



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

September 9, 2021

Docket No. A-2021-3028328
Utility Code: 1124514

EMAIL

TOBY WEALCATCH MANAGER
ENERGY ANALYSIS GROUP LIMITED LIABILITY COMPANY
211 BOULEVARD OF THE AMERICAS STE 106
LAKEWOOD NJ 08701
TWEALCATCH@ENERGYANALYSISGROUP.COM

RE: Electric Generation Supplier License Application

Dear Mr. Wealcatch:

On September 3, 2021, the Public Utility Commission accepted ENERGY ANALYSIS GROUP LIMITED LIABILITY COMPANY's application for an Electric Generation Supplier license. The application was incomplete. In order for us to complete our analysis of your application, the Energy Industry Group requires answers to the attached question(s).

Please be advised that you are directed to forward the requested information to the Commission within **30** days from the date of this letter. Failure to respond may result in the application being denied. As well, if ENERGY ANALYSIS GROUP LIMITED LIABILITY COMPANY has decided to withdraw its application, please reply notifying the Commission of such a decision.

Please forward the information to the Secretary of the Commission at the address listed below. When submitting documents, all documents requiring notary stamps must have original signatures. Please note that some responses may be e-filed to your case, <http://www.puc.pa.gov/efiling/default.aspx>. A list of document types allowed to be e-filed can be found at <http://www.puc.pa.gov/efiling/DocTypes.aspx>.

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

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

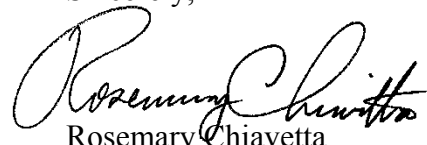
I, Toby Wealcatch, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to

be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

In addition, to expedite completion of the application, please also e-mail the information to Jeremy Haring at jharing@pa.gov. Please direct any questions to Jeremy Haring, Bureau of Technical Utility Services, at jharing@pa.gov (preferred) or (717) 783-6175.

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure

Docket No. A-2021-3028328
ENERGY ANALYSIS GROUP LIMITED LIABILITY COMPANY
Data Requests

1. Reference Application, Section 2.b, PA Registration – Applicant failed to provide its proof of PA Registration. Please provide the missing documentation.
2. Reference Application, Section 2.b, Chief Officers – Applicant failed to provide its chief officers names and addresses. Please provide an updated application page with the requested information.
3. Reference Application, Section 4.b, Proposed Operations – Applicant did not check the box to verify that your organization will not be taking title to electricity, nor will you be making payments for customers. Please verify that you will be taking title to electricity or making payments or submit an updated application page with the appropriate box checked.
4. Reference Application, Section 4.c, Description of Proposed Services – The applicant failed to provide a sufficient description of proposed services in the EGS Application Package. Please file an updated Application page with the requested information.
5. Reference Application, Section 7.a, Bonding – Applicant failed to select a box stating which bonding option the company was electing. Please provide an updated application page with a selection.
6. Reference Application, Section 7.a, Financial Fitness – Applicant provided a financial security with the name as ENERGY ANALYSIS GROUP LLC and the PA Department of State stated that the Applicant’s registered name is ENERGY ANALYSIS GROUP LIMITED LIABILITY COMPANY. Please provide an updated financial security that matches the PA Department of State exactly.
7. Reference Application, Section 7.b, Financial Fitness – Applicant provided minimal documentation to demonstrate financial fitness. Please provide additional financial fitness documentation that may include two recent consecutive years of financial statements, two recent consecutive years of income tax filings, and three recent consecutive months of bank statements.
8. Reference Application, Section 7.d, Financial Fitness – Applicant failed to provide details on their broker payment structure. Please provide a detailed explanation on how the Applicant plans on financing its EGS business.
9. Reference Application, Section 7.f, Taxation – Applicant failed to provide the Tax Certification Statement. Please submit a complete Tax Certification Statement.

10. Reference Application, Section 8.a, Technical Fitness – Applicant failed to provide a license for New Jersey, Massachusetts, Maryland, Rhode Island, Connecticut, Florida, Georgia, Illinois, Michigan, Ohio, Texas, and Virginia. Please provide the missing documentation.
11. Reference Application, Section 8.b, c, d, Technical Fitness – Applicant failed to list its Explanation of Ethical Procedures. Please provide an updated application page with the appropriate corrections.
12. Reference Application, Section 8.e, Technical Fitness – Applicant failed to provide detailed professional resumes of its chief officers, to include detailed descriptions on all experience and activities including date ranges. Please provide the missing documentation.
13. Reference Application, Section 12, Notarized Proofs – Applicant failed to provide a notarized proof of publication for Harrisburg Patriot-News and Pittsburgh Post-Gazette. Please provide the notarized proofs of publication for the above newspaper.

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):

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...

- 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 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.