



Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

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

RE: Application of Power Up Energy Pennsylvania, LLC for a License to Supply Electricity

To Whom it May Concern,

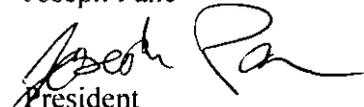
Power Up Energy Pennsylvania, LLC (“Power Up Energy”) respectfully requests the Pennsylvania Public Utility Commission to find the enclosed application for a license to supply electricity in the Commonwealth of Pennsylvania. Please keep under seal as “Confidential” and not make part of the public record attachments 7B-b, 7B-d, 7C, 8A-c, 8A-d, 8A-e, 8A-g, 8D and exhibit 9.

The electric utility business is highly competitive, and it is imperative that public disclosure of the confidential information contained in the documents identified above be avoided. Power Up Energy, is privately held and not a publicly traded company therefore, all its information is highly confidential. The public disclosure of Power Up Energy’s information as disclosed in response to the questions and provided exhibits noted above would create a hardship for Power Up Energy because it would give an unfair advantage to Power Up Energy’s competitors and would likely result in economic damages to Power Up Energy.

Thank you for your time and consideration.

Sincerely

Joseph Pane



President

Power Up Energy Pennsylvania, LLC

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Power Up Energy Pennsylvania, I.L.C., d/b/a Power Up Energy, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) [as specified in item #4b below] 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:

**Joseph Pane**  
**148 New Dorp Lane Staten Island NY, 10312**  
**www.powerupenergyus.com 1-866-223-9166**

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.

**7208 Red Top Road Hummelstown PA, 17036**

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.

**Joseph Pane**  
**148 New Dorp Lane Staten Island NY, 10312**  
**www.powerupenergyus.com 1-866-223-9166**  
**347-514-9910**

**DATE OF DEPOSIT**

**MAY 14 2021**

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.

**Christopher R. Travis. Travis Law PLLC www.travislawnyc.com**  
**(212)-248-2120**  
**80 Maiden Lane, Suite 304, New York, New York 10038**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS: (Required of ALL Applicants)** 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 Electric 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 EGSS.

**Joseph Pane**  
**148 New Dorp Lane**  
**Staten Island, NY 10312**  
**Telephone: 347-934-2969**  
**Email:complaints@powerupenergyus.com**

**Louis Padilla**  
**148 New Dorp Lane**  
**Staten Island, NY 10306**  
**Telephone: 347-934-2969**  
**Email: complaints@powerupenergyus.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, Form PA-953. **Please See Attached Exhibit 2-A**

**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: **Please See Attached Exhibit 2-B**

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

### 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.

**Power Up Energy Pennsylvania, LLC does not have any affiliates currently applying to do business in Pennsylvania or is a jurisdictional utility.**

- 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.

**Power Up Energy does not have any predecessors**

## 4. OPERATIONS

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

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

- The Applicant is presently doing business in Pennsylvania as a
- municipal electric corporation
  - electric cooperative
  - local gas distribution company
  - provider of electric generation, transmission or distribution services
  - broker/marketer engaged in the business of supplying electricity 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 *(may check multiple)*:

- Generator of electricity
- Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- Broker/Marketer engaged in the business of supplying electricity services
  - Check here to verify that your organization will not be taking title to the electricity nor will you be making payments for customers.
- Electric Cooperative and supplier of electric power
- Other (Describe):

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

**Power Up Energy Pennsylvania, LLC intends to serve retail electricity products throughout all electric service territories and all customer classes within the Commonwealth of Pennsylvania.**

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

- Citizens' Electric
- Duquesne Light
- Met-Ed
- PECO
- Penelec
- Penn Power

- Pike
- PPL
- UGI Utilities
- Wellsboro
- West Penn

Entire Commonwealth of PA

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

- Residential Customers
- Small Commercial Customers - (25 kW and Under)
- Residential and Small Commercial as Mixed Meter ONLY **(CANNOT BE TAKEN WITH RESIDENTIAL AND/OR SMALL COMMERCIAL ABOVE)**
- Large Commercial Customers - (Over 25 kW)
- 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.

**June 1<sup>st</sup> 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.

**Power Up Energy nor any affiliate or predecessor has been or currently the defendant of a criminal or civil proceeding within the last five years**

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

N/A

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints, in the Commonwealth of Pennsylvania or any state, 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.

**Power Up Energy has no escalated actions or complaints in the commonwealth of Pennsylvania or any other licensed service territory.**

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

N/A

## 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:

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2 West  
Harrisburg, PA 17120

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

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

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

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

- b. **EDCs:** 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 Electric 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 EDC is as follows.

**Pike County Light & Power Company:**  
Vice President – Energy Supply  
Corning Natural Gas Holding Corporation  
330 West William Street  
Corning, NY 14830

**West Penn:**  
Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

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

**Duquesne Light:**  
Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

**PPL:**  
Office of General Counsel  
Attn: Kimberly A. Klock  
PPL  
Two North Ninth Street (GENTW3)  
Allentown, PA 18101-1179

**Met-Ed, Penelec, and Penn Power:**

Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

**UGI:**

UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
1 UGI Drive  
Denver, PA 17517

**Citizens' Electric Company:**

Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

**Wellsboro Electric Company:**

Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P. O. Box 138  
Wellsboro, PA 16901

**7. FINANCIAL FITNESS**

- a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is... **Please See Exhibit 7A**

- Furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- Furnishing the **ORIGINAL** of another initial security for Commission approval, to ensure financial responsibility, such as a parental guarantee, in the amount of \$250,000.

**For Marketers and Brokers** - Filing for a modification to the \$250,000 requirement and furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

**CRITICAL BONDING NOTES:**

Applicant is required to maintain a bond or other financial instrument the entire time it maintains an EGS license with the Commonwealth of Pennsylvania. If Applicant's security instrument is not continuous, Applicant **MUST** submit a Rider, Amendment, or Continuation Certificate annually based on the expiration date of its security instrument.

At least sixty days (60) prior to the security instrument's expiration date, Applicant should contact Stephen Jakab at [sjakab@pa.gov](mailto:sjakab@pa.gov) to determine the appropriate bonding amount based on a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. Once the amount has been determined, Applicant should overnight the updated security instrument(s) at least thirty (30) days prior to the expiration date to ensure adequate time for staff review and approval of the security instrument(s).

Template versions of a continuous bond, fixed-term bond, continuous letter of credit, and parental guarantee are attached at Appendix E, F, G, & H, respectively. Applicant's security must follow language from these examples, and must include the unmodified language outlined in Appendix D. Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.

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:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies. **See Exhibit 7B-a**
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient) **Power Up Energy Pennsylvania, LLC is a privately held company and is not required to file a 10Q or 10K**
- Applicant's accounting statements, including balance sheet and income statements for the past two years. **Power Up Energy Pennsylvania, LLC is a start up entity therefore, there are no accounting records for the prior (2) years. Therefore, please find the P&L and balance for the previous (2) years. Please see Exhibit 7B-b** Confidential
- 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.

**Power Up Energy Pennsylvania PA, LLC does not currently have a D&B report or any other evidence of Moody's S&P or Fitch ratings**

- 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. **Please see Exhibit 7B-c**
- Audited financial statements exhibiting accounts over a minimum two year period. **NA**
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness. **Power Up Energy Pennsylvania, LLC is a start up entity therefore, there are no bank statements for the prior (2) years. Therefore, please find the Parent Co. Bank Statements for the previous (2) years. Please see Exhibit 7B-D** Confidential

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. **Please See Exhibit 7C** Confidential

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

**N/A**

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.

**Joseph Pane  
President Power Up Energy, LLC.  
148 New Dorp Lane, Staten Island, NY 10312  
Telephone: 1-866-223-9166  
Fax: 347-514-9910**

f. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix I to this application. **Please See Exhibit 7-F**

*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 electric utilities 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:

- Applicant's previous experience in the electricity industry. **Please See Exhibit 8A-a Experience**
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions. **Please See Exhibit 8A-b License Evidence**
- Type of customers and number of customers Applicant currently serves in other jurisdictions. **Please See Exhibit 8A-c Confidential**
- Staffing structure and numbers as well as employee training commitments. **Please See Exhibit 8A-d Confidential**
- Business plans for operations within the Commonwealth. **Please See Exhibit 8A-e Confidential**
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth. **Please See Exhibit 8A-f**
- Any other information appropriate to ensure the technical capabilities of the Applicant. **Please See Exhibit 8A-g Confidential**

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

- Internal – Applicant will use its own internal resources/employees for marketing
- External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- 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.

**Please See Exhibit 8A-e Confidential**

- 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.

**Please See Exhibit 8-E**

- f. **FERC FILING:** Applicant has:

Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.

Received approval from FERC to be a Power Marketer at Docket or Case Number ER18-1813-000.

Not applicable

## 9. DISCLOSURE STATEMENTS:

**Disclosure Statements:** If proposing to serve Residential and/or Small Commercial (under 25 kW) Customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix J to this Application.

- Electricity 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.*

**Please See Exhibit 9-A Confidential**

## 10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:

- proof of registration as a PJM Load Serving Entity (LSE), or
- proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS. **Please See Exhibit 10-a**

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

*(Select only one of the following)*

- AGREED - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- AGREED - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

**b. 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 § 54.43, as well as any future amendments.

AGREED

**c. REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201--54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Net Metering Reports: Applicant shall be responsible to report any Net Metering per the Standards on [http://www.puc.pa.gov/consumer\\_info/electricity/alternative\\_energy.aspx](http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx). Scroll down to the Net Metering Standards Section.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(d).
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

AGREED

d. **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. Section 2809(D). Transferee will be required to file the appropriate licensing application.

AGREED

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

ACKNOWLEDGED

f. **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 § 54.34.

AGREED

g. **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

h. **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 twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

AGREED

i. **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

j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at Appendix M.

AGREED

k. **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

**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.
  
- b. **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

## 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 EDC. For example, an applicant that wants to operate in Penn Power 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.

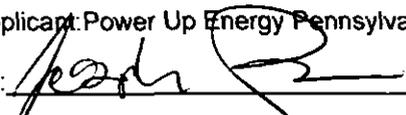
The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item 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
Citizens' Electric						X	
Duquesne				X			
Met Ed		X	X		X		
PECO			X				
Penelec	X	X			X	X	X
Penn Power	X			X			
Pike					X		
PPL		X	X		X	X	
UGI					X		
Wellsboro						X	
West Penn		X		X		X	X
Entire Commonwealth	X	X	X	X	X	X	X

*(Example Publications are provided at Appendices K and L)*

**13. SIGNATURE**

Applicant: Power Up Energy Pennsylvania, LLC

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

Title: President

**DATE OF DEPOSIT**

MAY 14 2021

**14. CHECKLIST**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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 are complete.

**Applicant:** Power Up Energy Pennsylvania, LLC

Applicant's Use	X	<b>Signature</b>	
	X	<b>Filing Fee (CERTIFIED CHECK OR MONEY ORDER ONLY)</b>	
	X	<b>Application Affidavit</b>	
	X	<b>Operations Affidavit</b>	
	X	<b>Proof of Publication</b>	
	X	<b>Bond, Letter of Credit, or Parental/Affiliate Guarantee</b>	
	X	<b>Tax Certification Statement</b>	
	X	<b>Commonwealth Department of State Verification</b>	
	X	<b>Certificate of Service</b>	

PUC Secretary's Bureau Use



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 2A**

**Department of State Fictitious**

**Name Registration**

**See Attached**

**DATE OF DEPOSIT**

**MAY 14 2021**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

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

Incorp Services, Inc.  
3773 Howard Hughes Parkway Suite 500S  
Las Vegas NV 89169-6014

Power Up Energy

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.

Thank you for registering with the Department of State to do business in Pennsylvania. Like many other businesses, you may have employees, sell taxable products, or provide a taxable service to consumers in Pennsylvania. Please visit [www.pa100.state.pa.us](http://www.pa100.state.pa.us) to register for Business Taxes with the PA Department of Revenue & Labor and Industry or visit [www.Business.pa.gov](http://www.Business.pa.gov) to find answers to most common registration questions.

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 : 7216667

**PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

<input type="checkbox"/> Return document by mail to: <b>Incorp Services, Inc.</b> Name <b>3773 Howard Hughes Parkway, Suite 500S</b> Address <b>Las Vegas NV 89169-6014</b> City State Zip Code <input type="checkbox"/> Return document by email to: _____	<b>Registration of Fictitious Name</b> DSCB:54-311 (rev.2/2017)  <b>311</b>
--	--

Read all instructions prior to completing. This form may be submitted online at <https://www.corporations.pa.gov/>.

Fee: \$70.00

I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

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:  
**Power Up Energy**

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:  
**Retail electricity supplier**

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):  
**148 New Dorp Lane, Staten Island NY 10312 Out Of State**  
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	Zip

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

Name	Form of Organization	Organizing Jurisdiction
<b>Power Up Energy Pennsylvania, LLC</b>	<b>Limited Liability Company</b>	<b>DE</b>
<b>148 New Dorp Lane, Staten Island, Out Of State, NY, United States, 10312</b>		
<b>Principal Office Address</b>		
<b>INCORP SERVICES, INC., Dauphin</b>		
<b>PA Registered Office, if any</b>		

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):

Joesph Pane

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

16th day of February, 2021.

Power Up Energy Pennsylvania, LLC

Entity Name

Joesph Pane

Signature

Managing Member

Title



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

**Exhibit 2B**

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**Department of State Filing  
and Charter Documentation**

**DATE OF DEPOSIT**

**MAY 14 2021**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

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

Luna Licensing Service Inc.  
PO Box 265  
Hershey PA 17033

Power Up Energy Pennsylvania, 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.

Thank you for registering with the Department of State to do business in Pennsylvania. Like many other businesses, you may have employees, sell taxable products, or provide a taxable service to consumers in Pennsylvania. Please visit [www.pa100.state.pa.us](http://www.pa100.state.pa.us) to register for Business Taxes with the PA Department of Revenue & Labor and Industry or visit [www.Business.pa.gov](http://www.Business.pa.gov) to find answers to most common registration questions.

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 : 7200801

**PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

<input type="checkbox"/> Return document by mail to:  Name _____ Address _____ City _____ State _____ Zip Code _____ <input checked="" type="checkbox"/> Return document by email to: <u>processing@incorp.com</u>	<p align="center"><b>Foreign Registration Statement</b> DSCB:15-412 (rev. 2/2017)</p> <p align="center">TML210122JD1221</p>
---	---

Read all instructions prior to completing. This form may be :

Fee: \$250                       I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. § 412 (relating to foreign registration statement), the undersigned foreign association hereby states that:

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

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

2. The full and proper name of the foreign association as registered in its jurisdiction of formation is:

Power Up Energy Pennsylvania, LLC

2A. If the name in 2 does not contain a required designator or if the name in 2 is not available for use in the Commonwealth, the alternate name under which the association is registering in this Commonwealth is:

3. The jurisdiction of formation is: Delaware

4. The street and mailing address of the association's principal office.

<u>148 New Dorp Lane</u>	<u>Staten Island</u>	<u>New York</u>	<u>10312</u>
Number and street	City	State	Zip

4A. The street and mailing address of the office, if any, required to be maintained by the law of the association's jurisdiction of formation in that jurisdiction:

_____	_____	_____	_____
Number and street	City	State	Zip

**DEPT OF STATE**

**JAN 22 2021**

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

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

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

(b) c/o: InCorp Services, Inc. Dauphin  
Name of Commercial Registered Office Provider County

6. Check one of the following:

- The association may not have series.
- The association may have one or more series.

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

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

8. To be completed by Limited Liability Companies only. Check, and if appropriate complete, one of the following:

- The association is a limited liability company which is not organized to render any of the below professional service(s).
- The association is a restricted professional limited liability company organized to render one or more of the following professional service(s): (If this box is checked, one or more of the fields below must be checked.)

<input type="checkbox"/> Chiropractic	<input type="checkbox"/> Dentistry	<input type="checkbox"/> Law	<input type="checkbox"/> Medicine and surgery
<input type="checkbox"/> Optometry	<input type="checkbox"/> Osteopathic medicine and surgery	<input type="checkbox"/> Podiatric medicine	<input type="checkbox"/> Public accounting
<input type="checkbox"/> Psychology	<input type="checkbox"/> Veterinary medicine		

IN TESTIMONY WHEREOF, the undersigned association has caused this Foreign Registration Statement to be signed by a duly authorized representative thereof this 14th day of January, 2021.

Power Up Energy Pennsylvania, LLC  
Name of Association

Joseph Pane  
Signature

Managing Member  
Title

**Commonwealth of Pennsylvania  
Department of Revenue**

**SALES TAX LICENSE**

POWER UP ENERGY  
148 NEW DORP LANE  
STATEN ISLAND NY 10306 USA

Account ID: 67720525

License Type: Retail

Expiration Date: 04/30/2026

This license authorizes the holder to collect state and/or local sales, use and hotel occupancy tax. Licenses are issued for tax collection purposes and shall remain in force as specified herein unless sooner surrendered, suspended or revoked.

**THIS LICENSE MUST BE PROMINENTLY DISPLAYED.**  
This license is not assignable or transferable.

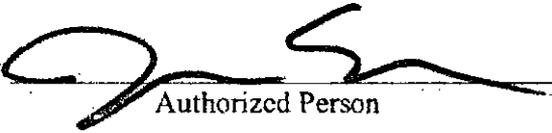
STATE OF DELAWARE  
CERTIFICATE OF FORMATION  
OF LIMITED LIABILITY COMPANY

The undersigned authorized person, desiring to form a limited liability company pursuant to the Limited Liability Company Act of the State of Delaware, hereby certifies as follows:

1. The name of the limited liability company is Power Up Energy Pennsylvania, LLC

2. The Registered Office of the limited liability company in the State of Delaware is located at 919 North Market Street, Suite 950 (street), in the City of Wilmington Zip Code 19801. The name of the Registered Agent at such address upon whom process against this limited liability company may be served is InCorp Services, Inc.

By



Authorized Person

Name: Jennifer Shaw

Print or Type



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 7B**

**FINANCIAL RECORDS, STATEMENTS, AND RATINGS**

**DATE OF DEPOSIT**

MAY 14 2021

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**



POWERUP

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

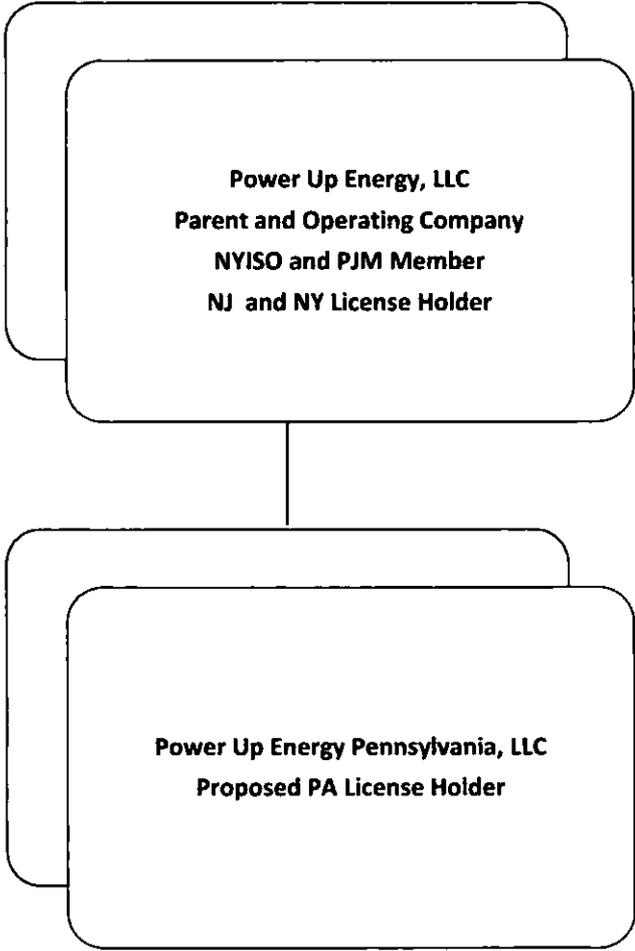
## **Exhibit 7B-a**

Organizational Chart

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU





POWERUP

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

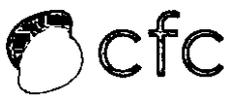
## **Exhibit 7B-c**

**Insurance**

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



# Policy certificate

Insurance effected through the Coverholder:

CFC Underwriting Limited  
85 Gracechurch Street  
London EC3V 0AA  
United Kingdom

PLEASE NOTE – This notice contains important information. PLEASE READ CAREFULLY.

This Certificate is issued by the Coverholder in accordance with the authorization granted to the Coverholder under the Binding Authority Agreement with the Unique Market Reference stated within this Policy. This Policy comprises a Certificate, the Declarations page, Wording and all other provisions and conditions attached and any endorsements issued.

The liability of an insurer under this contract is several and not joint with other insurers party to this contract. An insurer is liable only for the proportion of liability it has underwritten. An insurer is not jointly liable for the proportion of liability underwritten by any other insurer. Nor is an insurer otherwise responsible for any liability of any other insurer that may underwrite this contract.

The proportion of liability under this contract underwritten by an insurer (or, in the case of a Lloyd's syndicate, the total of the proportions underwritten by all the members of the syndicate taken together) is shown in this Policy.

In the case of a Lloyd's syndicate, each member of the syndicate (rather than the syndicate itself) is an insurer. Each member has underwritten a proportion of the total shown for the syndicate (that total itself being the total of the proportions underwritten by all the members of the syndicate taken together). The liability of each member of the syndicate is several and not joint with other members. A member is liable only for that member's proportion. A member is not jointly liable for any other member's proportion. Nor is any member otherwise responsible for any liability of any other insurer that may underwrite this contract. The business address of each member is Lloyd's, One Lime Street, London EC3M 7HA. The identity of each member of a Lloyd's syndicate and their respective proportion may be obtained by writing to Market Services, Lloyd's, at the above address.

Although reference is made at various points in this clause to "this contract" in the singular, where the circumstances so require this should be read as a reference to contracts in the plural.

In Witness whereof this Certificate has been signed by:

A handwritten signature in black ink, appearing to read 'ARH', followed by a horizontal wavy line.

**Authorized Official**

Please examine this document carefully. If it does not meet your needs, please contact your broker immediately. In all communications the policy number appearing overleaf should be quoted.

**DECLARATIONS**

POLICY NUMBER: ESJ0122531309

UNIQUE MARKET REFERENCES: B087520C9N5047

THE INSURED: Power Up Energy LLC

ADDRESS: 148 New Dorp Lane  
Staten Island, NY 10306  
US

THE UNDERWRITERS: Underwritten by certain underwriters at Lloyd's and other insurers

THE INCEPTION DATE: 00:01 Local Standard Time on 12 Nov 2020

THE EXPIRY DATE: 00:01 Local Standard Time on 12 Nov 2021

TOTAL PAYABLE: USD1,045.00

Broken down as follows:

    Premium: USD950.00

    Policy Administration Fee: USD95.00

BUSINESS OPERATIONS: Energy Broker

CHOICE OF LAW: New York

SERVICE OF SUIT: Lloyd's America, Inc.  
Attention: Legal Department  
280 Park Avenue, East Tower, 25th Floor  
New York, NY 10017

LEGAL ACTION: Worldwide

TERRITORIAL SCOPE: Worldwide

US CLASSIFICATION: Surplus Lines

REPUTATIONAL HARM PERIOD: 12 months

INDEMNITY PERIOD: 12 months

WAITING PERIOD: 8 hours

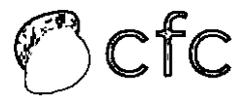
RETROACTIVE DATE: Unlimited

OPTIONAL EXTENDED REPORTING PERIOD: 12 months for 100% of applicable annualized premium

APPROVED CLAIMS PANEL PROVIDERS: Wilson Elser  
Context Security  
Kivu Consulting  
Crowdstrike  
DOSArrest  
Mullen Coughlin  
Clyde & Co

CYBER INCIDENT MANAGER: CFC Underwriting Limited

CYBER INCIDENT RESPONSE LINE: In the event of an actual or suspected cyber incident please call our Cyber Incident Response Team on the toll free 24-hour hotline number: 1 844-677-4155 or email



[cyberclaims@cfcunderwriting.com](mailto:cyberclaims@cfcunderwriting.com)

WORDING:

Cyber, Private Enterprise (US) v3.0

ENDORSEMENTS:

Complaints Notice (USA)  
Policyholder Disclosure Notice Of Terrorism Insurance  
Coverage

## DECLARATIONS

### THE FOLLOWING INSURING CLAUSES ARE SUBJECT TO AN EACH AND EVERY CLAIM LIMIT

#### INSURING CLAUSE 1: CYBER INCIDENT RESPONSE

##### SECTION A: INCIDENT RESPONSE COSTS

Limit of liability: USD1,000,000 each and every claim

Deductible: USD0 each and every claim

##### SECTION B: LEGAL AND REGULATORY COSTS

Limit of liability: USD1,000,000 each and every claim

Deductible: USD2,500 each and every claim

##### SECTION C: IT SECURITY AND FORENSIC COSTS

Limit of liability: USD1,000,000 each and every claim

Deductible: USD2,500 each and every claim

##### SECTION D: CRISIS COMMUNICATION COSTS

Limit of liability: USD1,000,000 each and every claim

Deductible: USD2,500 each and every claim

##### SECTION E: PRIVACY BREACH MANAGEMENT COSTS

Limit of liability: USD1,000,000 each and every claim

Deductible: USD2,500 each and every claim

##### SECTION F: THIRD PARTY PRIVACY BREACH MANAGEMENT COSTS

Limit of liability: USD1,000,000 each and every claim

Deductible: USD2,500 each and every claim

##### SECTION G: POST BREACH REMEDIATION COSTS

Limit of liability: USD50,000 each and every claim, subject to a maximum of 10% of all sums we have paid as a direct result of the cyber event

Deductible: USD0 each and every claim



## INSURING CLAUSE 2: CYBER CRIME

### SECTION A: FUNDS TRANSFER FRAUD

Limit of liability: USD100,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION B: THEFT OF FUNDS HELD IN ESCROW

Limit of liability: USD100,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION C: THEFT OF PERSONAL FUNDS

Limit of liability: USD100,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION D: EXTORTION

Limit of liability: USD1,000,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION E: CORPORATE IDENTITY THEFT

Limit of liability: USD100,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION F: TELEPHONE HACKING

Limit of liability: USD100,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION G: PUSH PAYMENT FRAUD

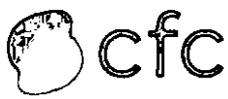
Limit of liability: USD50,000 each and every claim

Deductible: USD2,500 each and every claim

### SECTION H: UNAUTHORIZED USE OF COMPUTER RESOURCES

Limit of liability: USD100,000 each and every claim

Deductible: USD2,500 each and every claim



## INSURING CLAUSE 3: SYSTEM DAMAGE AND BUSINESS INTERRUPTION

### SECTION A: SYSTEM DAMAGE AND RECTIFICATION COSTS

Limit of liability:	USD1,000,000	each and every claim
Deductible:	USD2,500	each and every claim

### SECTION B: INCOME LOSS AND EXTRA EXPENSE

Limit of liability:	USD1,000,000	each and every claim, sub-limited to USD1,000,000 in respect of <b>system failure</b>
Deductible:	USD2,500	each and every claim

### SECTION C: ADDITIONAL EXTRA EXPENSE

Limit of liability:	USD100,000	each and every claim
Deductible:	USD2,500	each and every claim

### SECTION D: DEPENDENT BUSINESS INTERRUPTION

Limit of liability:	USD1,000,000	each and every claim, sub-limited to USD1,000,000 in respect of <b>system failure</b>
Deductible:	USD2,500	each and every claim

### SECTION E: CONSEQUENTIAL REPUTATIONAL HARM

Limit of liability:	USD1,000,000	each and every claim
Deductible:	USD2,500	each and every claim

### SECTION F: CLAIM PREPARATION COSTS

Limit of liability:	USD25,000	each and every claim
Deductible:	USD0	each and every claim

### SECTION G: HARDWARE REPLACEMENT COSTS

Limit of liability:	USD1,000,000	each and every claim
Deductible:	USD2,500	each and every claim



**THE FOLLOWING INSURING CLAUSES ARE SUBJECT TO AN AGGREGATE LIMIT**

**INSURING CLAUSE 4: NETWORK SECURITY & PRIVACY LIABILITY**

**SECTION A: NETWORK SECURITY LIABILITY**

Aggregate limit of liability:	USD1,000,000	in the aggregate, including <b>costs and expenses</b>
Deductible:	USD2,500	each and every claim, including <b>costs and expenses</b>

**SECTION B: PRIVACY LIABILITY**

Aggregate limit of liability:	USD1,000,000	in the aggregate, including <b>costs and expenses</b>
Deductible:	USD2,500	each and every claim, including <b>costs and expenses</b>

**SECTION C: MANAGEMENT LIABILITY**

Aggregate limit of liability:	USD1,000,000	in the aggregate, including <b>costs and expenses</b>
Deductible:	USD2,500	each and every claim, including <b>costs and expenses</b>

**SECTION D: REGULATORY FINES**

Aggregate limit of liability:	USD1,000,000	in the aggregate, including <b>costs and expenses</b>
Deductible:	USD2,500	each and every claim, including <b>costs and expenses</b>

**SECTION E: PCI FINES, PENALTIES AND ASSESSMENTS**

Aggregate limit of liability:	USD1,000,000	in the aggregate, including <b>costs and expenses</b>
Deductible:	USD2,500	each and every claim, including <b>costs and expenses</b>

**INSURING CLAUSE 5: MEDIA LIABILITY**

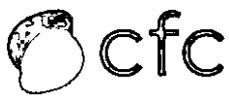
NO COVER GIVEN

**INSURING CLAUSE 6: TECHNOLOGY ERRORS AND OMISSIONS**

NO COVER GIVEN

**INSURING CLAUSE 7: COURT ATTENDANCE COSTS**

Aggregate limit of liability:	USD100,000	in the aggregate
Deductible:	USD0	each and every claim



## OUR REGULATORY STATUS

CFC Underwriting Limited is authorised and regulated by the United Kingdom Financial Conduct Authority (FCA). CFC Underwriting Limited's Firm Reference Number at the FCA is 312848. These details may be checked by visiting the Financial Conduct Authority website at <https://register.fca.org.uk/>. Alternatively, the Financial Conduct Authority may be contacted on +44 (0)20 7066 1000.

We are covered by the Financial Services Compensation Scheme (FSCS). You may be entitled to compensation from the scheme if we cannot meet our obligations to you in respect of insurance policies that we have underwritten on behalf of insurers. This depends on the type of business and the circumstances of the claim. In respect of general insurance business the FSCS will cover 90% of the claim, without any upper limit and for compulsory classes of insurance, the FSCS will cover 100% of the claim, without any upper limit. Further information about compensation scheme arrangements is available from the FSCS.

## HOW TO COMPLAIN - USA

We intend to provide an excellent service to you. However, we recognize that there may be occasions when you feel that this has not been achieved. If you are unhappy with any aspect of the service that you receive from us, please contact your insurance broker in the first instance, stating the nature of your complaint, the certificate and/or claim number.

Alternatively, you can contact us directly at [enquiries@cfcunderwriting.com](mailto:enquiries@cfcunderwriting.com) or please write to:

Chief Executive Officer  
CFC Underwriting Limited  
85 Gracechurch Street  
London EC3V 0AA  
United Kingdom

If you remain dissatisfied after we have considered your complaint and provided our response, you may have the right to refer your complaint to the Department of Insurance in your State for review.

You will be provided with further information about your complaint escalation rights to the Department of Insurance in your State by us on receipt of your complaint.

The existence of this complaints procedure does not affect your right to commence a legal action or an alternative dispute resolution proceeding in accordance with your contractual rights.

## DATA PROTECTION NOTICE

We collect and use relevant information about you to provide you with your insurance cover or the insurance cover that benefits you and to meet our legal obligations. Where you provide us or your agent or broker with details about other people, you must provide this notice to them.

The information we collect and use includes details such as your name, address and contact details and any other information that we collect about you in connection with the insurance cover from which you benefit. This information may include more sensitive details such as information about your health and any criminal convictions you may have.

In certain circumstances, we may need your consent to process certain categories of information about you (including sensitive details such as information about your health and any criminal convictions you may have). Where we need your consent, we will ask you for it separately. You do not have to give your consent and you may withdraw your consent at any time. However, if you do not give your consent, or you withdraw your consent, this may affect our ability to provide the insurance cover from which you benefit and may prevent us from providing cover for you or handling your claims.

The way insurance works means that your information may be shared with, and used by, a number of third parties in the insurance sector for example, insurers, agents or brokers, reinsurers, loss adjusters, sub-contractors, regulators, law enforcement agencies, fraud and crime prevention and detection agencies and compulsory insurance databases. We will only disclose your personal information in connection with the insurance cover that we provide and to the extent required or permitted by law.

We will process individual insured's details, as well as any other personal information you provide to us in respect of your insurance cover, in accordance with our privacy notice and applicable data protection laws.

To enable us to use individual insured's details in accordance with applicable data protection laws, we need you to provide those individuals with certain information about how we will use their details in connection with your insurance cover.

You agree to provide to each individual insured this notice, on or before the date that the individual becomes an individual insured under your insurance cover or, if earlier, the date that you first provide information about the individual to us.

We are committed to using only the personal information we need to provide you with your insurance cover. To help us achieve this, you should only provide to us information about individual insureds that we ask for from time to time.

You have rights in relation to the information we hold about you, including the right to access your information. If you wish to exercise your rights, discuss how we use your information or request a copy of our full privacy notice, please contact us directly at [enquiries@cfcunderwriting.com](mailto:enquiries@cfcunderwriting.com).

For more information about how we use your personal information please see our full privacy notice, which is available online on our website at:

<http://www.cfcunderwriting.com/privacy>



**POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE**

ATTACHING TO POLICY NUMBER: ESJ0122531309  
THE INSURED: Power Up Energy LLC  
WITH EFFECT FROM: 12 Nov 2020

Coverage for acts of terrorism is included in your policy. You are hereby notified that under the Terrorism Risk Insurance Act, as amended in 2015, the definition of act of terrorism has changed. As defined in Section 102(1) of the Act: The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury—in consultation with the Secretary of Homeland Security, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

Under your coverage, any losses resulting from certified acts of terrorism may be partially reimbursed by the United States Government under a formula established by the Terrorism Risk Insurance Act, as amended. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States Government generally reimburses 85% through 2015; 84% beginning on January 1, 2016; 83% beginning on January 1, 2017; 82% beginning on January 1, 2018; 81% beginning on January 1, 2019 and 80% beginning on January 1, 2020, of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage.

The Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses exceeds \$100 billion in any one calendar year. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

The portion of your annual premium that is attributable to coverage for acts of terrorism is USD0.00 and does not include any charges for the portion of losses covered by the United States government under the Act.

**SUBJECT OTHERWISE TO THE TERMS AND CONDITIONS OF THE POLICY**



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 8-A**

**Experience, Plan, Structure**

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

# **Exhibit 8A-a**

## **Experience**

---

**Please find enclosed**

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

**Power Up Energy Pennsylvania, LLC Management Bios securing Technical and Managerial Competence**

**Joseph Pane- President**

Joseph Pane has over 15 years' experience in property management, energy efficiency, utilities and working with all required certified technicians. Joseph has been responsible for managing his families Property Management Company throughout the Tri-State.

In addition to the day-to-day operations, Joseph has been solely responsible for managing the commercial and residential energy portfolio, including Natural Gas, Oil and Electricity. Over the last 15 years, Joseph has managed several fixed commodity contracts and implemented internal software to monitor his consumption across his entire portfolio. Joseph was introduced to the retail market space over 7 years ago. Through his property management company and working with other licensed suppliers regarding his own contracts, Joseph was able to build and internal brokerage to offer his own tenants and other prospective customers savings on both their electricity and natural gas consumption.

In 2019, Joseph Pane capitalized on that knowledge and formed Power Up Energy, LLC. In a short time they were able to secure their PJM membership along with their New Jersey State Electric supplier license. Since achieving their license they expanded their footprint into (2) utilities and is currently serving approx. 1,100 commercial customers. In 2020, Power Up Energy, LLC expanded their territory into New York by securing their NYISO membership and New York electric supplier license. To date, they are currently not serving any customers.

**Anthony Salamone, General Manager**

Anthony has over 12 years of experience in the commodity industry including 10 years managing a retail oil business in New York City. Anthony was able to swiftly adapt to the retail energy market with his commodity background and is now responsible for managing many of the day-to-day functions for Power Up Energy, LLC since its start in 2019.

Anthony, brings over a decade of front office, sales, finance and compliance experience in the commodity and deregulated retail marketplace. Anthony has played a key role securing Power Up's initial license in New Jersey and New York including their membership with NYISO. Anthony's continued focus is on market expansion and compliance. In addition, Anthony will be working with wholesale providers and their risk team to offer strategic products and ensure their portfolio is protected during volatile months.

**Louis Padilla, Customer Service Manager**

Louis Padilla is a skilled and effective Customer Service Manager with over 7 years supervisory experience. He has a proven track record in resolving and reducing customer complaints and exceeding client expectations. Louis began his career in 2010 as a Customer Service Representative with one the leading retail energy providers. His attention to detail, excellent rapport-building skills and the vitality and energy he brings to each client engagement resulted in being quickly promoted to Floor and Commercial Sales Manager.

Louis ensures compliance with Regulatory requirements which consists of training, disseminating information, implementation of rules and regulations and continually monitoring TPV's. He went on to develop his own risk-based program for customer complaint procedures. Mr. Padilla is accustomed to working in fast-paced environments with the ability to think quickly and successfully to proactively improve the customer experience.



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 8A-b**

### **License Evidence**

**Please find enclosed**

**DATE OF DEPOSIT**  
**MAY 14 2021**  
**PA PUBLIC UTILITY COMMISSION**  
**SECRETARY'S BUREAU**



Phil Murphy  
Governor

Shelia Oliver  
Lt. Governor

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, New Jersey 08625-0350  
[www.nj.gov/bpu/](http://www.nj.gov/bpu/)

Aida Camacho-Welch  
Secretary of the Board  
(609) 292-1599

April 25, 2018

Joseph Pane  
Power Up Energy, LLC  
148 New Dorp Lane  
Staten Island, NY 10306

Re: **Electric Power Supplier Initial License**  
Dkt. No. EE18020170L

Dear Mr. Pane:

In accordance with the Electric Discount and Energy Competition Act of 1999, N.J.S.A. 48:3-49 et seq., at its April 25, 2018 Agenda meeting, the New Jersey Board of Public Utilities voted to issue a **License** as an Electric Power Supplier to Power Up Energy, LLC. The company's license number is ESL-0216.

The enclosed license is effective April 25, 2018 and expires on April 24, 2019. This license and the rights thereunder are **Non-Transferable**.

***This letter is not an endorsement of, nor is it intended for use in, the marketing promotions of the registrant. Registrants shall comply with all applicable law, including the Electric Discount and Energy Competition Act, which prohibits the unauthorized change of a customer's energy provider and other fraudulent and illegal marketing activities.***

If you have any questions, please contact Valencia Hunt at (609) 292-0637.

Sincerely,

A handwritten signature in black ink that reads "Aida Camacho-Welch".

Aida Camacho-Welch  
Secretary of the Board

ACW/vch  
Encl.(s)

# State of New Jersey



## Board of Public Utilities

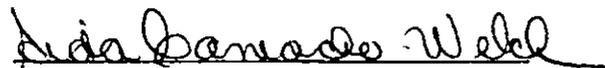
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314, P.O. Box 350, Trenton, New Jersey 08625-0350

### HEREBY LICENSES

**Power Up Energy, LLC**  
4307 Route 130  
Edgewater Park, New Jersey 08010

To conduct business in the State of New Jersey as an

**Electric Power Supplier**



*Aida Camacho-Welch*

Aida Camacho-Welch  
Secretary of the Board

License No. ESL-0216  
Effective Date: April 25, 2018  
Expiration Date: April 24, 2019



**Department of  
Public Service**

Three Empire State Plaza, Albany, NY 12223-1350  
www.dps.ny.gov

**Public Service Commission**  
**John B. Rhodes**  
Chair and  
Chief Executive Officer

**Diane X. Burman**  
**James S. Alesi**  
**Tracey A. Edwards**  
**John B. Howard**  
Commissioners

February 19, 2021

Joseph Pane  
Power Up Energy, LLC  
148 New Dorp Lane  
Staten Island, NY 10306

RE: Power Up Energy, LLC – Revised Eligibility

Dear Joseph Pane:

Thank you for submitting the recent updates to your ESCO Retail Access Application Package pursuant to the Public Service Commission's December 2019 Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process. This letter is to inform you that the documentation submitted has been reviewed by Staff and determined to be in compliance with the Uniform Business Practices and the requirements set forth in the December 2019 Commission Order.

Therefore, Staff acknowledges Power Up Energy, LLC is deemed eligible to serve a Renewable Electric Product to mass market consumers in New York State. If you currently have eligibility to serve large commercial and industrial customers, that eligibility has not been affected. Be advised that to maintain your ESCO eligibility, you must notify Staff of any substantive legal, financial, or business-related changes to your company as they occur. If your business plan changes and you decide to expand your service, you must immediately submit the appropriate documentation for Staff review and determination of how it affects your current eligibility.

Please do not hesitate to contact me if you have any further questions or concerns at (518) 486-2861 or [John.sheevers@dps.ny.gov](mailto:John.sheevers@dps.ny.gov).

Sincerely,

**John Sheevers**  
Office of Consumer Services



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 8E**

### **Officer Resume**

**Please find enclosed**

**DATE OF DEPOSIT**

**MAY 14 2021**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

---

# JOSEPH PANE

## **Profile:**

Over 15 years' experience in property management, energy efficiency, utilities and working with all variety of required certified technicians. Responsible for managing all family Property Management Companies throughout the Tri-State area.

## **Experience:**

### **Power Up Energy, LLC - *President - 2019 to Present***

- Secured PJM membership along with New Jersey State Electric Supplier license in 2019.
- Throughout 2019 and 2020, Power Up Energy expanded its footprint into two (2) utilities (PSEG and JCPL) and is currently serving approximately 1,100 commercial customers.
- In 2020, Power Up Energy extended its territory into New York by securing its NYISO membership and a New York electric supplier license.
- Power Up Energy also secured its eligibility to serve as an Electric Supplier in the State of New York under the New Order beginning April 2021.

### **Property Manager, New York - *Property and Energy Portfolio Manager - 2005-Present***

- Solely responsible for managing the commercial and residential energy portfolio, including Natural Gas, Oil and Electricity
- Manage several fixed commodity contracts and implementation of internal software to monitor consumption across entire portfolio.
- Build an internal brokerage platform offering clients and prospective customers savings on both their electricity and natural gas consumption.



POWERUP

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 8A-f**

### **Documentation of Memberships**

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Palmco Power NJ, LLC  
Palmco Power OH, LLC  
Palmco Power PA, LLC  
PALMco Power VA, LLC  
Park Power LLC  
Pay Less Energy, LLC  
PBF Power Marketing LLC  
PECO Energy Company  
Pennsylvania Electric Company  
Pennsylvania Grain Processing LLC  
Pennsylvania Power Company  
PEPCO Energy Services, Inc.  
Pilot Power Group, LLC  
Pinnacle Power LLC  
Plymouth Rock Energy, LLC  
Potomac Electric Power Company  
Power UP Energy, LLC  
Powervine Energy, LLC  
PPL Electric Utilities Corporation d/b/a PPL Utilities  
Prairieland Energy, Inc.  
Presto Energy, LLC  
Provision Power and Gas, LLC  
PSEG Energy Resources & Trade LLC  
PSEG Energy Solutions LLC  
Public Service Electric & Gas Company  
Pure Energy USA IL, LLC  
Pure Energy USA, LLC  
Realty, LLC  
Red Oak Power, LLC  
Renaissance Power & Gas, Inc.  
ResCom Energy, LLC  
Residents Energy, L.L.C.  
Respond Power LLC  
Riverside Generating Company, LLC  
Rolling Hills Generating, LLC  
RPA Energy, Inc.  
Rushmore Energy, LLC (new)  
S.J. Energy Partners, Inc.

Santanna Energy Services  
Seward Generation, LLC  
SFE Energy, Inc.  
Shipley Choice LLC  
Smartest Energy US LLC  
Solios Power Mid-Atlantic Trading LLC  
South Bay Energy Corp.



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit 10-A**

**PJM Load Serving Entity Requirement**

**Please find enclosed**

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**DATE OF DEPOSIT**

**MAY 14 2021**

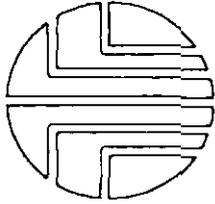
**PA PU**

**COMMISSION**

**STAFFS BUREAU**

Palmco Power NJ, LLC  
Palmco Power OH, LLC  
Palmco Power PA, LLC  
PALMco Power VA, LLC  
Park Power LLC  
Pay Less Energy, LLC  
PBF Power Marketing LLC  
PECO Energy Company  
Pennsylvania Electric Company  
Pennsylvania Grain Processing LLC  
Pennsylvania Power Company  
PEPCO Energy Services, Inc.  
Pilot Power Group, LLC  
Pinnacle Power LLC  
Plymouth Rock Energy, LLC  
Potomac Electric Power Company  
Power UP Energy, LLC  
Powervine Energy, LLC  
PPL Electric Utilities Corporation d/b/a PPL Utilities  
Prairieland Energy, Inc.  
Presto Energy, LLC  
Provision Power and Gas, LLC  
PSEG Energy Resources & Trade LLC  
PSEG Energy Solutions LLC  
Public Service Electric & Gas Company  
Pure Energy USA IL, LLC  
Pure Energy USA, LLC  
Realgy, LLC  
Red Oak Power, LLC  
Renaissance Power & Gas, Inc.  
ResCom Energy, LLC  
Residents Energy, L.L.C.  
Respond Power LLC  
Riverside Generating Company, LLC  
Rolling Hills Generating, LLC  
RPA Energy, Inc.  
Rushmore Energy, LLC (new)  
S.J. Energy Partners, Inc.

Santanna Energy Services  
Seward Generation, LLC  
SFE Energy, Inc.  
Shiplay Choice LLC  
Smartest Energy US LLC  
Solios Power Mid-Atlantic Trading LLC  
South Bay Energy Corp.



# New York ISO

## Independent System Operator

### NYISO Market Participant List

4/28/2021

To contact Stakeholder Services please call (518) 356-6060 or email [stakeholder\\_services@nyiso.com](mailto:stakeholder_services@nyiso.com)

	Account Name	Stakeholder Services Representative
1	11772244 Canada Inc.	Barbara Kappes
2	3M Company	Kasia Shunk
3	Abest Power & Gas, LLC	Dave Hooper
4	ABN Energy, LLC	Dave Hooper
5	Accent Energy Midwest II LLC dba IGS Energy	Dave Hooper
6	ACT Commodities Inc.	Patrick Venable
7	Aesir Power, LLC	Tyler Casavant
8	Aggressive Energy, LLC	Kerry Maerki
9	Agway Energy Services, LLC	Alexander Novicki
10	Albany Energy LLC	Patrick Venable
11	All American Power and Gas, LLC	Jim Scheckton
12	All Choice Energy, LLC	Dave Hooper
13	Alpha Gas and Electric, LLC	Dave Hooper
14	Alphataraxia Nickel LLC	Kasia Shunk
15	Ambit New York, LLC	Dave Hooper
16	American Power & Gas, LLC	Kerry Maerki
17	American PowerNet Management, LP	Dave Hooper
18	AP Gas & Electric (NY), LLC dba APG&E	Alexander Novicki
19	AP Gas & Electric (TX), LLC	Alexander Novicki
20	Appian Way Energy Partners East, LLC	Diana Ortiz
21	Approved Energy II LLC	Patrick Venable
22	Ardor Energy Limited Liability Company	Tyler Casavant
23	Arkwright Summit Wind Farm LLC	Patrick Venable
24	ASC Energy Services Inc.	Dave Hooper
25	Astoria Energy II, LLC	Kerry Maerki
26	Astoria Energy LLC	Kerry Maerki
27	Astoria Generating Company L.P.	Kerry Maerki
28	Astral Energy LLC	Dave Hooper
29	Atlantic Energy, LLC	Kasia Shunk
30	Atlantic Power and Gas LLC	Alexander Novicki
31	ATNV Energy, LP	Tyler Casavant
32	Avangrid Renewables, LLC	Jim Scheckton
33	Axon Energy, LLC	Diana Ortiz
34	Axpo U.S. LLC	Barbara Kappes
35	Barclays Services Corporation	Jim Scheckton

	Account Name	Stakeholder/Services Representative
291	Northbrook Lyons Falls, LLC	Dave Hooper
292	North Country Data Center Corp	Jim Scheckton
293	Northern States Power Company	Kasia Shunk
294	Northland Power Energy Marketing (US) Inc.	Barbara Kappes
295	Northstar NY Ltd.	Diana Ortiz
296	NRG Curtailment Solutions, Inc.	Jim Scheckton
297	NRG Power Marketing LLC	Jim Scheckton
298	NuEnerGen, LLC	Tyler Casavant
299	Nyquist LLC	Diana Ortiz
300	Oasis Power, LLC d/b/a Oasis Energy	Tyler Casavant
301	Occidental Power Services Inc	Tyler Casavant
302	OCP Resources, LLC	Tyler Casavant
303	Ontario Power Generation Energy Trading, Inc.	Alexander Novicki
304	Ontario Power Generation Inc.	Alexander Novicki
305	Open Book Energy, LLC	Jim Scheckton
306	Orange & Rockland Utilities, Inc.	Alexander Novicki
307	ORU-LSE	Alexander Novicki
308	Pacific Summit Energy LLC	Dave Hooper
309	Palmco Power NY, LLC	Alexander Novicki
310	Pay Less Energy, LLC	Kerry Maerki
311	Peninsula Power, LLC	Tyler Casavant
312	Phoenix Energy Group, LLC	Dave Hooper
313	Plant-E Corp.	Kerry Maerki
314	Polaris Power Services LLC	Tyler Casavant
315	Power Up Energy, LLC	Kasia Shunk
316	Precept Power LLC	Kasia Shunk
317	Premier Empire Energy LLC	Jim Scheckton
318	PSEG Energy Resource & Trade, LLC	Barbara Kappes
319	Public Power, LLC	Dave Hooper
320	Pure Energy Inc	Jim Scheckton
321	Pure Energy USA, LLC dba Pure Energy	Jim Scheckton
322	Quantum Power Corp.	Alexander Novicki
323	R.E. Ginna Nuclear Power Plant, LLC	Tyler Casavant
324	Rainbow Energy Marketing Corp	Kasia Shunk
325	RED-Rochester, LLC	Dave Hooper
326	ReEnergy Black River LLC	Kerry Maerki
327	Reliant Energy Northeast, LLC dba NRG Retail Solut	Jim Scheckton
328	Renaissance Power & Gas, Inc.	Dave Hooper
329	Rensselaer Generating LLC	Tyler Casavant
330	Residents Energy, LLC	Kasia Shunk
331	Rinar Power LLC	Kerry Maerki
332	Riverbay Corporation	Patrick Venable
333	Robison Energy, LLC	Alexander Novicki
334	Robison Energy (Commercial) LLC dba OriginalEnergy	Alexander Novicki
335	Rochester Gas & Electric Corp.	Tyler Casavant
336	Roctop Investments Inc	Tyler Casavant
337	Rodan Energy Solutions (USA) Inc.	Alexander Novicki
338	Roseton Generating LLC	Tyler Casavant
339	RWE Renewables QSE, LLC	Kasia Shunk
340	S.J. Energy Partners, Inc.	Jim Scheckton
341	Saracen Energy East LP	Diana Ortiz



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

**11-A**

**Application Affidavit**

**Please find enclosed**

---

**DATE OF DEPOSIT**

**MAY 14 2021**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of New York

ss.

County of Richmond

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

[He/she is the President (Office of Affiant) of Power Up (Name of Applicant);]

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

That the Applicant herein Power Up Energy Pennsylvania, LLC has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

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

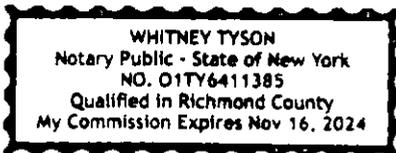
That the Applicant herein Power Up Energy Pennsylvania, LLC acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein Power Up Energy Pennsylvania, 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.

[Signature]  
Signature of Affiant

Sworn and subscribed before me this 10<sup>th</sup> day of May, 2021.



[Signature]  
Signature of official administering oath

My commission expires 11/16/2024

DATE OF DEPOSIT  
MAY 14 2021  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

**11-B**

**Operations Affidavit**

**Please find enclosed**

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Appendix B

OPERATIONS AFFIDAVIT

DATE OF DEPOSIT

MAY 14 2021

[Commonwealth/State] of New York

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

County of Richmond

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

[He/she is the President (Office of Affiant) of Power Up Energy Pennsylvania, LLC  
(Name of Applicant);]

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

That Power Up Energy Pennsylvania, 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 Power Up Energy Pennsylvania, LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric 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 Power Up Energy Pennsylvania, 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 28 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 Gross Receipts and power 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).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), 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.



**POWERUP**

Power Up Energy, LLC  
148 New Dorp Lane Staten Island, NY10306  
(855) 593-0089

## **Exhibit-12**

**Newspaper**

**Publication**

**Please find  
enclosed**

**DATE OF DEPOSIT**

**MAY 14 2021**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

COMMONWEALTH OF PENNSYLVANIA }  
 County of Cambria } SS

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE

Application of Power Up Energy Pennsylvania, LLC  
 (d/b/a "Power Up Energy")

For Approval to offer, render, furnish or supply Electricity  
 as a Supplier of Electric Power Engaged In The  
 Business Of Supplying Electricity To The Public In The  
 Commonwealth Of Pennsylvania.

Power Up Energy Pennsylvania, LLC will be filing an  
 application with the Pennsylvania Public Utility  
 Commission ("PUC") for a license to supply electricity or  
 electric generation services as (1) a generator and supplier  
 of electric power, (2) a broker / marketer engaged in the  
 business of supplying electricity, and (3) an aggregator  
 engaged in the business of supplying electricity. Power Up  
 Energy Pennsylvania, LLC proposes to sell electricity  
 and related services in the entire commonwealth of  
 Pennsylvania under the provisions of the new Electricity  
 Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing.  
 Protests directed to the technical or financial fitness of  
Power Up Energy Pennsylvania, LLC may be filed within  
 15 days of the date of this notice with the Secretary of the  
 PUC, 400 North Street, Harrisburg, PA 17120. You should  
 send copies of any protest to Power Up Energy  
 Pennsylvania, LLC attorney at the address listed below.

published con-  
 that the anne-  
 of The Johnst  
 in the subject matter of said notice or advertising and that  
 of said publication are true.

By and through Counsel: Chris Travles  
 Power Up Energy Pennsylvania, LLC  
 148 New Dorp Lane, Staten Island, NY 10308  
 1-866-223-9166

On this 12th day of March A.D.  
 2021, before me, the subscriber, a  
 Notary Public in and for said  
 County and State, personally  
 appeared Christine Marhefka, who  
 being duly sworn according to law,  
 deposes and says as Sales Manager /  
 Major Accounts of the Tribune-  
 Democrat, Johnstown, PA, a  
 newspaper of general circulation as  
 defined by the "Newspaper  
 Advertising Act", a merger  
 September 8, 1952, of the Johnstown  
 Tribune, established  
 December 7, 1853; and of the  
 Johnstown Democrat, established  
 March 5, 1863,

Cambria, and Commonwealth of Pennsylvania and  
 utter published in said publication in the regular issues  
 March 10, 2021; and that the Affiant is not interested  
 all of the allegations as to time, place and character

*Christine Marhefka*

STATEMENT OF ADVERTISING COSTS

Signed and sworn to before me on  
 12th day of March, 2021.  
 by Christine Marhefka making the statement.

*Juan Ohs*

0.00 Lines @ \$2.50 per line	0.00
6 Inches @ \$25.00 per inch	150.00
Notary Fee	5.00
Clerical Fee	2.50
<b>Total Cost</b>	<b>157.50</b>

Commonwealth of Pennsylvania - Notary Seal  
 Vivian Ohs, Notary Public  
 Cambria County  
 My commission expires December 6, 2024  
 Commission number 1123017  
 Member, Pennsylvania Association of Notaries

To The Tribune-Democrat, Johnstown, PA  
 For publishing the notice or publication  
 attached hereto on the above stated dates.

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

\_\_\_\_\_ for publisher of \_\_\_\_\_  
 a newspaper of general circulation, hereby acknowledges receipt of the aforesaid  
 and publication costs and certifies that the same has been duly paid.

\_\_\_\_\_  
 (Name of Newspaper)

By \_\_\_\_\_

PROOF OF PUBLICATION  
In  
THE ERIE TIMES-NEWS  
COMBINATION EDITION

Power Up Energy  
148 New Dorp Lane  
Staten Island NY 10306

REFERENCE: 151386 427947  
PUC Notice

STATE OF PENNSYLVANIA)  
COUNTY OF ERIE ) SS:

Lorri Stefanelli, being duly sworn, deposes and says that: (1) he/she is a designated agent of the Times Publishing Company (TPC) to execute Proofs of Publication on behalf of the TPC; (2) the TPC, whose principal place of business is at 205 W. 12th Street, Erie, Pennsylvania, owns and publishes the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, and published at Erie, Erie County Pennsylvania; (3) the subject notice or advertisement, was published in the regular edition(s) of said newspaper on the date(s) referred to below. Affiant further deposes that he/she is duly authorized by the TPC, owner and publisher of the Erie Times-News, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 03/09/21

TOTAL COST: \$543.00 AD SPACE: 0 Lines

FILED ON: 03/09/21

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE

Application of **Power Up Energy Pennsylvania, LLC** (d/b/a "**Power Up Energy**")

For Approval to offer, render, furnish or supply Electricity as a **Supplier of Electric Power** Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

**Power Up Energy Pennsylvania, LLC** will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker / marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Power Up Energy Pennsylvania, LLC** proposes to sell electricity and related services in the entire commonwealth of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Power Up Energy Pennsylvania, LLC** may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to Power Up Energy Pennsylvania, LLC attorney at the address listed below.

By and through Counsel: **Chris Travies**

**Power Up Energy Pennsylvania, LLC**

148 New Dorp Lane  
Staten Island, NY 10306  
1-866-223-9166

EP-427047

Sworn to and subscribed before me this 15<sup>th</sup> day of March 2021

Affiant: Lorri Stefanelli

NOTARY: Barbara J. Moore

Commonwealth of Pennsylvania - Notary Seal  
Barbara J. Moore, Notary Public  
Erie County  
My commission expires March 23, 2024  
Commission number 1114860  
Member, Pennsylvania Association of Notaries

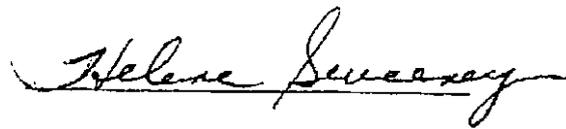
**Proof of Publication in The Philadelphia Inquirer  
Under Act. No 160, P.L. 877, July 9, 1976**

**STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA**

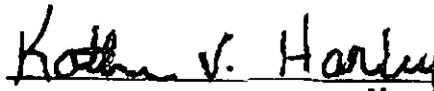
Helene Sweeney being duly sworn, deposes and says that **The Philadelphia Inquirer** is a daily newspaper published at 8<sup>th</sup> and Market Street, Philadelphia, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates:

March 10, 2021

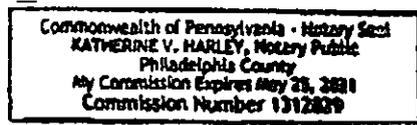
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.



Sworn to and subscribed before me this 10th, day of March, 2021.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:



**Copy of Notice of Publication**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
NOTICE**

Application of Power Up Energy Pennsylvania, LLC (d/b/a "Power Up Energy") For Approval to offer, render, furnish or supply Electricity as a Supplier of Electric Power Engaged in The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

Power Up Energy Pennsylvania, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker / marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Power Up Energy Pennsylvania, LLC proposes to sell electricity and related services in the entire commonwealth of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Power Up Energy Pennsylvania, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to Power Up Energy Pennsylvania, LLC attorney at the address listed below.

By and through Counsel: Chris Travies

Power Up Energy Pennsylvania, LLC

145 New Dorp Lane  
Staten Island, NY 10306  
1-800-223-9166

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)  
Commonwealth of Pennsylvania. County of Lackawanna

POWER UP ENERGY  
DENISE ANN WATSON  
148 NEW DORP LANE STATEN ISLAND NY 10306

Account # 640004  
Order # 82503552  
Ad Price: 273.90

LEGAL NOTICE PENNSYLVANIA  
Sharon Venturi

Being duly sworn according to law deposes and says that (s)he is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

03/09/2021

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Sharon Venturi

Sworn and subscribed to before me  
this 9th day of March A.D., 2021

Kathleen Weaver  
(Notary Public)

Commonwealth of Pennsylvania - Notary Seal  
Kathleen Weaver, Notary Public  
Lackawanna County  
My commission expires June 14, 2025  
Commission number 1314506  
Member, Pennsylvania Association of Notaries

LEGAL NOTICE

**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**  
Application of **Power Up Energy Pennsylvania, LLC** (d/b/a "**Power Up Energy**") For Approval to offer, render, furnish or supply Electricity as a **Supplier of Electric Power Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.**

**Power Up Energy Pennsylvania, LLC** will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker / marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Power Up Energy Pennsylvania, LLC** proposes to sell electricity and related services in the entire commonwealth of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Power Up Energy Pennsylvania, LLC** may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to **Power Up Energy Pennsylvania, LLC** attorney at the address listed below.

By and through Counsel:  
Chris Travies  
**Power Up Energy Pennsylvania, LLC**  
148 New Dorp Lane  
Staten Island, NY 10306  
1-866-223-9166

### Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss D. Rullo, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

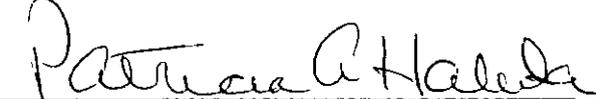
**11 of March, 2021**

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.



PG Publishing Company

Sworn to and subscribed before me this day of:  
March 11, 2021



Commonwealth of Pennsylvania - Notary Seal  
Patricia A. Haluka, Notary Public  
Allegheny County  
My commission expires December 4, 2024  
Commission number 1387348  
Member, Pennsylvania Association of Notaries

**STATEMENT OF ADVERTISING COSTS**

Power Up Energy PA, LLC  
148 New Dorp Lane  
Staten Island New York 10306

To PG Publishing Company

Total ----- \$449.50

**Publisher's Receipt for Advertising Costs**

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office  
2201 Sweeney Drive  
CLINTON, PA 15026  
Phone 412-263-1338

PG Publishing Company, a Corporation, Publisher of  
Pittsburgh Post-Gazette, a Newspaper of General Circulation

By \_\_\_\_\_

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

**COPY OF NOTICE OR PUBLICATION**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**

Application of Power Up Energy Pennsylvania, LLC (d/b/a "Power Up Energy") For Approval to offer, render, furnish or supply Electricity as a Supplier of Electric Power Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

Power Up Energy Pennsylvania, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker / marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Power Up Energy Pennsylvania, LLC proposes to sell electricity and related services in the entire commonwealth of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Power Up Energy Pennsylvania, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to Power Up Energy Pennsylvania, LLC attorney at the address listed below.

By and through Counsel:  
Chris Travles  
Power Up Energy  
Pennsylvania, LLC  
148 New Dorp Lane  
Staten Island, NY 10306  
1-866-223-9166



AD#: 0009905410

Commonwealth of Pennsylvania,) ss  
County of Cumberland)

Sheryl Leggore being duly sworn, deposes that he/she is principal clerk of PA Media Group; that The Patriot News is a public newspaper published in the city of Mechanicsburg, with general circulation in Cumberland and Dauphin and surrounding counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Patriot News 03/09/2021

Principal Clerk of the Publisher

Sworn to and subscribed before me this 9th day of March 2021

Notary Public

Commonwealth of Pennsylvania - Notary Seal  
Crystal B. Rosensteel, Notary Public  
Dauphin County  
My commission expires June 27, 2024  
Commission number 1299212  
Member, Pennsylvania Association of Notaries

**PENNSYLVANIA PUBLIC UTILITY  
COMMISSION  
NOTICE**

**Application of Power Up Energy  
Pennsylvania, LLC (d/b/a "Power Up  
Energy")**

For Approval to offer, render, furnish or supply Electricity as a Supplier of Electric Power Engaged in The Business Of Supplying Electricity To The Public in The Commonwealth Of Pennsylvania.

Power Up Energy Pennsylvania, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker / marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Power Up Energy Pennsylvania, LLC proposes to sell electricity and related services in the entire commonwealth of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Power Up Energy Pennsylvania, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to Power Up Energy Pennsylvania, LLC attorney at the address listed below.

By and through Counsel:  
Chris Travies

Power Up Energy Pennsylvania, LLC  
148 New Dorp Lane  
Staten Island, NY 10306  
1-866-223-9166

**PROOF OF PUBLICATON OF NOTICE IN THE WILLIAMSPORT  
SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929**

STATE OF PENNSYLVANIA

COUNTY OF LYCOMING

SS:

Robert O. Rolley, Jr., Publisher of the Sun-Gazette LLC publishers of the Williamsport Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

March 10, 2021

Affiant further deposes that he is an officer daily authorized by the Sun-Gazette LLC, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath and declare that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all the allegations in the foregoing statement as to time, place and character of publication are true.

**PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION  
NOTICE**

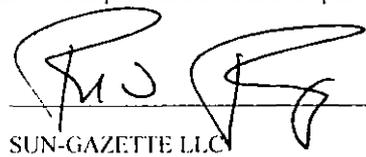
Application of Power Up Energy Pennsylvania, LLC (d/b/a "Power Up Energy") For Approval to offer, render, furnish or supply Electricity as a Supplier of Electric Power Engaged In The Business Of Supplying Electricity To The Public In The Commonwealth Of Pennsylvania.

Power Up Energy Pennsylvania, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker / marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Power Up Energy Penn-

sylvania, LLC proposes to sell electricity and related services in the entire commonwealth of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

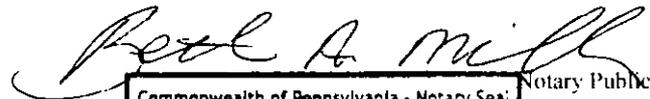
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Power Up Energy Pennsylvania, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to Power Up Energy Pennsylvania, LLC attorney at the address listed below.

**By and through  
Counsel: Chris Travles  
Power Up Energy  
Pennsylvania, LLC  
148 New Dorp Lane  
Staten Island, NY 10306  
1-866-223-9166**

  
SUN-GAZETTE LLC

Sworn to and subscribed before me

The 10<sup>th</sup> day of March 20 21



Commonwealth of Pennsylvania - Notary Seal  
BETH A MILLER - Notary Public  
Lycoming County  
My Commission Expires Jun 4, 2024  
Commission Number 1297751

Notary Public

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette LLC, Dr.:

For publishing the notice attached

Hereto on the above state dates.....\$ 256.24  
 Probated same.....\$  
 Total.....\$ 256.24

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

THE SUN-GAZETTE LLC hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid

SUN-GAZETTE LLC

BY Robert O. Rolley, Jr.

## Appendix C

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

### Example CERTIFICATE OF SERVICE

On this the 13<sup>th</sup> day of May 2021, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2 West  
Harrisburg, PA 17120

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

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

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

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

Vice President – Energy Supply  
Corning Natural Gas Holding Corporation  
330 West William Street  
Corning, NY 14830

Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

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

Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

Office of General Counsel  
Attn: Kimberly A. Klock  
PPL  
Two North Ninth Street (GENTW3)  
Allentown, PA 18101-1179

Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
1 UGI Drive  
Denver, PA 17517

Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P. O. Box 138  
Wellsboro, PA 16901

DATE OF DEPOSIT

MAY 14 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

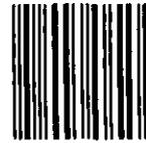
Joseph Pane, President Power Up Energy Pennsylvania, LLC

MAY 20 2021

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



1007



17120

U.S. POSTAGE PAID  
PME 2-Day  
NEW MILFORD, CT  
06776  
MAY 14, 21  
AMOUNT

**\$33.40**

R2304H108965-02



**PRIORITY  
MAIL  
EXPRESS®**



EJ 729 171 218 US

**CUSTOMER USE ONLY**

**FROM:** (PLEASE PRINT) **PHONE:** ( )

Power Up Energy Pennsylvania, LLC  
148 New Dorp Lane  
Staten Island, NY 10306

**DELIVERY OPTIONS (Customer Use Only)**

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

**Delivery Options**

No Saturday Delivery (delivered next business day)  
 Sunday/Holiday Delivery Required (additional fee, where available\*)  
 10:30 AM Delivery Required (additional fee, where available\*)  
\*Refer to USPS.com® or local Post Office® for availability.

**TO:** (PLEASE PRINT) **PHONE:** ( )

Pennsylvania Public Utility Commission, LLC  
Attn: Secretary  
400 North Street (Keystone Building)  
Harrisburg, PA  
ZIP+4® (U.S. ADDRESSES ONLY)  
17120

- For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
- \$100.00 Insurance Included.

**PAYMENT BY ACCOUNT (if applicable)**

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

**ORIGIN (POSTAL SERVICE USE ONLY)**

1-Day  2-Day  Military  DPO

PO ZIP Code 06726	Scheduled Delivery Date (MM/DD/YY) 5-17-21	Postage \$ 33.40
Date Accepted (MM/DD/YY) 5-14-21	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input checked="" type="checkbox"/> 3:00 PM <input type="checkbox"/> 12 NOON	Insurance Fee \$
Time Accepted 4:44 PM	10:30 AM Delivery Fee \$	Return Receipt Fee \$
Special Handling/Fragile \$	Sunday/Holiday Premium Fee \$	Live Animal Transportation Fee \$
Weight 2 lbs. 4.00 ozs.	Flat Rate <input type="checkbox"/> <input checked="" type="checkbox"/> Employee Initials EN	Total Postage & Fees \$ 33.40

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt (MM/DD/YY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	

LABEL 11-B, MARCH 2019

PSN 7690-02-000-6996

PEEL FROM THIS CORNER