55.

Via Electronic Mail

John D. Coyle, Esq.  
Coyle Law Group LLP  
55 Madison Avenue, Suite 400  
Morristown, New Jersey 07960  
jcoyle@coylelawgroup.com

Brian C. Deeney, Esq.  
Lewis Brisbois Bisgaard & Smith LLP  
One Riverfront Plaza  
1037 Raymond Blvd., Suite 800  
Newark, New Jersey 07102  
Brian.Deeney@lewisbrisbois.com  
*Representing Choice Energy, LLC d/b/a 4 Choice Energy, LLC*



DATE: May 13, 2021

\_\_\_\_\_  
Michael A. Gruin