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P.O. Box 4819 • Syracuse, NY 13221-4819 • (888) 982-4929 • www.agwayenergy.com

August 11, 2021

DATE OF DEPOSIT

VIA USPS OVERNIGHT

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

AUG 11 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Agway Energy Services LLC Request to Maintain Reduction in Financial Security Amount to 5% of Gross Receipts: Docket No. A-2011-2277881

Dear Secretary Chiavetta:

Agway Energy Services LLC ("Agway") is a licensed electrical generation supplier ("EGS") in the Commonwealth of Pennsylvania. Agway applied for an EGS license in 2011 and the Pennsylvania Public Utility Commission ("Commission") opened Docket No. A-2011-2277881 for that purpose. The Commission granted Agway a EGS license in April 2012 and designated Agway's EGS license number as A-2011-2277881. See **Exhibit A**. In August of 2020 Agway filed a petition for EGS Financial Security Reduction and the Commission granted Agway's petition September 10, 2020 no confirmation document was provided .

This letter and accompanying attachments constitute Agway's request to maintain reduction in required financial security amount to five percent (5%) of the most recent twelve (12) months (or four (4) quarters) of gross receipts ("Request"). This Request is being submitted in accordance with the Commission Order deemed final on October 16, 2018, at Docket No. P-2017-2608078 and pursuant to 18 Pa.C.S. § 4904, 66 Pa.C.S. § 2809, 52 Pa. Code § 54.40, and the Commission's Bond Reduction Order.¹ Through this Request Agway respectfully asks the Commission maintain Agway's financial security requirement at the reduced level of five percent (5%) of Agway's previous twelve (12) months (or four (4) quarters) of gross receipts for an additional year.

The Commission requires an EGS to file an original bond, or other security, approved by the Commission, to ensure the EGS's financial responsibility under Section 2809(c) of the Public Utility Code. Agway's current bond on file with the Commission expires on November 11, 2021; ninety (90) days before the expiration of that bond is August 13, 2021. This Request is being submitted on or before August 13, 2021.

In support of Agway's Request, please find the following information and documentation:

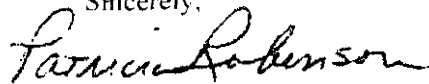
¹ Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers: Acceptable Security Instruments. Docket No. M-2013-2393141. Final Order entered July 24, 2014.

1. Agway's gross receipts in Pennsylvania for the most recent four (4) quarters. Attached as **Exhibit B (CONFIDENTIAL)**. The most recent four (4) quarters of gross receipts total \$2,363,736. Five percent (5%) of the most recent four (4) quarters of gross receipts is equal to \$118,187. The Commission's regulations and orders require that the minimum security level provided by an EGS may not be less than \$250,000. Agway's current bond in the amount of \$250,000 on file with the Commission expires on November 11, 2021. Agway will file a continuation bond in the amount of \$250,000 at least thirty (30) days prior to the expiration of the current bond. The current bond on file with the Commission expires on November 11, 2021; Thirty (30) days before the expiration of the current bond is October 12, 2021.
2. Agway is current with payments of tax liabilities to the Commonwealth of Pennsylvania. Attached as **Exhibit C** is a Tax Status Letter of Good Standing from the Pennsylvania Department of Revenue.
3. Agway is current with its tax liabilities to the Commonwealth of Pennsylvania and is providing proof of its prepaid gross receipts' taxes toward its estimated revenue of the current year via a recent REV-423 Specialty Tax Estimate Payment Form from the Pennsylvania Department of Revenue. Attached as **Exhibit D (CONFIDENTIAL)**.
4. Agway's Alternative Energy Portfolio Standards compliance. Attached as **Exhibit E (CONFIDENTIAL)**.
5. Agway is compliant with the Commission's annual and supplemental fee requirements. See attached **Exhibit F**.

The confidential attachments to this Petition are being provided to the Commission under seal and Agway respectfully requests that the documents be maintained in such a way as to protect the sensitive business information from being disclosed to the public or to any party not authorized to know the information.

Agway has served this Petition on the statutory advocates: (i) The Commission's Bureau of Investigation & Enforcement; (ii) The Pennsylvania Department of Revenue; (iii) The Office of Consumer Advocate; (iv) The Office of Attorney General, Bureau of Consumer Protection; and (v) The Office of Small Business Advocate. The Petition has also been served on the required electric distribution companies. Attached as **Exhibit G** is a Certificate of Service.

Thank you for your time and attention to this matter. If you have any questions or concerns, please contact John D. Coyle, Esq. at (973) 370-0592 or jcoyle@coylelawgroup.com

Sincerely,

Patricia Robinson
Director - Agway Energy Services

Rosemary Chiavetta, Secretary
August 11, 2021
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Enclosures

cc: Stephen Jakab, Bureau of Technical Utility Services, via email
Parties Listed on Certificate of Service (confidential information redacted)
John D. Coyle, Esq., Coyle Law Group LLP

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit A

License for Electric Generation Supplier



**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF: A-2011-2277881


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

EFFECTIVE DATE: April 12, 2012

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accommodation, convenience and safety of the public and hereby issues, evidencing the Commission's approval, to the applicant this:

LICENSE FOR ELECTRIC GENERATION SUPPLIER.

In Witness Whereof, the PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 12th day of April 2012.



Secretary

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit B

CONFIDENTIAL

Most Recent Four Quarters of Gross Receipts



Quarter	Gross Receipts Reported	Date Reported
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Jul 2020		
Aug 2020	\$ 537,031.00	
Sep 2020		10/8/2020
Oct 2020		
Nov 2020	\$ 400,085.00	
Dec 2020		1/6/2021
Jan 2021		
Feb 2021	\$ 553,084.00	
Mar 2021		4/7/2021
Apr 2021		
May 2021	\$ 393,097.00	
Jun 2021		7/8/2021

1 Year Gross Receipts Ending June 2021
\$ 1,883,297.00

10% of Gross Receipts Ending June 2021
\$ 188,329.70

5% of Gross Receipts Ending June 2021
\$ 94,164.85

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Exhibit C

Tax Status Letter of Good Standing from the
Pennsylvania Department of Revenue



Bureau of Compliance
P.O. Box 280231
Harrisburg, PA 17128-0231
717-787-3911 (Option 5)
www.revenue.pa.gov



Tuesday, August 10, 2021

Attention: Patricia Robinson

RE: AGWAY ENERGY SERVICES LLC
5797 Widewaters Pkwy, Suite 150, Syracuse, NY 13214

Federal EIN: 20-0419460
Social Security Number:
Business Partner Number: 1000260336

Dear Requester,

I am writing to confirm that the above-referenced tax accounts for AGWAY ENERGY SERVICES LLC are current. All returns have been filed with payment as of Tuesday, August 10, 2021. This confirmation is not intended to represent a "Bulk Sale Clearance" under the provision of section 1403 of the fiscal code. This letter does confirm that the account above is in good standing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ernard S. Robinson, Jr.', written in a cursive style.

Ernard S. Robinson, Jr
PA Department of Revenue
Bureau of Compliance
Business License Clearance Division

Exhibit F

Confirmation of Compliance with
Required Annual Fees and
Supplemental Annual Fees

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August 11, 2021

Pennsylvania Public Utility
Commission Secretary
400 North Street
Keystone Building, 2nd Floor Room N201
Harrisburg, PA 17120

Re: Agway Energy Services LLC Compliant with Commission Fees

To Whom It May Concern:

Please accept this letter as confirmation that Agway Energy Services LLC. ("Agway") is compliant with Pennsylvania Public Utility Commission ("Commission") required annual fees and required supplemental annual fees.

This confirmation is being provided as part of Agway's petition to the Commission for a reduction in the financial security amount from the current 10% to 5% of gross receipts.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Robinson".

Patricia Robinson

Director - Agway Energy Services

Exhibit G

Certificate of Service

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



CERTIFICATE OF SERVICE

On this the 11th day of August 2021, I certify that a true and correct copy of the foregoing filing and all **NON-CONFIDENTIAL** attachments have been served as a hardcopy print out upon the following:

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

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

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

Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
Harrisburg, PA 17128-0946

Pennsylvania Office of Small
Business Advocate
300 North Second Street, Suite 202
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 19103

Regulatory Affairs
Duquesne Light Company
411 Seventh Street
Pittsburgh, PA 15219

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

Legal Department
FirstEnergy
2800 Pottsville Pike
Reading PA, 19605

UGI Utilities, Inc.
Attn: Rates Dept. - Choice Coordinator 2525
N. 12th Street, Suite 360
P.O. Box 12677 Reading,
PA 19612-2677

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Citizens' Electric Company
1775 Industrial Blvd.
Lewisburg, PA 17837

Duquesne Light Company
411 Seventh Avenue (6-1)
Pittsburgh, PA 15219

Met-Ed
P.O. Box 3687
Akron, OH 44309-3687

PECO
Customer Service Center
2301 Market Street,
Philadelphia, PA 19103

Penelec
P.O. Box 3687
Akron, OH 44309-3687

Penn Power
P.O. Box 3687
Akron, OH 44309-3687

Pike County Light & Power
P.O. Box 1109
Milford, PA 18337

PPL Electric Utilities
827 Hausman Road
Allentown, PA 18104-9392

UGI Utilities
P.O. Box 13009
Reading, PA 19612-3009

Wellsboro Electric Company
PO Box 138
33 Austin Street
Wellsboro, PA 16901

West Penn Power
P.O. Box 3687
Akron, OH 44309-3687



John D. Coyle, Esq., Partner
Coyle Law Group LLP



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55 MADISON AVE STE 400
MORRISTOWN NJ 07960-7397

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WAIVER OF SIGNATURE

SCHEDULED DELIVERY 6:00 PM

SHIP

TO:

ROSEMARY CHIAVETTA, SECRETARY
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH ST
HARRISBURG PA 17120-0211

USPS TRACKING #



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