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100 N. Tenth Street | Harrisburg, PA 17101 | p: 717.884.9409
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November 9, 2021

VIA FEDERAL EXPRESS
OVERNIGHT MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Application of Kinetic Energy Associates, LLC
Docket No. _____
NATURAL GAS SUPPLY SERVICE APPLICATION

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the Natural Gas Supply Services Application of Kinetic Energy Associates, LLC ("Kinetic Energy"). Also enclosed are the proofs of publication and a check in the amount of \$350.00 tendered as payment of the filing fee. Kinetic Energy is seeking approval to offer, render, or supply natural gas supply services as a broker throughout the Commonwealth of Pennsylvania. Please note that the application includes letters from NGDCs regarding compliance with financial security requirements. Also note that Attachments 7.2 and 7.3 contain **Confidential** information and are attached to the Application in a separate and appropriately marked envelope. The Confidential attachments will not be provided to the parties being served with this Application. Please return a time-stamped copy of both the Public and Confidential Version to the undersigned in the self-addressed stamped envelope provided.

If you have any questions regarding this filing, please do not hesitate to contact me.

Very truly yours,

Todd S. Stewart

TSS/jld

Enclosurescc: Per Certificate of Service

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of *Kinetic Energy Associates, LLC*, for approval to offer, render, furnish, or supply natural gas supply services as a BROKER 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:

Kinetic Energy Associates, LLC
100 North Tenth Street
Harrisburg, PA 17101
(717) 703-0818

- 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.

None.

- 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.

Todd S. Stewart, Member
100 North Tenth Street
Harrisburg, PA 17101
Phone: (717) 703-0806
Fax: (717)236-4841
E-mail: tsstewart@hmslegal.com

- 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.

Todd S. Stewart, Member
100 North Tenth Street
Harrisburg, PA 17101
Phone: (717) 703-0806
Fax: (717) 236-4841
E-mail: tsstewart@hmslegal.com

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

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tsstewart@hmslegal.com

2. **BUSINESS ENTITY FILINGS AND REGISTRATION**

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

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

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

Or

The Applicant will not be using a fictitious name.

- b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**
(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)

The Applicant is a sole proprietor.

- If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

Or

The Applicant is a:

- domestic general partnership (*)
- domestic limited partnership (15 Pa. C.S. §8511)
- foreign general or limited partnership (15 Pa. C.S. §4124)
- domestic limited liability partnership (15 Pa. C.S. §8201)
- foreign limited liability general partnership (15 Pa. C.S. §8211)

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

foreign limited liability limited partnership (15 Pa. C.S. §8211)

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- * If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

or

The Applicant is a:

- domestic corporation (15 Pa. C.S. §1308)
- foreign corporation (15 Pa. C.S. §4124)
- domestic limited liability company (15 Pa. C.S. §8913)
- foreign limited liability company (15 Pa. C.S. §8981)
- Other (Describe):

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

See Attachment 2.1

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

Pennsylvania, See Attachment 2.1

- Give name and address of officers.

**Managing Members: Judith D. Cassel, Todd S. Stewart, Kevin J. McKeon,
100 N. 10th Street, Harrisburg, PA 17101**

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.

None.

- 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.

None.

4. OPERATIONS

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

Definitions

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

- The Applicant is presently doing business in Pennsylvania as a

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

Applicant is presently operating as a Electric Generation Supply Broker in Pennsylvania. Kinetic Energy Associates was issued a license by the Commission at Docket A-2012-2289988, on March 29, 2012.

or

- The Applicant is not presently doing business in Pennsylvania.

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

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

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

Applicant will serve as a broker of natural gas supply to commercial, industrial and governmental customers throughout the Commonwealth. We will match customers to licensed suppliers.

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

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

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

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

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

Upon approval of application.

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.

None.

- 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 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.

None.

- 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:

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

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

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

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

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

b.) **NGDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Natural Gas Distribution Companies the Applicant proposed to provide service in. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14. Contact information for each NGDC is as follows.

<p>Columbia Gas of PA, Inc. Transport Support Services 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.4980 e-mail: transportevaluations@nisource.com</p>	<p>National Fuel Gas Distribution Corp. Joanne E. Maciok 6363 Main Street Williamsville, NY 14221 PH: 716.857.7670 FAX: 716.857.7479 e-mail: maciokj@natfuel.com</p>
<p>Peoples Natural Gas Company LLC Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com</p>	<p>PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 PH: 215.841.6452 Email: carlos.thillet@exeloncorp.com</p>
<p>Peoples Gas Company LLC Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com</p>	<p>Philadelphia Gas Works Ryan Reeves, Director Supply Transportation & Control 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.787.5103 email: pgwchoicesupply@pgworks.com</p>
<p>Valley Energy Inc. Ed Rogers 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: erogers@ctenterprises.org</p>	<p>UGI Utilities, Inc. – Gas Division Sherry Epler 1 UGI Drive Denver, PA 17517 PH: 610.796.3447 Email: sepler@ugi.com</p>

7. FINANCIAL FITNESS

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

See Attachment 7.1.

- 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.
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements exhibiting accounts over a minimum two-year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

See Attachment 7.2 2020 Federal Income Tax Return - CONFIDENTIAL.

Kinetic was formed in 2011, and conducts its business from the offices of Hawke McKeon & Sniscak LLP, using administrative support from the firm as needed. Consequently, Kinetic's overhead and administrative costs are minimal. Kinetic's business model does not require substantial capital or overhead, since its role is to match customers, mainly its clients, with sellers.

- 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.

N/A

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

Brokers are paid by the Suppliers for whom they are able to match customers, typically as a flat amount per unit of gas.

- 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.

Dixie Kortright, Office Manager
100 North 10th Street
Harrisburg, PA 17101
717.703.0810
717.236.4841 (fax)
dlkortright@hmslegal.com

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

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

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

See Attachment 7.3 – Kinetic Energy Associates, LLC Tax Certification - CONFIDENTIAL.

8. TECHNICAL FITNESS:

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

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

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

Kinetic Energy has been successfully operating as a Broker in the electricity market since 2012. The five members of Kinetic Energy Associates, LLC ("Kinetic") are all present or retired attorneys at the law firm Hawke, McKeon & Sniscak, LLP ("HMS"), in Harrisburg, PA. HMS focuses its practice in the areas of public utility and energy law. HMS has been representing both public and investor-owned utility companies, including electric, gas, water and sewer companies, for over thirty years. Several attorneys in HMS have been very closely involved in electric and gas utility issues, including retail competition, since energy competition was introduced in Pennsylvania.

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

- Internal – Applicant will use its own internal resources/employees for marketing

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

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

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

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

Any external marketing will be approved and overseen by the members of the firm. There is no plan to use external contractors and so complete control of methods and message are possible.

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.

**Managing Members: Judith D. Cassel, Todd S. Stewart and, Kevin J. McKeon.
See Attachment 8.1 biographies of Managing Members.**

9. DISCLOSURE STATEMENT:

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

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

- Natural gas should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 62.114.

AGREED

- b. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission:
- Reports of Gross Receipts: Applicant shall file an annual report with the Commission on an annual basis no later than April 30th following the end of the calendar year per 52 Pa. Code § 62.110.

AGREED

- c. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. § 2208(d). Transferee will be required to file the appropriate licensing application.

AGREED

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

ACKNOWLEDGED

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

AGREED

f. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

AGREED

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

AGREED

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

AGREED

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

PAYMENT ENCLOSED

11. **AFFIDAVITS**

(All affidavits must be notarized before filing.)

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

See Attachment 11.1, the executed Application Affidavit.

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

See Attachment 11.2, the executed Operations Affidavit.

12. NEWSPAPER PUBLICATIONS

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

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

The chart below dictates which newspapers are necessary for each NGDC. For example, an applicant that wants to operate in Peoples Natural Gas would need to run ads in The Erie Times-News, the Pittsburgh Post-Gazette, and the Johnstown Tribune-Democrat. 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 or Philadelphia Inquirer	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
Columbia Gas	X	X		X		X	X
National Fuel Gas	X			X			
PECO			X				
Peoples Natural Gas	X			X			X
Peoples Gas Company				X			
Philadelphia Gas Works			X				
UGI Utilities – Gas Div.	X	X	X	X	X	X	X
Valley Energy					X	X	
Entire Commonwealth	X	X	X	X	X	X	X

See Attachment 12.1 – the Form of Notice that has been published in 7 newspapers listed above. See Attachment 12.2. - Proofs of Publication.

13. SIGNATURE

Applicant: Public Energy Associates LLC
By: [Signature]
Title: member

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

14. CHECKLIST

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

Applicant: Kinetic Energy Associates, LLC

Applicant's Use	X	Signature		PUC Secretary's Bureau Use
	X	Filing Fee (ONLY CERTIFIED CHECK OR MONEY ORDER)		
	X	Application Affidavit		
	X	Operations Affidavit		
	X	Proof of Publication		
	X	Tax Certification Statement		
	X	Commonwealth Department of State Verification		
	X	Certificate of Service		

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 2.1

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

10/18/2021

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

Kinetic Energy Associates, LLC

I, Veronica Degraffenreid, Acting Secretary of the Commonwealth of Pennsylvania, do hereby certify that the foregoing and annexed is a true and correct copy of

Creation Filing filed on Oct 17, 2011 - Pages (2)

which appear of record in this department.



IN TESTIMONY WHEREOF, I have hereunto set
my hand and caused the Seal of the Secretary's
Office to be affixed, the day and year above written

Veronica W. Degraffenreid

Acting Secretary of the Commonwealth

Certification Number: TSC211018141669-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify>

4. *Strike out if inapplicable term*
~~A member's interest in the company is to be evidenced by a certificate of membership interest.~~


5. *Strike out if inapplicable:*
~~Management of the company is vested in a manager or managers.~~

6. The specified effective date, if any is: Upon Filing
month date year hour, if any

7. *Strike out if inapplicable:* ~~The company is a restricted professional company organized to render the following restricted professional service(s):~~

8. For additional provisions of the certificate, if any, attach an 8½ x 11 sheet.

IN TESTIMONY WHEREOF, the organizer(s) has (have) signed this Certificate of Organization this
17th day of October, 2011.



Signature

Signature

Signature

ATTACHMENT 2.2

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

10/18/2021

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

Kinetic Energy Associates, LLC

I, Veronica Degraffenreid, Acting Secretary of the Commonwealth of Pennsylvania, do hereby certify that the foregoing and annexed is a true and correct copy of

Amendment filed on Feb 8, 2021 - Pages (1)

which appear of record in this department.

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



IN TESTIMONY WHEREOF, I have hereunto set
my hand and caused the Seal of the Secretary's
Office to be affixed, the day and year above written

Veronica W. Degraffenreid

Acting Secretary of the Commonwealth

Certification Number: TSC211018141670-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify>

**ATTACHMENT 7.1
FINANCIAL SECURITY**

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



375 North Shore Drive
Pittsburgh, Pennsylvania 15212

www.peoples-gas.com

Carol Scanlon
Manager, Rates

Peoples Service Company LLC
Phone: 412-208-6931
Email: Carol.Scanlon@peoples-gas.com

October 18, 2021

Todd S. Stewart
Managing Member
Kinetic Energy Associates, LLC
100 N 10th Street
Harrisburg, PA 17101

Dear Mr. Stewart:

We are pleased that Kinetic Energy Associates, LLC has applied for a license to provide natural gas services on the Peoples Group of Companies. Specifically you have requested to be licensed as a supplier on the distribution systems of Peoples Natural Gas Company LLC, and Peoples Gas Company LLC (formerly Peoples TWP) ("the Companies").

Since Kinetic Energy Associates, LLC is not currently serving customers on the Peoples systems, we have determined at this time that Kinetic Energy Associates, LLC does not need a bond or other financial security requirement to provide these services to the Company's customers.

If a Pool is established, and customers are enrolled which alters the creditworthiness requirement or the Company's exposure to Kinetic Energy Associates, LLC provision of services on the Peoples' system changes in the future, the Companies may deem it appropriate to require a bond or other financial instrument.

If you have any questions feel free to contact me at 412-208-6931 or by email at Carol.Scanlon@peoples-gas.com.

Sincerely,

Carol Scanlon
Manager, Rates
Peoples Natural Gas Company LLC

Cc: Stephen Kelly
Mina Speicher

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



VALLEY ENERGY

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

October 18, 2021

DATE OF DEPOSIT

Mr. Todd S. Stewart
Managing Member
Kinetic Energy Associates, LLC
100 N. 10th St.
Harrisburg, PA 17101
tsstewart@hmslegal.com

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. Stewart:

We understand that Kinetic Energy Associates, LLC has applied with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania including our company's service area.

Because Kinetic Energy Associates, LLC intends to only provide natural gas aggregating, brokering, and consulting services at this time, we have determined that Kinetic Energy Associates, LLC will not be required to post a bond or other form of financial security instrument to provide these services in our service area. However, if the services provided change in the future, we reserve the right to require security from Kinetic Energy Associates, LLC as deemed appropriate.

If you have any questions, please contact Jamie Levering at 570-888-9664 (Ext. 5232).

Sincerely,

Edward E. Rogers
President & CEO

EER/ss

cc: J. Levering, Valley Energy



National Fuel

October 19, 2021

Todd S. Stewart, Member
Kinetic Energy Associates, LLC
100 North Tenth Street
Harrisburg, PA 17101

Dear Todd,

National Fuel Gas Distribution Corporation ("NFGDC") is aware Kinetic Energy Associates, LLC. (KEA) has filed an application with the Pennsylvania Public Utility Commission to supply natural gas service to the public in Pennsylvania and specifically within the service territory of NFGDC.

As you know, in making such an application, KEA must furnish acceptable security to each utility where KEA will do business. As such, under its tariff, NFGDC could require KEA to provide a bond or other financial security instrument in an amount that NFGDC determines to be appropriate.

However, you have indicated, and it is NFGDC's understanding that KEA intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that, in performing these services, KEA will never take title to any delivered natural gas, nor will it accept any customer payments or deposits.

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

If you have any questions concerning the foregoing, please contact me at 716-857-7541.

Yours truly,

Nicole Barker
Transportation Services Department

October 15, 2021

Todd S Stewart
Kinetic Energy Associates, LLC
100 N 10th Street
Harrisburg PA 17101

Dear Todd S Stewart:

We are pleased that Kinetic Energy Associates, LLC has applied for a license to provide Natural Gas Broker/Marketer Services on the distribution system of Columbia Gas of Pennsylvania, Inc. ("Columbia Gas").

Under Paragraph 2.4.5 of the Rules Applicable to Distribution Service section of the Tariff of Columbia Gas, Kinetic Energy Associates, LLC could be required to provide to Columbia Gas a bond or other financial security instrument in an amount that Columbia Gas determines to be appropriate. Kinetic Energy Associates, LLC has indicated only brokering and consulting services will be provided. Therefore, we have determined at this time that Kinetic Energy Associates, LLC does not need a bond or other financial security requirement to provide broker natural gas services to Columbia Gas customers.

If the creditworthiness requirement or Columbia Gas' exposure to Kinetic Energy Associates, LLC changes in the future, Columbia Gas might deem it appropriate to require Kinetic Energy Associates, LLC to provide a bond or other financial security instrument.

Please feel free to contact me at 614-460-4980 should you have any questions regarding a bond or other financial security instrument requirements of Columbia Gas.

Sincerely,

Kylia Davis

Kylia Davis
Manager of Choice and Transportation Support Services



UGI Utilities, Inc.
1 UGI Drive
Denver, PA 17517
610-796-3400

VIA E-MAIL

October 21, 2021

DATE OF DEPOSIT

NOV - 9 2021

Kinetic Energy Associates, LLC
100 North Tenth Street
Harrisburg, PA 17101

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTENTION: Todd S. Stewart, Managing Member

**RE: Kinetic Energy Associates, LLC
Application to Serve as a Natural Gas Broker**

Dear Mr. Stewart,

Based on your assertion that Kinetic Energy Associates, LLC ("Kinetic Energy") is applying with the State of Pennsylvania to operate as a natural gas broker/marketer, UGI Utilities, Inc.-Gas Division ("UGIU") has concluded that Kinetic Energy will not need to post security with UGIU. This is based on the declaration that Kinetic Energy will be acting in conjunction with a licensed natural gas supplier who has been approved by the Pennsylvania Public Utility Commission to serve in the applicable UGIU service territories and who has posted the required financial security as specified in the UGIU Tariff. If Kinetic Energy wishes to directly serve Choice customers in the service territories of UGIU in the future as a natural gas supplier, it will have to post security as specified in the UGIU Tariff prior to the commencement of the service.

Please feel free to contact me with any additional questions you may have.

Sincerely,

Sherry Epler
Senior Manager
Tariff & Supplier Administration

SE/rks



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

10/19/2021

Todd S. Stewart
Kinetic Energy Associates, LLC.
100 N.10th. Street
Harrisburg Pa 17101

Email: Tsstewart@hmslegal.com

RE: Security Requirement Bond for Kinetic Energy Associates, LLC.

Dear Todd S. Stewart, Managing Member

Philadelphia Gas Works ("PGW") is aware that Kinetic Energy Associates, LLC. has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the services territory of Philadelphia Gas Works.

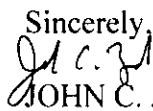
As you know, in making such an application, Kinetic Energy Associates, LLC. must furnish acceptable security to each utility where Kinetic Energy Associates, LLC will do business. As such, under its tariff, Philadelphia Gas Works could require Kinetic Energy Associates, LLC. to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate.

However, you have indicated, and it is Philadelphia Gas Works' understanding, that Kinetic Energy Associates, LLC.

intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that in performing these services Kinetic Energy Associates, LLC. will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, Kinetic Energy Associates, LLC. does not need to post a bond or other form of security to operate in its service territory. If the services provided by Kinetic Energy Associates, LLC. should change, Philadelphia Gas Works reserves the right to require security from Kinetic Energy Associates, LLC. as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at 215-684-6725.

Sincerely,

JOHN C. ZUK
Sr. Vice President, Gas Management

October 26, 2021

Kinetic Energy Associates, LLC
100 N 10th Street
Harrisburg, PA 17101

Re: Bonding Requirements

Dear Kinetic Energy Associates, LLC:

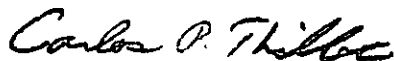
PECO is aware that Kinetic Energy Associates, LLC has applied for a license to provide brokering and consulting services to commercial and industrial customers on the distribution system of PECO.

In making such an application Kinetic Energy Associates, LLC could be required to provide to PECO a bond or other acceptable financial security in an amount that PECO determines to be appropriate. Kinetic Energy Associates, LLC has indicated that it intends to provide only brokering and consulting services to commercial and industrial customers will not take title to any delivered natural gas; nor will accept any customer payments or deposits.

Therefore, PECO has determined at this time that Kinetic Energy Associates, LLC does not need a bond or other financial security requirement, since they are not directly engaging in business with PECO and only providing brokering or consulting services to PECO customers. However, if the services provided by Kinetic Energy Associates, LLC or the creditworthiness requirement for PECO's exposure to Kinetic Energy Associates, LLC changes in the future, PECO reserves the right to require Kinetic Energy Associates, LLC to provide a bond or other financial security instrument.

If you should have any questions regarding this matter, please contact Chris Sauerbaum at chris.sauerbaum@exeloncorp.com.

Respectfully submitted,



Carlos P. Thillet
Manager, Gas Supply and Transportation
2301 Market St S9-1
Philadelphia, Pa 19103

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 7.2
FEDERAL INCOME TAX RETURN

CONFIDENTIAL

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

[REDACTED]

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**ATTACHMENT 7.3
TAX CERTIFICATION**

CONFIDENTIAL

[REDACTED]

**ATTACHMENT 8.1
BIOGRAPHIES OF MANAGING
MEMBERS**

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DATE OF DEPOSIT

Kevin J. McKeon

NOV - 9 2021

Print 

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Partner

Kevin is an experienced government law litigator and appellate advocate. Co-author of West's *Pennsylvania Appellate Practice* and immediate past Chair of the Supreme Court of Pennsylvania's Appellate Court Procedural Rules Committee, Kevin has briefed and argued appeals in all of Pennsylvania's appellate courts and in various federal circuit courts of appeal including the Ninth, D.C. and Third Circuits. He is frequently involved in original jurisdiction actions in the Commonwealth Court on issues related to the constitutionality of state statutes and the legality of administrative agency regulations. With HMS partner Dennis Whitaker and others, he is a founder of and regular contributor to *Pennsylvania Appellate Advocate*, a blog that provides timely coverage and analysis of notable appellate decisions, allocatur grants, upcoming arguments, proposed and adopted rule changes, and other information of interest to lawyers, litigants, and others involved in or affected by issues presented in appeals in Pennsylvania's appellate courts.

Kevin also appears regularly on behalf of diverse clients before state and federal regulatory agencies including Pennsylvania's Public Utility Commission, the Department of Health's Office of Medical Marijuana, the Insurance Department, the Gaming Control Board, various professional licensing boards, and the Federal Energy Regulatory Commission (FERC).

Before entering private practice with HMS in 1984, Kevin served as law clerk to the Honorable James S. Bowman, first president judge of the Commonwealth Court of Pennsylvania, and as that court's first Deputy Prothonotary for Law. Kevin is a frequent lecturer and panel moderator on appellate issues and on topics in administrative law. He received the James S. Bowman award for outstanding practice and mentoring in administrative law.

Representative Matters

- Represents Pennsylvania casinos in opposing so-called "skill game" operations.
- Secured preliminary and permanent injunctions on behalf of the Pennsylvania Professional Liability Joint Underwriting Association to prevent governmental taking of \$200 million of insurer's private assets.
- Secured preliminary injunction on behalf of medical marijuana permittees to halt implementation of regulations that would have allowed issuance of permits intended for research on a noncompetitive basis.
- Successfully obtained Commonwealth Court declaratory and injunctive relief invalidating 2017 statute that authorized the sale of consumer fireworks from temporary tents.
- Represents trucking and motorist association in 2018 federal district court commerce clause/right to travel challenge to Pennsylvania Turnpike Commission's tolling structure.
- Represents oil and gas company in ongoing oil and gas lease litigation before PA court of common pleas, Pennsylvania Superior Court and federal district court.

- Represents Phase I and Phase II medical marijuana permit applicants in appeals to Pennsylvania Department of Health from Office of Medical Marijuana's permit denials and rejections.
- Represents California Attorney General in ongoing 2000-2001 energy crisis refund litigation before FERC and the federal circuit courts of appeal.
- Represented Stadium Casino in 2015-2017 licensure matters before Gaming Control Board and Pennsylvania Supreme Court.
- Represented small business owners as *amicus curiae* in 2017-2018 Commonwealth Court and Supreme Court appeals challenging Philadelphia's soda tax ordinance
- Represented petroleum refiner in 2017 oil pipeline flow reversal application before Pa. PUC.
- Represented pipeline operators in 2016 Gas Hazardous Liquids Pipelines Act (Act 127) complaint before Pa. PUC.
- Represented Pennsylvania Health Care Association in 2015 jurisdictional challenge to Attorney General's investigation and prosecution of nursing homes.
- Represented XTO Energy Inc. in 2014 Peoples Natural Gas gas cost recovery proceeding before Pa. PUC.
- Represented Dominion Transmission Inc. in 2013 merger proceeding of Peoples Natural Gas and Equitable Gas before the Pa. PUC.
- Represented Pennsylvania Medical Society in 2008-2013 Insurance Department litigation and Commonwealth Court and Supreme Court appeals involving computation of MCARE annual physician assessments and Pennsylvania's use of MCARE funds for budgetary purposes.
- Represented Bensalem Racing Association in 2011 appeal from the Pa. Harness Racing Commission's approval of Harrah's Chester's account wagering application.
- Represented UGI Electric in its 2011 Energy Efficiency and Conservation filing before the Pa. PUC.
- Represented Exelon in 2009 hostile takeover of NRG before Pa. PUC.
- Represented Pennsylvania Racinos in 2007 preliminary injunction challenge to budget impasse shutdown of gambling operations.
- Represented Dominion Resources, Inc.'s natural gas distribution companies in pipeline proceedings before FERC and the federal courts.
- Represented Connecticut Natural Gas Company, Southern Connecticut Gas Company and Yankee Gas in pipeline proceedings before FERC and federal courts.
- Represented various Pennsylvania natural gas distribution companies in rate and certificate proceedings at the Pa. PUC.

Representative Cases

- *Pennsylvania Prof'l Liab. Joint Underwriting Ass'n v. Wolf*, 381 F. Supp. 3d 324 (M.D. Pa. 2018) (Act 41 of 2018 declared unconstitutional as violation of Fifth Amendment Takings Clause).

- *AES Compassionate Care, LLC et al. v. Levine*, (Pa. Cmwlth. 2018) (McCullough, J.) (unreported) (Department of Health's Office of Medical Marijuana's medical marijuana research permit regulations preliminarily enjoined as inconsistent with the statute and violative of delegation doctrine).
- *Phantom Fireworks Showrooms, LLC v. Wolf*, 198 A.3d 1205 (Pa. Cmwlth. 2018) (temporary tent provisions of fireworks portion of Act 43 of 2017 stricken as unconstitutional delegation of legislative authority to private organization).
- *Pennsylvania Prof'l Liab. Joint Underwriting Ass'n v. Wolf*, 324 F. Supp. 3d 519 (M.D. Pa. 2018) (Act 44 of 2017 declared unconstitutional as violation of Fifth Amendment Takings Clause).
- *SugarHouse HSP Gaming, LP v. Pa. Gaming Control Bd.*, 162 A.3d 353 (Pa. 2017) (PGCB's grant of license to Stadium Casino affirmed and remanded for further proceedings).
- *Utils. Comm'n of Cal. v. Sellers of Long-Term Contracts*, 155 FERC ¶ 63,004 (2016) (initial decision finding that California Attorney General and other California complainants made necessary showing that *Mobile-Sierra* presumption does not apply to two long-term contracts based on finding of manipulation, fraud and public harm in excess of \$1 billion).
- *California ex rel. Harris*, 784 F.3d 1267 (9th Cir. 2015) (FERC's denial of refunds for California's energy crisis purchases reversed and remanded).
- *Greenwood Gaming and Entertainment, Inc. v. Dept. of Revenue*, 90 A.3d 699 (Pa. 2014) (casino-racetrack's appeal from computation of tax on gross terminal revenue sustained and exclusion from tax base of value of promotional awards to patrons permitted).
- *Hospital and Healthsystem Assoc. of Pa. v. Com.*, 77 A.3d 587 (Pa. 2013) (challenge to legislature's raid of physicians' professional liability funds for general budgetary purposes validated and case remanded).
- *Hospital and Healthsystem Assoc. of Pa. v. Ins. Comm'r*, 74 A.3d 1108 (Pa. Cmwlth. 2013) (challenge to Insurance Commissioner's interpretation of statutory formula for physicians' professional liability fund assessment upheld and agency determination reversed).
- *Bensalem Racing Ass'n v. Pa. State Harness Racing Comm'n*, 19 A.3d 549 (Pa. Cmwlth. 2011) (agency's orders denying intervention to competitor in account wagering application and granting application reversed).
- *Port of Seattle v. FERC*, 499 F.3d 1015 (9th Cir. 2007), cert den. sub nom. 130 S. Ct. 1051 (2010) (FERC's denial of refunds for California's energy crisis purchases reversed and remanded).

- *Wings Field Pres. Assocs. L.P. v. Dept. of Transp.*, 776 A.2d 311 (Pa. Cmwlth. 2001) (statute imposing local restrictions on airport funding invalidated on special legislation and delegation grounds).

Honors & Distinctions

- Immediate past chair, Pennsylvania Appellate Court Procedural Rules Committee (2015-2016)
- 2014 recipient of Pennsylvania Bar Association's James S. Bowman Award for outstanding practice in administrative law
- Pennsylvania Super Lawyers®
- Martindale-Hubbell "AV" Preeminent

Publications

- West's Pennsylvania Appellate Practice (3 Vol. Treatise updated annually)
- Pennsylvania Appellate Advocate
- Chapter 20 Litigation: Regulatory Policymaking by Other Means, *The Legal Intelligencer* (May 28, 2019)

Judicial Clerkship

- Law Clerk to the Honorable James S. Bowman, President Judge, Commonwealth Court of Pennsylvania, 1979-1980

Government Service

- Deputy Prothonotary for Law, Commonwealth Court of Pennsylvania, 1980-1982

Professional Affiliations

- American Bar Association
- Pennsylvania Bar Association
- Dauphin County Bar Association
- Energy Bar Association
- James S. Bowman American Inn of Court
- Commonwealth Court Historical Society

Judith D. Cassel

Print 

Partner

Judith Cassel focuses her practice on administrative and commercial law. She represents companies before governmental agencies as well as assisting companies with their licensing, compliance, and litigation needs.

Judith has spent over 20 years in highly regulated industries such as petroleum, natural gas, electricity, and medical marijuana. Starting as an executive for Mobil Oil Corporation and later as Vice President of regional petroleum, electricity, and natural gas companies, Judith has negotiated mergers and acquisitions, reorganized operations and refinanced companies.

Beyond managing energy companies, Judith has represented the following types of clients:

- manufacturers,
- utilities,
- retailers
- solar installations and electric generation suppliers
- clients with matters before the:
 - Federal Energy Regulatory Commission (FERC),
 - Pennsylvania Public Utility Commission (Pa. PUC),
 - Pennsylvania Department of Environmental Protection (Pa. DEP),
 - Department of Health,
 - Insurance Department's Underground Storage Tank Indemnification Fund (USTIF)
 - and both the Pennsylvania and Maryland taxing authorities.

Judith has assisted clients with:

- applications.
- licensing,
- regulatory compliance,
- large commercial collections,
- entity formation,
- refinancing,
- contract negotiations and drafting,
- sales and leasing transactions,
- grant funding, and
- litigation

In addition, Judith represents companies before the Bureau of Minority and Women Business Opportunities (BMWBO), as well as the Pennsylvania Department of Community and Economic Development.

Representative Matters

- Represents commercial clients in purchase and sale transactions
- Represents Energy Suppliers before FERC
- Represents State Attorney Generals before FERC
- Represents commercial clients before the U.S. Department of Labor
- Represents Solar Installation facilities in front of the Pa. DEP and Pa. PUC
- Represents Petroleum Distributors in front of USTIF
- Represents electric utility and electric generation suppliers before the Pa. PUC
- Represents commercial clients before the U.S. District Courts
- Negotiates, drafts, implements, and defends contracts, leases, and asset purchase agreements
- Represents companies before Pa. DEP and the Pennsylvania Court of Common Pleas
- Represents companies before Pennsylvania and Maryland taxing authorities
- Represents Propane, petroleum, and distillate Distributors in Pennsylvania and New Jersey
- Represents commercial clients before the New Jersey Attorney General
- Represents commercial clients in Compressed Natural Gas (CNG) Leases

Professional Affiliations

- Adjunct Professor, Widener University Commonwealth Law School, Medical Marijuana course, Spring 2020
- National Energy Bar Association
- Pennsylvania Bar Association
- Lancaster Bar Association
- Pennsylvania Petroleum Association
- Oil and Pipelines Committee
- Women's Council on Energy and the Environment (WCEE)
- Nurse Family Partnership Advisory Board, a Division of University of Pennsylvania's Lancaster General Hospital
- Council Member, Pennsylvania Bar Association Public Utility Law Section
- Law & Government Institute Advisory Board, Widener University Commonwealth Law School
- Instructor for CME on legal issues


Honors & Distinctions

- Central Penn Business Journal's Top 40 Under 40
- Pegasus Elite Mobil Oil Corp.
- Honors in Negotiations and Russian Business Law
- NCAA Division I All-American and five-time record holder Track and Field Penn State

Publications and Presentations

- *Disclaimers and Informed Consent in the Medical Marijuana Industry*, THE LEGAL INTELLIGENCER, June 7, 2018.
- *Medical Marijuana as One Solution to the Opioid Epidemic in Pennsylvania*, THE PENNSYLVANIA LAWYER, Jan/Feb 2018. Pennsylvania Bar Institute, *Next Steps for Medical Marijuana in PA: Evolving Issues in a Growing Industry*, Oct. 25, 2017.
- Cannabis Expertise, Pennsylvania 4-Hour Certification Course (2017-Present).
- Lancaster Healthy Mothers, Healthy Babies Conference, *The Mother/Baby War on Opioids: Hope and Healing*, Oct. 4, 2017.
- Panel Member, WITF, Smart Talk, "Medical Cannabis" (July 26, 2017).
- Lancaster Bar Association, "Planting the Seed: Legalities & Realities of Medical Marijuana in Pennsylvania", June 13, 2017.
- Presented "Opioid Epidemic Law and Policy" at Widener Law and Government Institute, March 29, 2017.
- *Pennsylvania creates ideal market for investors*, Marijuana Venture, October 2016, at 144.
- Presented "Regulatory Impacts on Midstream Operations in Pennsylvania" at 2nd Annual U.S. Midstream Oil and Gas Law Conference in Houston, Texas, November 22nd, 2013.
- Oil Express Article, July 2013.

Todd S. Stewart

Print 

Partner

Todd's practice is focused on administrative law - advising and representing businesses and individuals that are impacted by government regulation at all levels. Todd represents renewable energy developers, and competitive energy suppliers in all aspects of the regulatory process, including application and licensing proceedings, utility rate proceedings, enforcement/complaint actions and rulemaking proceedings. Todd also represents infrastructure providers and those engaged in the transmission and distribution of energy. Todd also represents electric grid resource providers, such as battery storage and ancillary service providers with interconnection negotiation and related matters.

In the communications area, Todd represents telecommunications providers, both landline and cellular – in a wide array of matters before the Pa. PUC, including rulemakings proceedings, enforcement and complaint actions and matters involving issues such as rural broad band deployment, high-speed data tariffs, utility plant, and pole attachment litigation.

Todd represents clients before the Pennsylvania Public Utility Commission (Pa. PUC), the Federal Energy Regulatory Commission (FERC) and other state and federal agencies. Todd also represents clients before the Pennsylvania General Assembly as a registered lobbyist.

Representative Matters

- Representing a coalition of Electric Generation Suppliers in a complaint case seeking access to a large electric utility's consolidated bill.
- Successfully represented a coalition of Natural Gas Suppliers in an action against a distribution utility seeking equitable access to billing services.
- Successfully petitioned the PUC on behalf of Alleghenies Broadband, Inc. for relief from the right of first refusal provision of Chapter 30 of the Public Utility Code.
- Successfully represented an Eastern Pa. refinery in a pipeline application proceeding that would have resulted in an abandonment of service to the refinery.
- Provided advice and due diligence for 400-acre solar project.
- Represented a coalition of Suppliers in the default service filings of all Large Electric Utilities.
- Represented Retail Energy Supply Association in the recent tariff collaboratives of two major natural gas distribution companies.
- Representing a coalition of natural gas suppliers in the Pa PUC's ongoing Natural Gas rulemaking proceedings.
- Ongoing representation of electric generation suppliers and natural gas suppliers in legislative matters at the General Assembly.

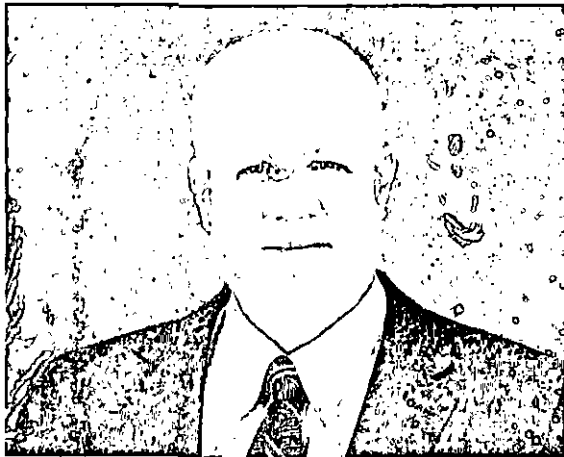
Professional Affiliations

- Pennsylvania Bar Association
- Public Utility Bar Association
- Dauphin County Bar Association
- Lancaster Bar Association

Civic Affiliations

- Denver Borough Council, Councilman (2014-present)
- Linden Hall School for Girls, Trustee (2009-2019)
- LutherCare, Chairman of the Board (2019-2021) Member of the Board, 2007-2009, 2018-2019)

Hawke McKeon & Sniscak LLP



100 N. 10th Street
 Harrisburg, PA 17101
tsstewart@hmslegal.com
 717-703-0806
 717-236-4841 (f)
[LinkedIn Profile](#)
[Download vCard](#)

Assistant

Jennifer L. Deitch
 717-236-1300 x 247
jlditch@hmslegal.com

Practice Areas

Electricity
 Natural Gas
 Telecommunications

Education

J.D., magna cum laude, Widener University School of Law, 1994

B.A., The Pennsylvania State University, 1985

Bar and Court Admissions

Pennsylvania

New York

Ohio

9th Circuit Court of Appeals

**ATTACHMENT 11.1
APPLICATION AFFIDAVIT**

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DATE OF DEPOSIT

Appendix A

NOV - 9 2021

APPLICATION AFFIDAVIT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Commonwealth of Pennsylvania :
: ss.

County of Dauphin :

TODD S STEWART Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the _____ (Managing Member) of Kinetic Energy Associates, LLC (Name of Applicant);]

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

That the Applicant herein Kinetic Energy Associates, LLC has the burden of producing information and supporting

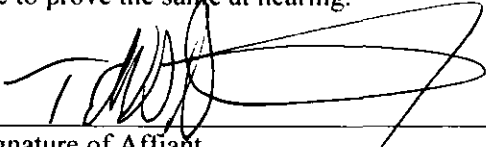
documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa. C.S. § 2208 (c)(1).

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

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

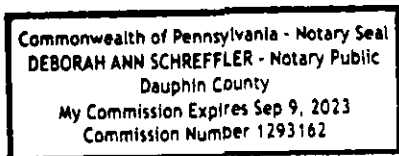
That the Applicant herein Kinetic Energy Associates, LLC acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

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 of Affiant

Sworn and subscribed before me this 19th day of October, 2021.





Signature of official administering oath

My commission expires 09/09/2023.

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 11.2
OPERATIONS AFFIDAVIT

Appendix B

NOV - 9 2021

OPERATIONS AFFIDAVIT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

[Commonwealth/State] of Pennsylvania :
:
County of Dauphin :

ss.

TODD S STEVART, Affiant, being duly [sworn/affirmed] according to law,
deposes and says that:

[He/she is the Managing Member (Office of Affiant) of Kinetic Energy Associates, LLC
(Name of Applicant);]

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

That Kinetic Energy Associates, 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 Kinetic Energy Associates, LLC, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Kinetic Energy Associates, LLC, the Applicant herein, certifies to the Commission that it is subject to, will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28 shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional natural gas sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

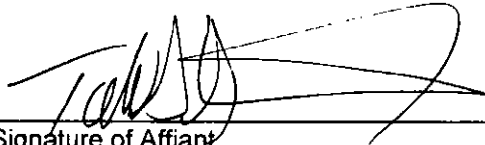
Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

Appendix B (Continued)

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

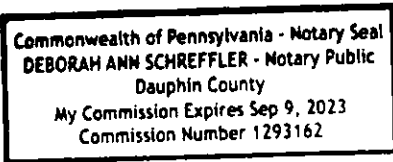
That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

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



Signature of Affiant

Sworn and subscribed before me this 19th day of October, 2021.





Signature of official administering oath

My commission expires 09/09/2023.

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

*Application of **Kinetic Energy Associates, LLC** For Approval To Offer, Render, or Furnish Natural Gas Services as a **Supplier, Aggregator, or Marketer/Broker** Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.*

Kinetic Energy Associates, LLC will be filing an application with the Pennsylvania Public Utility Commission (“PUC”) for a license to provide natural gas supply services as (1) a supplier or aggregator of natural gas, and (2) a broker/marketer engaged in the business of providing natural gas services. **Kinetic Energy Associates, LLC** proposes to sell natural gas and related services in Columbia Gas, National Fuel Gas, PECO, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, UGI Utilities – Gas Division, and Valley Energy under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Kinetic Energy Associates, 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 **Kinetic Energy Associates, LLC**’s attorney at the address listed below.

By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**ATTACHMENT 12.1
NEWSPAPER NOTICE**

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Kinetic Energy Associates, 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 **Kinetic Energy Associates, LLC**’s attorney at the address listed below.

By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**ATTACHMENT 12.2
PROOF OF PUBLICATIONS**

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

HAWKE MCKEON & SNISCAK
100 NORTH TENTH STREET
HARRISBURG PA 17105

DATE OF DEPOSIT

Account # 51864
Order # 82582518
Ad Price: 264.80

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

KINETIC ENERGY ASSOCIATES
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:

10/20/2021

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 19th day of October 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

Application of **Kinetic Energy Associates, LLC** For Approval To Offer, Render, or Furnish Natural Gas Services as a **Broker** Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

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Gas Company, Philadelphia Gas Works, UGI Utilities - Gas Division, and Valley Energy under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Kinetic Energy Associates, 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 **Kinetic Energy Associates, LLC's** attorney at the address listed below.

By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

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:

21 of October, 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:
October 21, 2021



Commonwealth of Pennsylvania - Notary Seal
Karen Flaherty, Notary Public
Allegheny County
My commission expires November 16, 2024
Commission number 1386128
Member, Pennsylvania Association of Notaries

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

STATEMENT OF ADVERTISING COSTS

Hawke McKeon & Sniscak LLP
100 N. Tenth St
Harrisburg PA 17101

To PG Publishing Company

Total ----- \$459.00

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
legaladvertising@post-gazette.com
Phone 412-263-1440

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.

Attorney For

COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
Application of Kinetic Energy Associates, LLC For Approval To Offer, Render, or Furnish Natural Gas Services as a Broker Engaged in The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.
Kinetic Energy Associates, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Kinetic Energy Associates, LLC proposes to sell natural gas and related services in Columbia Gas, National Fuel Gas, PECO, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, UGI Utilities - Gas Division, and Valley Energy under the provisions of the new Natural Gas Choice and Competition Act.
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Kinetic Energy Associates, 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 Kinetic Energy Associates, LLC's attorney at the address listed below.
By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

LOCALiQ

Erie Times- News
The Daily American

PO Box 630531 Cincinnati, OH 45263-0531

PROOF OF PUBLICATION

Jennifer Deitch
Hawke Mckeeon Sniscak Llp
100 NORTH TENTH ST
Harrisburg PA 17101

STATE OF PENNSYLVANIA, COUNTY OF ERIE

The Erie Times-News is a newspaper of general circulation, whose principal place of business is at 205 W 12th Street, Erie, Pennsylvania. That a copy of the printed notice, hereto attached, is exactly as the same was printed and published in the regular edition of the Erie Times-News, published in the issue dated:

10/20/2021

Sworn to and subscribed before on 10/20/2021

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE

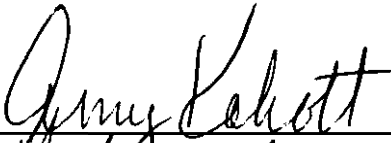
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By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

(10-6431422-NT-20)



Legal Clerk



Notary, State of WI, County of Brown
7/27/25

My commission expires

Publication Cost: \$259.78
Order No: 6431422 # of Copies: 1
Customer No: 579162
PO #:

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

SARAH BERTELSEN
Notary Public
State of Wisconsin

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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:

October 22, 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.

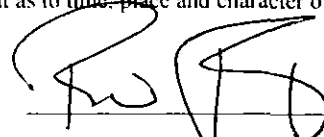
**PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE**

Application of Kinetic Energy Associates, LLC For Approval To Offer, Render, or Furnish Natural Gas Services as a Broker Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Kinetic Energy Associates, 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 Kinetic Energy Associates, LLC's attorney at the address listed below.

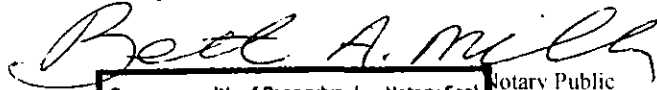
By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841



SUN-GAZETTE LLC

Sworn to and subscribed before me

The 26th day of October 2021



Commonwealth of Pennsylvania - Notary Seal
BETH A MILLER - Notary Public
Lycoming County
My Commission Expires Jun 4, 2024
Commission Number 1297731

Notary Public

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette LLC, Dr.:

For publishing the notice attached

Hereto on the above state dates.....\$

Probated same.....\$

Total.....\$ 241.96

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.



AD#: 0010132117

Commonwealth of Pennsylvania,) ss
County of Cumberland)

Christine Arnold 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 10/21/2021

Principal Clerk of the Publisher

Sworn to and subscribed before me this 21th day of October 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 Kinetic Energy Associates, LLC For Approval To Offer, Render, or Furnish Natural Gas Services as a Broker Engaged in The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Kinetic Energy Associates, 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 Kinetic Energy Associates, LLC's attorney at the address listed below.

By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

PENNSYLVANIA
 PUBLIC UTILITY COMMISSION
 NOTICE

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By and through Counsel:
 Hawke McKeon & Sniscak, LLP
 100 North Tenth Street
 Harrisburg, PA 17101
 (717) 238-1300
 (717) 238-4841

On this 28th day of October 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.

County of Cambria, and Commonwealth of Pennsylvania and above matter published in said publication in the regular issues, PA, on October 21, 2021; and that the Affiant is not advertising and that all of the allegations as to time, place and

Christine Marhefka

STATEMENT OF ADVERTISING COSTS

publis
 that t
 of Th
 intere
 chara

Signed and sworn to before me on
 28th day of October, 2021,
 by Christine Marhefka making the statement.

[Signature]

0.00 Lines @	\$2.50 per line	0.00
6.5 Inches @	\$25.00 per inch	162.50
Notary Fee		5.00
Clerical Fee		2.50
Total Cost		170.00

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 _____

DATE OF DEPOSIT

NOV - 9 2021

The Philadelphia Inquirer

801 MARKET STREET, SUITE 300, PHILADELPHIA, PA 19107

Affidavit of Publication

On Behalf of:

HAWKE MCKEON SNISCAK & KENNARD
100 North Tenth St., P.O. Box 1778
Harrisburg, PA 17101

STATE OF PENNSYLVANIA COUNTY OF PHILADELPHIA:

Before the undersigned authority personally appeared the undersigned who, on oath represented a and say: that I am an employee of The Philadelphia Inquirer, LLC, and am authorized to make this affidavit of publication, and being duly sworn, I depose and say:

1. The Philadelphia Inquirer, LLC is the publisher of the Philadelphia Daily News, with its headquarters at 801 Market Street, Suite 300, Philadelphia, Pennsylvania 19107.
2. The Philadelphia Daily News is an edition of The Philadelphia Inquirer. The Philadelphia Daily News is continuously published and distributed Sunday-Friday in the City of Philadelphia, court and state aforesaid.
3. The printed notice or publication attached hereto set forth on attached hereto was published in all regular print editions of the Philadelphia Daily News on

Legal Notices

as published in Daily News Legal in the issue(s) of:

10/29/2021

4. Under oath, I state that the following is true and correct, and that neither I nor The Philadelphia Inquirer, LLC have any is interest in the subject matter of the aforesaid notice or advertisement.

Helen Sweeney

Katherine V. Harley
NOTARY Public

Ad No: 62575
Customer No: 101963

COPY OF ADVERTISEMENT

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of Kinetic Energy Associates, LLC For Approval To Offer, Render, or Furnish Natural Gas Services as a Broker Engaged in The Business Of Supplying Natural Gas Supply Services. To The Public in The Commonwealth Of Pennsylvania. Kinetic Energy Associates, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Kinetic Energy Associates, LLC proposes to sell natural gas and related services in Columbia Gas, National Fuel Gas, PECO, Peoples Natural Gas, Peoples Gas Company, Philadelphia Gas Works, UGI Utilities - Gas Division, and Valley Energy under the provisions of the new Natural Gas Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Kinetic Energy Associates, 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 Kinetic Energy Associates, LLC's attorney at the address listed below.

By and through Counsel:
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

Commonwealth of Pennsylvania - Notary Seal
KATHERINE V. HARLEY, Notary Public
Philadelphia County
My Commission Expires May 25, 2025
Commission Number 1312829

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA FIRST CLASS MAIL

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

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

Office of Small Business Advocate
1st Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

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

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

DATE OF DEPOSIT

NOV - 9 2021

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA ELECTRONIC MAIL

Carol Scanlon
Peoples Natural Gas Company LLC
375 North Shore Drive
Pittsburgh, PA 15212
Carol.Scanlon@peoples-gas.com

Carol Scanlon
Peoples Gas Company LLC
375 North Shore Drive
Pittsburgh, PA 15212
Carol.Scanlon@peoples-gas.com

Joanne E. Maciok
National Fuel Gas Distribution Corp.
6363 Main Street
Williamsville, NY 14221
maciokij@natfuel.com


Columbia Gas of PA, Inc.
Transport Support Services
290 W. Nationwide Blvd.
Columbus, OH 43215
transportevaluations@nisource.com

Sherry Epler
UGI Utilities, Inc. – Gas Division
1 UGI Drive
Denver, PA 17517
sepler@ugi.com

Ed Rogers
Valley Energy Inc.
523 South Keystone Avenue
Sayre, PA 18840-0340
erogers@ctenterprises.org

Mr. Ryan Reeves, Director Supply
Transportation & Control
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
pgwchoicessupply@pgworks.com

Carlos Thillet
Manager, Gas Supply and Transportation
PECO
2301 Market Street, S9-2
Philadelphia, PA 19103
Carlos.thillet@exeloncorp.com

A handwritten signature in black ink, appearing to read 'T. Stewart', written over a horizontal line.

Todd S. Stewart

DATED: November 9, 2021

ORIGIN ID:MDTA (717) 236-1300
TODD S. STEWART, ESQUIRE
HAWKE, MCKEON & SNISCAK LLP
100 N. TENTH STREET

SHIP DATE: 09NOV21
ACTWGT: 2.00 LB
CAD: 5875296/NET4400

HARRISBURG, PA 17101
UNITED STATES US

BILL SENDER

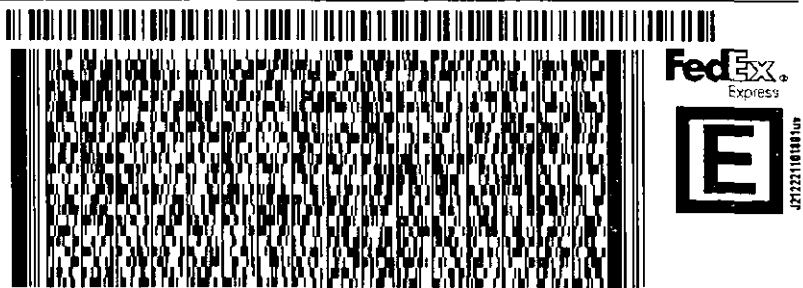
TO ROSEMARY CHIAVETTA, SECRETARY
PA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BLDG.
400 NORTH ST, 2ND FL, FILING ROOM
HARRISBURG PA 17120

56D129A7E1FE4A

(717) 772-7777
INV
PO

REF 8000 0001 TSS/DAS

DEPT



WED - 10 NOV 11:30A
PRIORITY OVERNIGHT

TRK# 7751 6302 5925
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November 9, 2021

Adult Signature Required

Re: Application of Kinetic Energy Associates, LLC
Docket No.

NATURAL GAS SUPPLY SERVICE APPLICATION

CONFIDENTIAL AND PUBLIC VERSIONS INCLUDED