

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Chautauqua Energy Management, Inc., d/b/a \_\_\_\_\_, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) [as specified in item #4b below] to the public in the Commonwealth of Pennsylvania (Pennsylvania).  
**BROKER/MARKETER**

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: **DATE OF DEPOSIT**

Chautauqua Energy Management, Inc.  
17 Main Street PO Box 266  
Sugar Grove, PA 16350  
Phone - 716-753-0250  
Web address - CEMNY.com

FEB 11 2022

PA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE

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.

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.

Primary Contact - Jody M. Spaeth, Vice President  
17 Main Street, PO Box 266, Sugar Grove, PA 16350  
Phone - 716-753-0250 Email - jspaeth@cemny.com

Secondary Contact - Scott Sampson, President  
17 Main Street, PO Box 266, Sugar Grove, PA 16350  
Phone - 716-269-9907 Email - ssampson@cemny.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.

Timothy R. Bevevino  
Bevevino & Sharp Law Office  
311 Market Street  
Warren, PA 16365  
814-723-2080  
attorneys@sbglawoffice.com

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

Primary Contact - Jody M. Spaeth, Vice President  
17 Main Street, PO Box 266, Sugar Grove, PA 16350  
Phone - 716-753-0250 Email - jspaeth@cemny.com

Secondary Contact - Scott Sampson, President  
17 Main Street, PO Box 266, Sugar Grove, PA 16350  
Phone - 716-269-9907 Email - ssampson@cemny.com

**2. BUSINESS ENTITY FILINGS AND REGISTRATION**

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

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

Provide a copy of the Applicant's filing with Pennsylvania's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

**or**

The Applicant will not be using a fictitious name.

**b. BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**

*(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)*

The Applicant is a sole proprietor.

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

**or**

The Applicant is a:

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

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

**or**

The Applicant is a:

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

Scott Sampson - President Address- 17 Main Street PO Box 266, Sugar Grove, PA 16350

Jody Spaeth - Vice President Address - 17 Main Street PO Box 266, Sugar Grove, PA 16350

### 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.

Chautauqua Energy Management, Inc. does not currently have any affiliates doing business in the state nor does it have any affiliates concurrently applying to do business in the state.

- 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.

Chautauqua Energy Management, Inc. has only operated as this entity in the state of Pennsylvania and does not have any predecessors who have operated in the state in the past.

#### 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.

Chautauqua Energy Management, Inc. is a doing business in Pennsylvania as a retail natural gas marketer. The local distribution company it serves customers behind is National Fuel Gas Distribution Company.

**or**

The Applicant is not presently doing business in Pennsylvania.

b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple):*

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

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

Chautauqua Energy Management, Inc. would like to offer electric brokerage and consulting services to commercial and industrial customers in Pennsylvania behind the Electric Distribution Companies identified below as opportunities present themselves (with existing natural gas customers, from referrals and through direct sales efforts).

Chautauqua Energy Management will evaluate the purchasing needs of its clients and then reach out to its network of PA electric suppliers for pricing to meet the needs of these customers. Prices/products will be evaluated and recommendations will be made to the customer based on the offers provided. Chautauqua Energy Management will at no time take title to the power and will simply recommend and help facilitate the signing of contracts between the customer and the supplier. Chautauqua Energy Management's fees will be incorporated into the price/product offers and will be paid to the company by the supplier.

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

- |  |  |
|--|--|
| <input type="checkbox"/> Citizens' Electric    | <input type="checkbox"/> Pike                      |
| <input type="checkbox"/> Duquesne Light        | <input type="checkbox"/> PPL                       |
| <input type="checkbox"/> Met-Ed                | <input type="checkbox"/> UGI Utilities             |
| <input type="checkbox"/> PECO                  | <input type="checkbox"/> Wellsboro                 |
| <input checked="" type="checkbox"/> Penelec    | <input checked="" type="checkbox"/> West Penn      |
| <input checked="" type="checkbox"/> Penn Power |  |
|  | <input type="checkbox"/> Entire Commonwealth of PA |

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

- Residential Customers
- Small Commercial Customers - (25 kW and Under)
- Large Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above
- Other (Describe):
- Residential and Small Commercial Customers in a Mixed Meter Capacity -

This customer class reflects situations in which a large commercial, industrial, and/or governmental customer account also contains features of residential and/or small commercial customers. In this instance, the residential and/or small commercial portion must be an incidental portion of the larger account. **This customer class alone does not allow marketing targetted directly to residential and/or small commercial customers.** Further information may be found in the Requirements Applicable to Mixed Meter Scenarios Secretarial Letter served March 25, 2011, at Docket No. M-2009-2082042.

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

Chautauqua Energy Management, inc. would like to commence marketing activities as soon as possible this year. Depending on how long the review and approval process ultimately ends up taking, we're targeting a late first quarter 2022 start.

## 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.

Chautauqua Energy Management, Inc. has no criminal/civil proceedings to list.

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

N/A

- c. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints, in the Commonwealth of Pennsylvania or any state, filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. **Applicant should also include if it had a Pennsylvania PUC EGS or NGS license previously cancelled by the Commission.** If the Applicant has no actions or complaints to list, explicitly state such.

Chautauqua Energy Management, Inc. has no complaints or previously canceled licenses.

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

N/A

## 6. PROOF OF SERVICE

**Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.**  
(Example Certificate of Service is attached at Appendix C)

- a. **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

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

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

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

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

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

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

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

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

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

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

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

**Met-Ed, Penelec, and Penn Power:**  
Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

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

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

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

## 7. FINANCIAL FITNESS

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

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

### CRITICAL BONDING NOTES:

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

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

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



**b. FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- 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. Attached
- 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.

**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.

Chautauqua Energy Management, Inc. will incorporate its fee into the electric supply price/product contracted between the supplier and the customer. The payment will be provided to Chautauqua Energy Management, Inc. by the supplier for a predetermined fee/kWh for the term of the agreement put in place with the customer. Payments unless otherwise specified will be made by the supplier to Chautauqua Energy Management, Inc. once payment for invoiced power consumption has been received. Depending on the timing of billing and subsequent payment by the customer, these payments may occur monthly or less frequently.

**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.

Sue Rapp - Secretary  
17 Main Street PO Box 266  
Sugar Grove, PA 16350  
Email - srapp@cemny.com  
Phone - 716-485-1434

**f. TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix I 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.*

**8. TECHNICAL FITNESS:**

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

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

- Applicant's previous experience in the electricity industry.
- Summary and proof of licenses as a supplier of electric 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.
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

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

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

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

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes
- No

If yes, describe the Applicant's verification procedures.

DATE OF DEPOSIT

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- 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.

Chautauqua Energy Management, Inc. is a small gas supplier/energy broker. All marketing plans, materials and messages are designed and communicated to prospects/customers by the VP, there is no additional sales/marketing staff. The company may in the future utilize a limited number of independent agents, but all messaging and materials they receive will come from the Chautauqua Energy Management, Inc. VP. The agents will be monitored to ensure that their communications are clear and accurate. Any misleading or incorrect representation of prices/products will result in corrective action and/or severing the relationship with the violating agent. The Company has always been and will remain committed to the highest ethical standards with the customers we represent and the suppliers we partner with.

- 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.

Scott Sampson - President

Jody Spaeth - Vice President - Responsible for operations, resume included in Attachments

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

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number \_\_\_\_\_.
- Not applicable

## 9. DISCLOSURE STATEMENTS:

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

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

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

## 10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:
- proof of registration as a PJM Load Serving Entity (LSE), or
  - proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

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

*(Select only one of the following)*

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

**b. STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43, as well as any future amendments.

AGREED

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

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

AGREED

d. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

AGREED

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

ACKNOWLEDGED

f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

AGREED

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

AGREED

h. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

AGREED

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

AGREED

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

AGREED

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

PAYMENT ENCLOSED

## 11. AFFIDAVITS

**Must be notarized before filing.**

- a. **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.
  
- b. **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

## 12. NEWSPAPER PUBLICATIONS

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

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

The chart below dictates which newspapers are necessary for each EDC. For example, an applicant that wants to operate in Penn Power would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.


The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

	Erie Times-News	Harrisburg Patriot-News	Philadelphia Daily News or Philadelphia Inquirer	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
Citizens' Electric						X	
Duquesne				X			
Met Ed		X	X		X		
PECO			X				
Penelec	X	X			X	X	X
Penn Power	X			X			
Pike					X		
PPL		X	X		X	X	
UGI					X		
Wellsboro						X	
West Penn		X		X		X	X
Entire Commonwealth	X	X	X	X	X	X	X

*(Newspaper Publication Templates are provided at Appendices K and L)*

**13. SIGNATURE**

Applicant: Chautauqua Energy Management, Inc.

By:  - Jody M. Spaeth

Title: VICE PRESIDENT

**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 are complete.

**Applicant:** Chautauqua Energy Management, Inc.

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

**PUC Secretary's Bureau Use**

**DATE OF DEPOSIT**

**FEB 11 2022**

# Application Affidavit

DATE OF DEPOSIT

FEB 11 2022

PAPER DEPOSIT

SECRET



**Appendix A**  
**APPLICATION AFFIDAVIT**

State of New York:

: ss.

County of Chautauqua:

SCOT E. SANDER Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He/she is the PRESIDENT of Chautauqua Energy Management, Inc. and is authorized to and does make this affidavit for said Applicant;

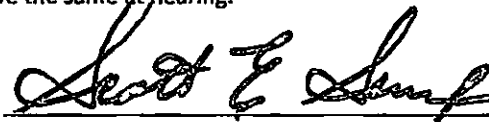
That the Applicant herein Chautauqua Energy Management, Inc. has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric broker/marketer pursuant to 66 Pa. C.S. § 2809 (B).

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

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

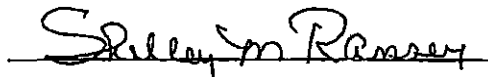
That the Applicant herein Chautauqua Energy Management, Inc. acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

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 14<sup>th</sup> day of January, 2022



Signature of official administering oath

My commission expires May 19, 2023

**SHELLEY M. RAMSEY**  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN CHAUTAUQUA COUNTY  
#01RA5077941  
MY COMMISSION EXPIRES MAY 19, 2023

FEB 11 2022

# Operations Affidavit

DATE OF DEPOSIT

FEB 11 2022

PA PUBLIC UTILITY  
SECRETARY'S

Appendix B

OPERATIONS AFFIDAVIT

FEB 11 2022

State of New York:

: ss.

County of Chautauqua:

SCOTT E SAUNGER  
PRESIDENT

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

[He/she is the PRESIDENT (Office of Affiant) of Chautauqua Energy Management, Inc. and is authorized to make this affidavit for said Applicant.

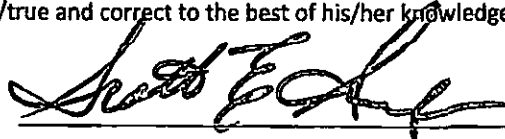
That Chautauqua Energy Management, Inc., the Applicant herein, acknowledges that Chautauqua Energy Management, Inc. may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with 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 Chautauqua Energy Management, Inc., the Applicant herein, asserts that it possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Chautauqua Energy Management, Inc., the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2 ), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).As provided by 66 Pa. C.S. §2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

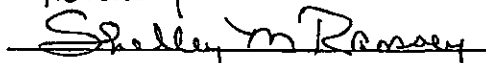
That Chautauqua Energy Management, Inc., the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA. Code Chapter §6. That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison 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 14<sup>th</sup> day of January, 2022.



Signature of official administering oath

My commission expires May 19, 2023

**SHELLEY M. RAMSEY**  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN CHAUTAUQUA COUNTY  
#01RA5077941  
MY COMMISSION EXPIRES MAY 19, 2023

# Technical Fitness Details

RECEIVED

FEB 11 2022

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

## ATTACHMENT A

### 8. TECHNICAL FITNESS:

**Experience** – Chautauqua Energy Management, Inc. (CEM) is a retail natural gas supplier behind National Fuel Gas Distribution Company in both New York and Pennsylvania. In addition to providing retail natural gas supply, CEM also acts as an electric broker/advisor in NY for its customers. CEM has a combined 40 years of experience brokering electric supply in New York State. Included with this application is the Vice President of CEM's resume which further details his experience in the deregulated energy markets.

**Electric Service Licenses** – New York State does not require that brokers/agents/consultants have licenses to provide consultative/advisory services to electric customers. Since CEM until this point in time has only served as a broker/advisor in New York State, there is no license that can be provided.

**Customer Type** - CEM customers, for both natural gas supply and electric brokerage services are commercial, industrial and municipal accounts. CEM supplies ~500 natural gas accounts and brokers/manages the purchasing for ~175 electric accounts. Again, natural gas supply is limited to the National Fuel Gas territory. Electric brokerage customers are behind various New York UDCs (New York State Electric & Gas, Rochester Gas & Electric, National Grid, Con Edison, Orange & Rockland and Central Hudson Gas & Electric).

**Staffing Structure** – CEM is a small business. The President/Owner of CEM is Scott Sampson. The Vice President of CEM is Jody Spaeth. The Secretary for CEM is Sue Rapp. Any other companies/individuals working with CEM are contractors and/or agents. All price offers, price evaluations, marketing materials, etc. are developed by the three aforementioned employees of CEM and distributed to its third-party channels as needed. All messaging, deal evaluation and contracting are reviewed and managed by CEM employees to ensure compliance with all UDC and PUC/PSC customer protection requirements.

**Business Plan** – The primary focus and reason for the submission of this application is to provide electric brokerage services to CEMs existing PA gas customers. Leveraging existing relationships for growth of the brokerage business both directly and through referrals is the current plan for expansion. CEM is not entertaining any plans for aggressive marketing campaigns or sales efforts to rapidly grow in Pennsylvania. Additionally, consistent with the plan and territories where CEM currently has customers (or may expand to with referrals), the company is only looking to become a broker behind Penelec, West Penn Power and Penn Power.

**ATTACHMENT B**

2748 Christopher Boulevard, Hamburg New York, 14075

716-753-0250

jodyspaeth@gmail.com

## Jody M. Spaeth

22 years of executive management experience in the retail energy industry, including the development of sales and marketing plans, managing a high-performance sales team, developing sales forecasts and effective profit and loss management for a multi-million dollar regional business. Proven proficiency in strategic planning, identifying and developing employee talent, meeting or exceeding sales plan targets, managing through periods of change and effectively maintaining long term customer and channel partner relationships.

### Experience

2021 – Present Chautauqua Energy Management, Inc.

Hamburg, New York

#### Vice President of Marketing & Sales

- Responsible for managing the existing retail natural gas book of business, prospecting and expanding the business, providing pricing/paperwork, negotiating agreements, extending contracts and providing additional product and service opportunities.
- Successfully building out the electric supply channel partner business, focused on utilizing former business relationships and existing gas customers to develop cross commodity sales.
- Developed broker relationships with 10 electric suppliers to provide competitive product offers and creative price structures to meet the needs of the brokerage customers.
- Revised the company website, revamped company agreements, designed authorization forms, pricing analysis templates and other miscellaneous documents.
- Re-engaged former agents to begin sales activity again for the company and developed new channel relationships.

2019 – 2021 NRG

Buffalo, New York

#### Sales Manger

- Led the sales teams of 20 direct reports for two different NRG businesses, one focused on demand response and the other focused on electric and natural gas brokerage sales
- Responsible for NRG Curtailment Services North America sales of demand response programs, generator retrofits and asset backed generator projects
- Responsible for BidURenergy commodity sales across North America, selling electric, natural gas and solar PPAs
- Exceeded 2019 sales total gross margin by 15% in 2020, exceeded first quarter 2020 sales by 35% in first quarter 2021

2014 – 2019 Constellation

Buffalo, New York

**Director of Regional Sales – NY**

- Increased sales total gross margin from \$12 million in 2015 to \$15.7 million in 2017.
- Managed 8 direct reports and 40 channel partners representing 3.5 TWh of annual load.
- Negotiated and extended a 550,00 MWh municipal aggregation to a 5 year term.
- Managed regional team through company acquisition, organizational restructuring and complete system redesign.
- Maintained customer retention rates that exceeded 90% and new business close rates that exceeded 50%.
- Received 2014 Constellation Top Performer award.

2004 – 2014 Integrys Energy Services of NY, Inc.

Buffalo, New York

**Vice President of Marketing & Sales**

- Developed various new energy products, developed a sales plan for new market entry and expanded coverage across the state of New York. Entered Con Edison, Orange & Rockland and Central Hudson Gas & Electric Service territories.
- Hired and developed a full time sales team. Managed 16 sales executives and sales support staff. Expanded association relationships and established a sports marketing partnership program with the Buffalo Sabres.
- Over a ten-year period, increased annual sales total gross margin from \$750 thousand to \$10 million annually.
- Managed both the New York and Mid-Atlantic regions from 2008-2010
- Maintained and continued to grow a book of business that exceeded \$1 million dollars in annual gross margin while managing the New York regional team.
- Received \$1 Million Dollar Club Award 2007, Integrys Broad Shoulders Award 2007,2008,2010 and Sales Region of the Year Award 2011.

1999 -2004 Advantage Energy, Inc.

Buffalo, New York

**Vice President of Marketing & Sales**

- Developed association programs to drive channel sales in upstate New York.
- Developed sales strategy and established agent relationships to build an indirect sales force.
- Developed, marketed and sold the first energy service company demand response program in New York. Provided 200 MW of curtailable energy load during times of emergency.
- Grew start up business from 10 MW up to 250 MW peak load in a five year period.

**1997-1999 RS Environmental Solutions, Inc.**

**Lancaster, New York**

**Business Development Manager**

- Audited facilities, prepared sales tax audits and collected refunds for exempt businesses from the New York State tax department.
- Assisted in the preparation and negotiation of utility rates on behalf of commercial and industrial clients.
- Assisted clients with securing funding from the New York State Energy Research and Development Authority for energy efficiency projects.
- Began selling retail power as an agent for a start up energy service company during the first pilot program phases of retail power deregulation in New York.

**Education**

**1997 State University of New York at Buffalo**

**Buffalo, New York**

**B.A., Communication**

**1991 Mohawk Valley Community College**

**Utica, New York**

**A.A.S., Advertising Design and Production**

**Interests**

**Golfing, skiing, reading**



# Proofs of Publication

DATE OF APPROVAL

FEB 11 2022

PAVU... ..  
... ..

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

**NOTICE**

Application of Chautauqua Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Chautauqua Energy Management, Inc. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity.

Chautauqua Energy Management, Inc. proposes to sell electricity and related services in Penn Power, Penelec and West Penn Power under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Company Name 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 Chautauqua Energy Management Inc.'s attorney at the address listed below.

By and through Counsel: Timothy R. Bevevino

Bevevino & Sharp Law Office

311 Market Street

Warren PA 16365

814-723-2080

attorneys@sbglawoffice.com

# LOCALiQ

Erie Times- News  
The Daily American

PO Box 630531 Cincinnati, OH 45263-0531

## PROOF OF PUBLICATION

Jody Spauth  
17 Main Street  
PO Box 266  
Sugar Grove PA 16350-0266

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 12<sup>th</sup> 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:

01/19/2022

Sworn to and subscribed before on 01/19/2022

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE**

Application of Pennsylvania Energy Management, Inc. ("PEM") for Authority to Supply Electricity to Customers in the Service Area of the Erie, Pa. Electric, Inc. ("Erie Electric") is hereby published in the Public Utility Commission's ("PUC") Public Utility Notice File No. 2021-000001. The Commission's Public Utility Notice File No. 2021-000001 is available on the Commission's Website at [www.puc.pa.gov](http://www.puc.pa.gov).

PEM is a subsidiary of Energy Management, Inc. ("EM") and is a public utility. The Commission's Public Utility Notice File No. 2021-000001 is available on the Commission's Website at [www.puc.pa.gov](http://www.puc.pa.gov).

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**Steven & Sharp Law Office**  
311 Market Street  
Warren PA 16365  
814-773-7080  
[attorneys@sbglawoffice.com](http://attorneys@sbglawoffice.com)

Nicole Jacobs  
Legal Clerk

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

My commission expires

Publication Cost:	\$543.00	
Order No:	6792188	# of Copies:
Customer No:	674652	-1
PO #:		

**THIS IS NOT AN INVOICE!**

Please do not use this form for payment confirmation.

JAH BERTELSE  
 Notary Public  
 State of Wisconsin

FEB 11 2022  
 10:11 AM

PA Media Group  
1900 Patriot Dr  
Mechanicsburg, PA 17050



# The Patriot News

CHAUTAUQUA ENERGY  
17 MAIN STREET PO BOX 266  
SUGAR GROVE, PA 16350

AD#: 0010219042

Sales Rep: PA Classifieds  
Account Number: 1000955459  
AD#: 0010219042

Remit Payment to:  
PA Media Group  
Dept 77571  
P.O. Box 77000  
Detroit, MI 48277-0571

Page 1 of 2

Date	Position	Description	P.O. Number	Ad Size	Costs
01/18/2022	Misc Legal Notice PA	PUBLIC UTILITY COMMISSION NOTICE Application of Chautauqua		1 x 42 L	
				Affidavit Notary Fee - 01/18/2022	\$5.00
				Basic Ad Charge - 01/18/2022	\$198.44
				Total	\$203.44

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 717-255-8119

FEB 11 2022



The Patriot News  
LEGAL AFFIDAVIT

AD#: 0010219042

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 01/18/2022

Principal Clerk of the Publisher

Sworn to and subscribed before me this 18th day of January 2022

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

**PUBLIC UTILITY COMMISSION  
NOTICE**

Application of Chautauqua Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, 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 Company Name 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 Chautauqua Energy Management Inc.'s attorney at the address listed below.

By and through Counsel: Timothy R. Bevevino Bevevino & Sharp Law Office  
311 Market Street  
Warren PA 16365 814-723-2080  
attorneys@sbglawoffice.com

FEB 11 2022

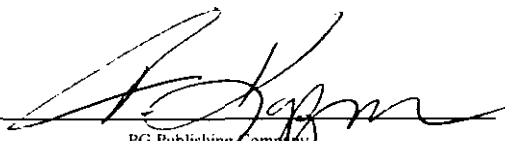
### Proof of Publication of Notice in Pittsburgh Post-Gazette

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

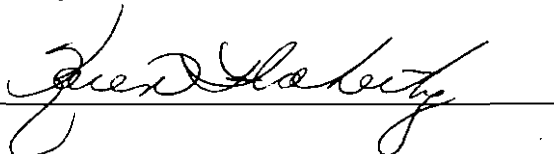
Commonwealth of Pennsylvania, County of Allegheny, ss T. Kopyar, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette 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:

**20 of January, 2022**

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:  
January 20, 2022



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

FEB 1 2022

#### COPY OF NOTICE OR PUBLICATION

##### PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of Chautauqua Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

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By and through Counsel:  
Timothy R. Bevevino  
Bevevino & Sharp Law Office  
311 Market Street  
Warren PA 16365  
814-723-2080  
attorneys@sbglawoffice.com

#### STATEMENT OF ADVERTISING COSTS

Chautauqua Energy Management  
17 Main St  
Po Box 266  
Sugar Grove Pennsylvania 16350

To PG Publishing Company

Total -----

### Pittsburgh Post-Gazette®

Legal Advertising Department  
412-263-1440 | legaladvertising@post-gazette.com  
2201 Sweeney Drive, Clinton, PA 15026

Thank you for advertising with the Pittsburgh Post-Gazette.

Attached is your Proof of Publication / Affidavit for your legal advertisement.

**Please do not process payment at this time.**

An invoice will be mailed separately to your organization from our billing department.

Please see reverse for deadline information.

#### Publisher's Receipt

PG PUBLISHING COMPANY, publisher of general circulation, hereby acknowledges publication costs and certifies that the s:

Office PG Publi  
2201 Sweeney Drive Pittsburgh  
CLINTON, PA 15026  
legaladvertising@post-gazette.com By \_\_\_\_\_  
Phone 412-263-1440

I hereby certify that the foregoing is the original P subject matter of said notice.

er

in the

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

CHAUTAQUA ENERGY MANAGEMENT, INC.  
JODY SPAETH  
17 MAIN STREET, PO BOX 266 SUGAR GROVE PA 16350

Account # 644132  
Order # 82604482  
Ad Price: 272.90

PUC APPLICATION NOTICE AP

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:

01/15/2022

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 16th day of January A.D., 2022

[Signature]  
(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

FEB 11 2022  
RECEIVED  
COMMISION

**PUC APPLICATION NOTICE**  
Application of Chautauqua Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.  
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By and through Counsel:  
Timothy R. Bevevino  
Bevevino & Sharp Law Office  
311 Market Street  
Warren PA 16365  
814-723-2080  
attorneys@sbglawoffice.com

# Advertising Receipt

The Tribune-Democrat

PO Box 340  
Johnstown, PA 15907-0340

Phone: 814-532-5038

Fax: 814-532-5104

Chautauqua Energy Management,  
JODY SPAETH  
17 MAIN STREET  
PO BOX 266  
SUGAR GROVE , PA 16350

**Acct #:** 11134008  
**Ad #:** 00311740  
**Phone:** 7167530250  
**Date:** 01/14/2022  
**Ad taker:** DT      **Salesperson:**

**Sort Line:** PENNSYLVANIA PUBLIC UTILITY CO

**Ad Notes:** Approval Code  
044420

**Classification** 147

Description	Start	Stop	Ins.	Cost/Day	Total
01 Tribune-Democrat	01/17/2022	01/17/2022	1	131.25	131.25
CF Clerical Fee					2.50
Oath Oath form for Legals					5.00

FEB 11 2022

**Ad Text:**

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE Application of Chautauqua Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Chautauqua Energy Management, Inc. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Chautauqua Energy Management, Inc. proposes to sell electricity and related services in Penn Power, Penelec and West Penn Power under the provisions of the

**Payment Reference:**

**Total:** 138.75  
**Tax:** 0.00  
**Net:** 138.75  
**Prepaid:** -138.75  
**Total Due** 0.00



**COMMONWEALTH OF PENNSYLVANIA** }  
*County of Cambria* } **SS**

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
 NOTICE Application of Chautauqua Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Chautauqua Energy Management, Inc. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Chautauqua Energy Management, Inc. proposes to sell electricity and related services in Penn Power, Penelec and West Penn Power under the provisions of the new Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Company Name 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 Chautauqua Energy Management Inc.'s attorney at the address listed below. By and through Counsel: Timothy R. Bevevino Bevevino & Sharp Law Office 311 Market Street Warren PA 16365 814-723-2080  
 attorneys@sbglawoffice.com

On this 19th day of January A.D. 2022, 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,

published continuously at Johnstown Pa. in the County of Cambria, and Commonwealth of Pennsylvania and that the annexed is a true copy of a notice in the above matter published in said publication in the regular issues of The Johnstown Tribune-Democrat, Johnstown, PA, on January 17, 2022; and that the Affiant is not interested in the subject matter of said notice or advertising and that all of the allegations as to time, place and character of said publication are true.

*Christine Marhefka*  
**STATEMENT OF ADVERTISING COSTS**

Signed and sworn to before me on  
 19th day of January, 2022,  
 by Christine Marhefka making the statement.

*Juan Ohs*

0.00 Lines @ \$2.50 per line	0.00
5.25 Inches @ \$25.00 per inch	131.25
Notary Fee	5.00
Clerical Fee	2.50
<b>Total Cost</b>	<b>138.75</b>

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

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

**PUBLISHER'S RECEIPT FOR ADVERTISING COSTS**

*Vivian Ohs* for publisher of *TRIBUNE-DEMOCRAT*  
 a newspaper of general circulation, hereby acknowledges receipt of the aforesaid  
 and publication costs and certifies that the same has been duly paid.

*TRIBUNE-DEMOCRAT*  
 (Name of Newspaper)  
 By *Juan Ohs*

FEB 11 2022

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:

January 19, 2022

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 Chautauque Energy Management, Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Company Name 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 Chautauque Energy Management Inc.'s attorney at the address listed below.

By and through Counsel: Timothy R. Bevevino Bevevino & Sharp Law Office 311 Market Street Warren PA 16365 814-723-2080 attorneys@sbjlawoffice.com

Chautauque Energy Management, Inc. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Chautauque Energy Management, Inc. proposes to sell electricity and related services in Penn Power, Penelec and West Penn Power under the provisions of the new Electricity Generation Customer Choice and Competition Act.

[Handwritten signature of Robert O. Rolley, Jr.]

SUN-GAZETTE LLC

Sworn to and subscribed before me

The 7<sup>th</sup> day of February 2022

[Handwritten signature of Beth A. Miller]

Notary Public

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

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette LLC, Dr.:

For publishing the notice attached

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

Probated same .....\$

Total .....\$ 248.88

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.

FEB 11 2022

# Commonwealth Department of State Verification

FEB 11 2022

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE

01/14/2022

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

Chautauqua Energy Management, Inc.

is duly registered to do business under the laws of the Commonwealth of Pennsylvania and remains a registered Foreign Business Corporation so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT this Certificate of Registration shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



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

*Leigh M. Chapman*

Acting Secretary of the Commonwealth

Certification Number: TSC220114110882-1

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

**Chautauqua Energy Management, Inc.**  
**Certificate of Incorporation**

FEB 11 2022

*Certificate of Incorporation*  
*of*  
*Chautauqua Energy Management, Inc.*

*(Under Section 402 of the Business Corporation Law)*

. . . . .

The undersigned, being at least eighteen years of age, for the purpose of forming a corporation pursuant to the provisions of the Business Corporation Law of the State of New York, hereby certifies as follows:

1. The name of the corporation is *Chautauqua Energy Management, Inc.*
2. The purposes for which the corporation is formed are as follows:

*(a)* To have, in the furtherance of its corporate purposes, all the powers conferred upon corporations formed under the Business Corporation Law, subject to any limitations provided by the laws of the State of New York or in the Certificate of Incorporation.

*(b)* To engage in any lawful act or activity for which corporations may be organized under the Business Corporation Law. The corporation is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency, or other body.

3. The offices of the corporation shall be located in Chautauqua County, New York.

4. The aggregate number of shares which the corporation shall have authority to issue is 200 shares of common stock, which shares are without par value.

5. The business and affairs of the corporation shall be managed by the President of the corporation who, together with the other officers of the corporation, shall be elected by a majority of the shareholders.

6. The Secretary of State is designated as the agent of the corporation upon whom process against the corporation may be served. The post office address to which the Secretary of State shall mail any copy of any process against the corporation served upon him or her is:

*Chautauqua Energy Management, Inc.  
8850 West Route 20  
P. O. Box 100  
Westfield, New York 14787*

*In Witness Whereof*, this Certificate of Incorporation has been made and signed  
this 24th day of September, 2002.

*Ernest J. Rammelt*

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Ernest J. Rammelt, *Incorporator*  
8850 West Route 20, P.O. Box 100  
Westfield, New York 14787

FILING RECEIPT

ENTITY NAME: CHAUTAUQUA ENERGY MANAGEMENT, INC.

DOCUMENT TYPE: INCORPORATION (DOM. BUSINESS)

COUNTY: CHAU

SERVICE COMPANY: \*\* NO SERVICE COMPANY \*\*

SERVICE CODE: 00 \*

FILED:09/26/2002 DURATION:PERPETUAL CASH#:020926000585 FILM #:020926000569

ADDRESS FOR PROCESS

EXIST DATE

THE CORPORATION
8850 WEST ROUTE 20
WESTFIELD, NY 14787

P.O. BOX 100

09/26/2002

REGISTERED AGENT

STOCK: 200 NPV

Table with columns: FILER, FEES, PAYMENTS, and sub-columns for FILING, TAX, CERT, COPIES, HANDLING, CASH, CHECK, CHARGE, DRAWDOWN, BILLED, REFUND.



## **Certificate of Service**

Appendix C

CERTIFICATE OF SERVICE

On this the 7 day of February 2022, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Borker/Marketer and all NON-CONFIDENTIAL attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon the following:

  
\_\_\_\_\_  
Jody M Spaeth, Vice President Chautauqua Energy Management, Inc.

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

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

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

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

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

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

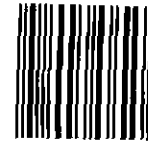
Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

FEB 11 2022

Chautauque Energy Management, Inc.  
17 Main Street  
PO Box 266  
Sugar Grove, PA 16350



1020



17120

U.S. POSTAGE PAID  
FC PKG RTL  
HAMBURG, NY  
14075  
FEB 11, 22  
AMOUNT

**\$5.85**

R2304M113621-6

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

RECEIVED

FEB 14 2022

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

USPS TRACKING® #



9500 1145 2577 2042 7914 70