

Stevens & Lee

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Harrisburg, PA 17101
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DATE OF DEPOSIT

OCT 4 2022

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

October 4, 2022

VIA FEDERAL EXPRESS

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

**Re: Application of Via Energy Solutions, LLC for Approval to Offer, Render, Furnish
or Supply Natural Gas Supply Services as a Broker/Marketer
Docket No. A-2022-_____**

Dear Secretary Chiavetta:

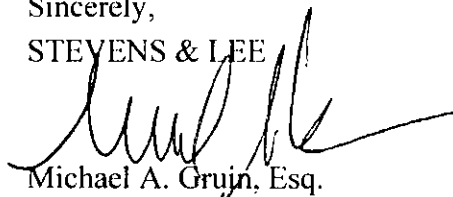
Enclosed for filing please find the Application of Via Energy Solutions, LLC to provide service as a Broker/Marketer of Natural Gas Supply throughout the Commonwealth. Please note that Exhibits D and G to the Application contain confidential information and have been marked as such. **Via Energy Solutions, LLC respectfully requests confidential treatment of these Exhibits, and they are being provided in a separate envelope for filing under seal.**

Via Energy Solutions, LLC has published notice of this Application in the required newspapers, and Proofs of Publication are attached to the Application. Also enclosed is a check for \$350 for the filing fee.

Copies of this Application have been served on all of the Natural Gas Distribution Companies in the Commonwealth and the required statutory advocates, the Attorney General, and the Department of Revenue, in accordance with the attached Certificate of Service.

Thank you, and please feel free to contact me with any questions or concerns.

Sincerely,
STEVENS & LEE



Michael A. Grujn, Esq.

Enclosures

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Version Revised 08/29/22

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Via Energy Solutions, LLC, d/b/a _____, for approval to offer, render, furnish, or supply natural gas supply services as a(n) [as specified in item #4b below] to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

1. IDENTIFICATION AND CONTACT INFORMATION

a. **IDENTITY OF THE APPLICANT:** Provide name (including any fictitious name or d/b/a), primary address, web address, and telephone number of Applicant:

VIA ENERGY SOLUTIONS,LLC
12140 Wickchester Ln., Ste. 100
Houston, TX 77079
281-851-8292

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.

Corporation Service Company
2595 Interstate Drive, Suite 103
Harrisburg, PA 17110

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.

Johnathan Martin
12140 Wickchester Ln.,Ste 100
Houston, TX 77079
281-851-8292
j.martin@viaenergysolutions.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.

Michael A. Gruin
Stevens & Lee
17 N. 2nd Street, 16th Fl.
Harrisburg, PA 17101

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.

Johnathan Martin
12140 Wickchester Ln.,Ste 100
Houston, TX 77079
281-851-8292
j.martin@viaenergysolutions.com

Paul Konikowski
12140 Wickchester Ln.,Suite 100
Houston, TX 77079
832-294-1955
pkonikowski@viarenewables.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)
- 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.

Please see Exhibit 2.b - Attachment "A" - Business Entity and Department of State Filings

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

Texas - Please see Exhibit 2.b - Attachment "A" - Business Entity and Department of State Filings

- Give name and address of officers.

W. Keith Maxwell III - President and Chief Executive Officer 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Miguel "Mike" Barajas - Chief Financial Officer 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Paul Konikowski - Chief Operating Officer 12140 Wickchester Ln., Suite 100 Houston, TX 77079

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.

Respond Power, LLC d/b/a Major Energy - 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Spark Energy, LLC - 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Spark Energy Gas, LLC - 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Verde Energy USA, Inc. - 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Verde Energy USA Pennsylvania, LLC - 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Major Energy Services, LLC - 12140 Wickchester Ln., Suite 100 Houston, TX 77079

Please see attached Exhibit 3.a - Attachment B - Corporate Structure Affiliates for additional out of state Affiliates

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.

No Predecessors

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)

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.

VIA ENERGY SOLUTIONS, LLC is applying to become a broker in the state of PA.

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"/> Philadelphia Gas Works |
| <input type="checkbox"/> National Fuel Gas | <input type="checkbox"/> UGI Utilities – Gas Division |
| <input type="checkbox"/> PECO | <input type="checkbox"/> Valley Energy |
| <input type="checkbox"/> Peoples Natural Gas Company | |
| | <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)
- Large Commercial Customers - (6,000 Mcf or more annually)
- 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 targeted 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.

October 1, 2022, or as soon as the license is approved by the Commission

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.

N/A

- 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.

See Exhibit 5.c - Attachment C - Customer Regulatory Prosecutory Actions

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

See Exhibit 5.c - Attachment C - Customer Regulatory Prosecutory Actions

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

Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
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. Daniel Czechowicz, Director – Gas Supply Administration 6363 Main Street Williamsville, NY 14221 PH: 716.857.6917 e-mail: czechowiczd@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 Suzette Adams, Sr. Manager, Gas Supply and Transportation 2301 Market Street, S-18 Philadelphia, PA 19103 PH: 215.841.6467 Email: Suzette.Adams@exeloncorp.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>UGI Utilities, Inc. – Gas Division Sherry Epler 1 UGI Drive Denver, PA 17517 PH: 610.796.3447 Email: sepler@ugi.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>	

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.

Not Applicable for Broker application.

- 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. Please see Exhibit 7.b - Attachment "D" - Financial records, statements, and ratings
- 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. Please see Exhibit 7.b - Attachment "D" - Financial records, statements, and ratings
- 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.
Please see Exhibit 7.b - Attachment "D" - Financial records, statements, and ratings
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements exhibiting accounts over a minimum two year period.
Please see Exhibit 7.b - Attachment "D" - Financial records, statements, and ratings
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.
Please see Exhibit 7.b - Attachment "D" - Financial records, statements, and ratings

- 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.

Not Applicable

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

Via Energy Solutions, LLC will be compensated for its services through approved Third party supplier agreements.

- 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.

Johnathan Martin, Vice President of Sales 12140 Wickchester Ln, Suite 100
Houston, Texas 77079
281-851-8292
j.martin@viaenergysolutions.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. Submitting N/A on either the Sales Tax License Number or the Employer ID Number (items 7A and 7B) 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.

Please see attached Exhibit 7.f - Attachment G - Tax Certification Statement

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.
 - Please see Exhibit 8.a - Attachment E - Experience Plan Structure
- Summary and proof of licenses as a supplier of natural gas services in other states or jurisdictions.
 - Please see Exhibit 8.a - Attachment E - Experience Plan Structure
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
 - Please see Exhibit 8.a - Attachment E - Experience Plan Structure
- Staffing structure and numbers as well as employee training commitments.
 - Please see Exhibit 8.a - Attachment E - Experience Plan Structure
- Business plans for operations within the Commonwealth.
 - Please see Exhibit 8.a - Attachment E - Experience Plan Structure
- Any other information appropriate to ensure the technical capabilities of the Applicant.
 - Please see Exhibit 8.a - Attachment E - Experience Plan Structure

- 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.

Via Energy Solutions, LLC will rely heavily on a referral system type of marketing. It is imperative that all State laws are followed to perform any marketing strategies, and that sales personal (employee & contractor) perform in an ethical and moral manner. Via will never misrepresent our product and services in any of our offerings. Johnathan Martin, Vice President of Sales, will train all sales agents and subcontractors who represent us.

e. **OFFICERS:** Identify Applicant's chief officers, and include the professional resumes for any officers directly responsible for operations. All resumes should include date ranges and job descriptions containing actual work experience.

Please See Exhibit 8.e - Attachment F - Officers Resumes

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.

Please see attached to this application completed Appendix A

- 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.

Please see attached to this application completed 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 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.

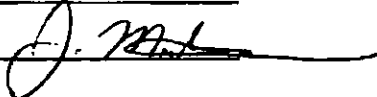
The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item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

(Newspaper Publication Templates are provided at Appendices F and G)

13. SIGNATURE

Applicant: Via Energy Solutions, LLC

By: Johnathan Martin 

Title: VP Sales

DATE OF DEPOSIT

OCT 4 2022

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: Via Energy Solutions, LLC

	Signature	
	Filing Fee (ONLY CERTIFIED CHECK OR MONEY ORDER)	
	Application Affidavit	
	Operations Affidavit	
	Proof of Publication	
	Tax Certification Statement	
	Commonwealth Department of State Verification	
	Certificate of Service	

Applicant's Use

PUC Secretary's Bureau Use

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of Texas :

ss.

County of Harris :

Paul Konikowski, Affiant, being duly sworn/affirmed according to law, deposes and says that:

[He/she is the Chief Operating Officer (Office of Affiant) of Via Energy Solutions, LLC (Name of Applicant);]

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

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

That the Applicant herein Via Energy Solutions, 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 Via Energy Solutions, 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.

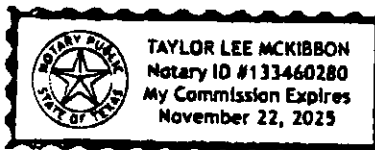
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

[Handwritten Signature]
Signature of Affiant

Sworn and subscribed before me this 20th day of September, 2022.

[Handwritten Signature]
Signature of official administering oath

My commission expires 11/22/2025.



DATE OF DEPOSIT

OCT 4 2022

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OCT 4 2022

Appendix B

OPERATIONS AFFIDAVIT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

[Commonwealth/State] of Texas :

: SS.

County of Harris :

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

[He/she is the Chief Operating Officer (Office of Affiant) of Via Energy Solutions, LLC
(Name of Applicant);]

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

That Via Energy Solutions, 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 Via Energy Solutions, 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 Via Energy Solutions, 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 Via Energy Solutions, 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.

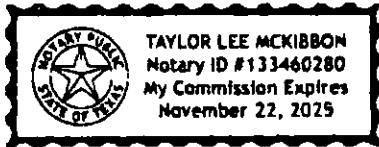
That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the 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 20th day of September, 2022.





Signature of official administering oath

My commission expires 11/22/2025.

NEWSPAPER PUBLICATION PROOFS

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

PENNSYLVANIA
 PUBLIC UTILITY COMMISSION
 NOTICE

Applications of *Via Energy Solutions, LLC* For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And A Broker/Marketer Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation 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 stress of *Via Energy Solutions, 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 *Via Energy Solutions, LLC's* attorney at the address listed below.

By and through Counsel: Michael Grun
 Via Energy Solutions, LLC
 17 N. 2nd Street, 18th Fl.
 Harrisburg, PA 17101
 (717) 266-7366

[Signature]
 (Notary Public)

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

On this 13th day of September, 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, and Commonwealth of Pennsylvania and dished in said publication in the regular issue 12, 2022, that the Affiant is not interested in allegations as to time, place and character of

Christine Marhefka
 AGENT OF ADVERTISING COSTS

Tribune ad, 15" @ \$27 per inch	\$405.00
Oath	5.00
Clerical Fee	2.50
Total Cost	\$412.50

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

_____ 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 _____

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Applications of Via Energy Solutions, LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And A Broker/Marketer Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation 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 Via Energy Solutions, 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 Via Energy Solutions, LLC's attorney at the address listed below.

By and through Counsel: Michael Gruin
Via Energy Solutions, LLC
17 N. 2nd Street, 16th Fl.
Harrisburg, PA 17101
(717) 255-7365

Proof of Publication in The Philadelphia Daily News
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Copy of Notice of Publication

Helene Sweeney being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

September 12, 2022

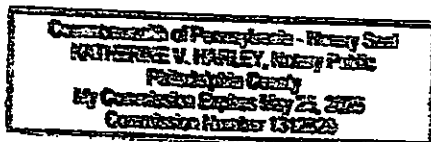
Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to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

Sworn to and subscribed before me this 12th day of
September, 2022

Helene Sweeney

Kath V. Harley
Notary Public

My Commission Expires:



WILLIAMSPORT SUN-GAZETTE
PROOF OF PUBLICATION

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING, CLINTON, SULLIVAN &
TIOGA/BRADFORD SS:

Robert O. Rolley, Jr., Publisher of the Williamsport Sun-Gazette LLC publishes 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:

14 Sep 2022

Affiant further deposes that he is an officer duly 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

Robert O. Rolley, Jr.
SUN-GAZETTE LLC

Sworn to and subscribed before me
The 14th day of September 2022

Beth A Miller
Notary Public

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

PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE

Applications of Via Energy Solutions, LLC For Approval To Offer Retailer Furnish Or Supply Electricity Or Electric Generation Services As A Generator And A Broker/Marketer Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation 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 Via Energy Solutions, 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 Via Energy Solutions, LLC's attorney at the address listed below.

By and through Counsel:
Michael Gruin
Via Energy Solutions, LLC
17 N. 2nd Street, 16th Fl.
Harrisburg, PA 17101
(717) 255-7365



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Williamsport Sun-Gazette** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(570) 326-1551**.

Notice ID: qYEItPsV3J5rePfiqdzi | **Proof Updated: Sep. 08, 2022 at 04:14pm EDT**
Notice Name: PUC Via Energy Solutions LLC | Publisher ID: L1Z001

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
Martha Lopez	Williamsport Sun-Gazette
martha.lopez@sparkenergy.com	
(832) 217-1909	

Columns Wide: 1	Ad Class: Legals
------------------------	-------------------------

09/14/2022: Custom Notice	290.00
Proof of Publication	5.00

Subtotal	\$295.00
Tax %	0.00
Processing Fee	\$29.50
Total	\$324.50

PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE

Applications of Via Energy Solutions, LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And A Broker/Marketer Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.

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By and through Counsel:
Michael Gruin
Via Energy Solutions, LLC
17 N. 2nd Street, 16th Fl.
Harrisburg, PA 17101
(717) 255-7365

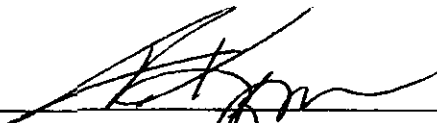
Proof of Publication of Notice in Pittsburgh Post-Gazette

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

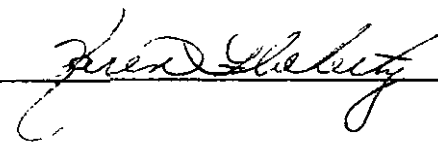
Commonwealth of Pennsylvania, County of Allegheny, ss T. Kopyar, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette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

11 of September, 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:
September 12, 2022



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

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

STATEMENT OF ADVERTISING COSTS
Via Energy Solutions, LLC
12140 Wickchester Ln., Ste. 100
Houston Texas 77079

To PG Publishing Company

Total ----- \$719.40

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.

COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
~~Applications of Via Energy Solutions, LLC for Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And A Broker/Marketer Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services To The Public In The Commonwealth Of Pennsylvania.~~
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By and through Counsel:
Michael Glin
Via Energy Solutions, LLC
17 N 2nd Street, 16th Fl.
Harrisburg, PA 17101
(717) 258-7365

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

SPARK ENERGY
MARTHA LOPEZ
12140 WICKCHESTER LN, STE 100 HOUSTON TX 77079

Account # 646804
Order # 82662491
Ad Price: 771.68

SPARK ENERGY
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:

09/12/2022

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 to time, place and character or publication are true Sharon Venturi

Sworn and subscribed to before me
this 30th day of September A.D., 2022

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

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

Applications of Via Energy Solutions, LLC For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And A Broker/Marketer Engaged In The Business Of Supplying Natural Gas Supply Services and Electricity Supply or Electric Generation Services, To The Public In The Commonwealth Of Pennsylvania.

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By and through Counsel: **Michael Gruin**
Via Energy Solutions, LLC
17 N. 2nd Street, 16th Fl.
Harrisburg, PA. 17101
(717) 255-7365

LOCALIQ

Erie Times-News | The Intelligencer
Bucks County Courier Times
The Daily American | Beaver County Times
Pocono Record | Burlington County Times

PO-Box 630531-Cincinnati, OH 45263-0531

PROOF OF PUBLICATION

Johnathan Martin
12140 Wickchester LN # 100
Houston TX 77079-1211

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:

09/15/2022

Sworn to and subscribed before on 09/15/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$677.00

Order No: 7775260

Customer No: 832701

PO #:

of Copies:

-1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AMY KOKOTT
Notary Public
State of Wisconsin

PENNSYLVANIA

PUBLIC UTILITY COMMISSION

NOTICE

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By and through Counsel: Michael Guin

Via Energy Solutions, LLC

17 N. 2nd Street, 16th Fl.

Harrisburg, PA 17101

(717) 255-7365



AD#: 0010442473

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 09/18/2022

Principal Clerk of the Publisher

Sworn to and subscribed before me this 19th day of September 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

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

*Applications of **Via Energy Solutions, LLC**
For Approval To Offer, Render, Furnish Or
Supply Electricity Or Electric Generation
Services As A Generator And A Broker/
Marketer Engaged In The Business Of
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and Electricity Supply or Electric
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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Via Energy Solutions, 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 **Via Energy Solutions, LLC's** attorney at the address listed below.

By and through Counsel: Michael Gruin
Via Energy Solutions, LLC
17 N. 2nd Street, 16th Fl.
Harrisburg, PA 17101
(717) 255-7365

ATTACHMENT A

Business Entity and Department of State Filings

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Office of the Secretary of State

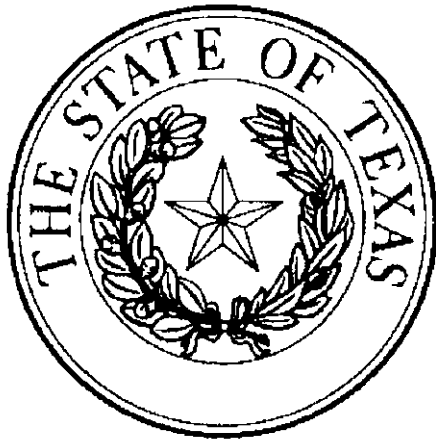
The undersigned, as Secretary of State of Texas, does hereby certify that the attached is a true and correct copy of each document on file in this office as described below:

Via Energy Solutions, LLC
Filing Number: 804288798

Certificate of Formation

October 27, 2021

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on January 07, 2022.



A handwritten signature in black ink, appearing to read "John B. Scott".

John B. Scott
Secretary of State

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



**Certificate of Formation
Limited Liability Company**

Filed in the Office of the
Secretary of State of Texas
Filing #: 804288798 10/27/2021
Document #: 1089507340002
Image Generated Electronically
for Web Filing

Filing Fee: \$300

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

Via Energy Solutions, LLC

Article 2 – Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

C. The business address of the registered agent and the registered office address is:

Street Address:

211 E. 7th Street

Suite 620 Austin TX 78701-3218

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Managing Member 1: (Business Name) **Via Renewables, Inc.**

Address: **12140 Wickchester Ln Suite 100 Houston TX, USA 77079**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Dominique Colvard 12140 Wickchester Ln, Suite 100, Houston, TX 77079

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Dominique Colvard

Signature of Organizer

FILING OFFICE COPY

CSC

www.cscglobal.com

CSC- Ewing
Suite 160
100 Princeton South Corporate Center
Ewing, NJ 08628
800-631-2155
609-530-0877 (Fax)

Matter# NOT PROVIDED

Order# 366368-5

Project Id :

Order Date 01/07/2022

Entity Name: VIA ENERGY SOLUTIONS, LLC
Jurisdiction: PA - Commonwealth of Pennsylvania
Request for: Qualification Filing
File#: 7460420
File Date: 01/11/2022
Result: Filed

Ordered by DOMINIQUE COLVARD at SPARK ENERGY

Thank you for using CSC. For real-time 24 hour access to the status of any order placed with CSC, access our website at www.cscglobal.com.

If you have any questions concerning this order or CSCGlobal, please feel free to contact us.

Melissa Kostrzewski
mkostrze@cscinfo.com

The responsibility for verification of the files and determination of the information therein lies with the filing officer; we accept no liability for errors or omissions.

Submitted for

JAN 11 '22

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

<input type="checkbox"/> Return document by mail to:	LBY
CSC Order#366368-5	
Name	
Address	
City	State Zip Code
<input type="checkbox"/> Return document by email to:	cscpa@cscglobal.com

Foreign Registration Statement
DSCB:15-412
(rev. 2/2017)



TCO220218BN2400

Read all instructions prior to completing. This form may be

Fee: \$250

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

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

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

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

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

Via Energy Solutions, LLC

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

3. The jurisdiction of formation is: Texas

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

12140 Wickchester Ln., Suite 100, Houston, TX 77079

Number and street City State Zip

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

12140 Wickchester Ln., Suite 100, Houston, TX 77079

Number and street City State Zip

PA DEPT OF STATE

JAN 11 2022

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

Complete part (a) OR (b) – not both:

(a) _____
Number and street City OR State Zip County

(b) c/o: Corporation Service Company Dauphin
Name of Commercial Registered Office Provider County

6. Check one of the following:

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

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

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

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

The association is a limited liability company which is not organized to render any of the below professional service(s).

The association is a restricted professional limited liability company organized to render one or more of the following professional service(s): (If this box is checked, one or more of the fields below must be checked.)

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

IN TESTIMONY WHEREOF, the undersigned association has caused this Foreign Registration Statement to be signed by a duly authorized representative thereof this 6th day of January, 2022.

Via Energy Solutions, LLC

Name of Association



Signature

Paul Konikowski, Chief Operating Officer

Title

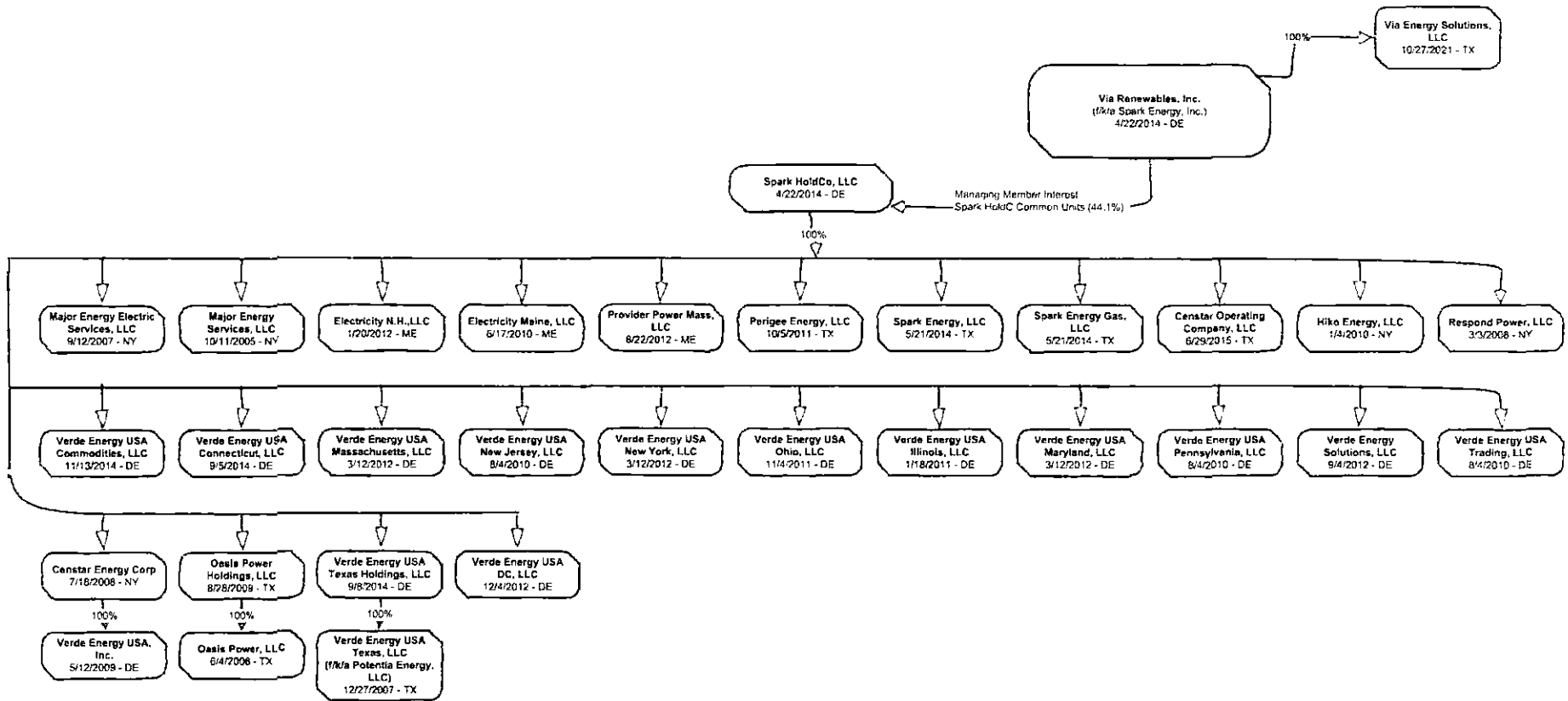
ATTACHMENT B
Corporate Structure and Affiliates

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Via Renewables, Inc. (f/k/a Spark Energy, Inc.) Structure



ATTACHMENT C
Customer Regulatory Prosecutory Actions

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CUSTOMER/REGULATORY/PROSECUTORY ACTIONS

VES and its affiliates do not have any existing, pending, or past rulings, judgments, contingent liabilities, and revocation of authority, regulatory investigations, or any other matters that we believe would adversely impact our financial or operations status, or adversely affect our ability to provide retail electrical or natural gas supply services for which we are seeking to provide services as a retail electric and/or retail natural gas service provider.

The Company, from time to time, received and responded to customer inquiries that have been elevated to more formal complaints or investigations with the regulatory bodies of the states in which we do business at the entity level. In the last five (5) years, across five (5) of the named affiliates below, 80 total formal customer complaints were received from various jurisdictions; sixteen (16) were received from the Illinois Commerce Commission, eight (8) from the New York Department of Public Service, fifty-five (55) from the Pennsylvania Public Utilities Commission and one (1) from the Public Utilities Commission of Ohio. Seventy-nine of those matters are closed with no further action required, one recently received matter remains open. None of these matters have caused the Company in the past, nor are likely in the future in our belief, to prohibit the Company from continuing to comply with its obligations or have otherwise prevented it from performing such activities, except where specifically restricted or prohibited by each jurisdiction.

Provided below are summaries of pending and closed regulatory and prosecutor matters that have occurred overtime.

Pending Regulatory and Prosecutory Matters

Matter Name	Entity	State	Agency	Description	Opening Date and Reference No.	Status & Date Completed
New York Attorney General v. Major Energy Services, LLC	Major Energy Services, LLC	NY	Attorney General	The NYAG filed a complaint on January 19, 2022 ("Complaint"). The Complaint is based on historical acts of the former Major Energy owners.	2016 AOD 16-206	Pending
CT PURA v. Verde Energy USA, Inc.	Verde Energy USA, Inc.	CT	PURA & Office of Education, Outreach and Enforcement (EOE)	Notice of Violation and Assessment of Civil Penalty (NOV) issued 8-8-2022. Alleged marketing violations. Proposed penalty \$2,000,000. Restitution payments – which will result in refunds. License suspended for ten years.	2022 Docket 09-06-08	Pending

Closed Regulatory and Prosecutory Matters

Matter Name	Entity	State	Agency	Description	Opening Date and Reference No.	Status & Date Completed
CT PURA v Major Energy Electric Services, LLC	Major Energy Electric Services, LLC	CT	Public Utilities Regulatory Authority (PURA)	PURA approved settlement -- failed to effectuate renewals for customers who were informed they would auto renew; provided restitution of \$62.50 per customer.	2020 Docket No. 14-03-03	Complete 04/27/2022
NY PSC v Spark Energy, LLC	Spark Energy, LLC	NY	Public Service Commission (PSC)	Action regarding allegations of Slamming and Deceptive Marketing. Upon review of Spark's responses to numerous document requests, the NY PSC issued an Order to Continue ESCO Eligibility with Contingencies, which "closed" the proceedings with no assessment of penalties.	2017 Case No. 16-M-0468	Eligibility Approved w/ Contingencies 05/19/2017
NY PSC v Major Energy Services, LLC	Major Energy Services, LLC	NY	Public Service Commission (PSC)	Investigating excessive number of complaints. Provided satisfactory responses.	2017 NOAF	Completed 11/2017
Maine PUC v. Electricity Maine, LLC	Electricity Maine, LLC	ME	Public Utilities Commission (PUC)	Allegations of Misleading and Deceptive door-to-door conduct, using false, deceptive, coercive and unfair statements and actions. Penalty \$500,000.	2018 Docket No. 2010-00256	Completed 02/26/2021
TX PUC v Spark Energy, LLC	Spark Energy, LLC	TX	Public Utility Commission (PUC)	Telemarketing and deceptive Marketing allegations.	2018 Investigation No. 49684	Completed 6/26/2019
IL AG v Major Energy Electric Services, LLC	Major Energy Electric Services, LLC	IL	Circuit Court of Cook County Chancery Div.	Action regarding alleged violations of Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1 et seq., Illinois Telephone Solicitation Act, 815 ILCS 413/1 et seq., Illinois Automatic Contract Renewal Act, 815 ILCS 605/5 et seq, and the Illinois Prize and Gifts Act, 815 ILCS 525/1 et seq. Penalty, \$2,000,000.	Docket No. 2018-CH-04549	Completed Settlement 08/2019
CT PURA v Spark Energy, LLC	Spark Energy, LLC	CT	Public Utility Regulatory Authority (PURA)	Action regarding the alleged telephone solicitations which would be a violation of Conn. Ge. Stat. <u>Section 16-245o(h)(1), 16-245o(h)(2)(A), 16-245o(h)(3), 16-245o(h)(4), 16-245o(i), and 42-110b.</u> Penalty \$750,000.	2018 Docket No. 10-06-18RE02	Completed 7/17/2019
Connecticut PURA v Verde Energy USA, LLC	Verde Energy USA, LLC	CT	Public Utility Regulatory Authority (PURA)	Next Rate Cycle Amnesty Program - Verde was obligated to provide a refund to customers who were not timely notified as to the Next Cycle Rate; No penalty was imposed. PURA ultimately approved the Amnesty Plan for each entity.	2018 Docket No. 18-12-22	Completed 06/16/2020 06/11/2020
Connecticut PURA v Major Energy Electric Services, LLC	Major Energy Electric Services, LLC			The PURA reopened the matter under Docket No. 18-12-22RE01. Multiple suppliers participated in the docket, as part of suppliers' participation PURA did not assess penalties; however, customers	Docket No. 18-12-22RE01	12/02/2020

Connecticut PURA v Spark Energy, LLC	Spark Energy, LLC			were provided with refunds as part of PURA's industry-wide investigation. PURA closed the docket on July 6, 2022. Spark noticed PURA of its intent to participate in the reopened Docket No. 18-12-22RE01. Thereafter, PURA suspended its review under Docket No. 10-06-18RE01.	Docket No. 10-06-18RE01	01/03/2019
Ohio PUCO v. Verde Energy USA Ohio, LLC	Verde Energy USA Ohio, LLC	OH	Public Utilities Commission of OHIO (PUCO)	Allegations of misleading and deceptive practices to market and enroll customers, as well as violating several requirements of Ohio Adm. Code Chapter 4901:1-21 and 4901:1-29. Penalty \$675,000; restitution payments – which will result in refunds of approximately \$1,068,000.	2019 Case Number 19-958-GE-COI	Completed 02/26/2020
CT PURA v Spark Energy, LLC	Spark Energy, LLC	CT	Public Utilities Regulatory Authority (PURA)	Subsequent to the Amnesty Program in Docket No. 10-12-22RE01, Spark failed to timely provide correct supply summary information to the utilities; refund provided to customers and paid \$10,000 to Operation fuel. Docket closed.	2019 Docket No. 10-06-18-RE03	Closed 05/10/2022
New York State Department v. Verde Energy USA New York, LLC	Verde Energy USA New York, LLC	NY	New York State Department of State	Allegations of violations of New York Business Law 399-z and 19 NYCRR Part 221 having made unsolicited telemarketing sales calls to customers when said customer's telephone numbers were on the national do -not-call registry. Penalty: \$55,250.	2019 Consent Order 2019-C-042201	Completed 11/30/2021
Ohio AG v Verde Energy USA Ohio, LLC	Verde Energy USA Ohio, LLC	OH	Attorney General	Allegations of Deceptive Marketing; provided satisfactory response. No further action.	2019 Docket No. 577403	Closed 07/15/2020
Ohio PUCO v. Major Energy Electric Services, LLC & Major Energy Services, LLC	Major Energy Electric Services, LLC Major Energy Services, LLC	OH	Public Utilities Commission of OHIO (PUCO)	Allegations of noncompliance with certain Ohio regulations. Penalty \$115,000; restitution payments totaling \$198,385	2021 Case Number 21-46-GE-UNC	Completed 02/24/2021
New Jersey BPU v Major Energy Electric Services, LLC, Respond Power, LLC, Spark Energy, LLC and Spark Energy Gas, LLC	Major Energy Electric Services, LLC, Respond Power, LLC, Spark Energy, LLC & Spark Energy Gas, LLC	NJ	New Jersey Board of Public Utilities (BPU)	Failure to timely reapply for License Renewal. Following submittal and review the BPU approved the license renewal. Administrative Penalty \$55,000.	2019 Docket No. ES 19060756	Completed 07/27/2019
Texas Public Utility Commission v. Spark Energy, LLC	Spark Energy, LLC	TX	Public Utility Commission (PUC)	Violation of 16 Tex. Admin. Code (TAC) 25.475 by improperly initiating an increase in the price of fixed-rate products during a contract term. No penalty was imposed.	2021 Investigation	Completed 11/01/2021

September 21, 2022

					No. 2021060003	
Pennsylvania PUC v. Verde Energy USA, LLC	Verde Energy USA, LLC	PA	Public Utilities Commission (PUC)	Allegations of Misleading and Deceptive telemarketing & door-to-door conduct, slamming, and release of private customer information/unauthorized access to accounts, and failure to maintain verification records. Penalty \$1,000,000.	2020 Docket No. C-2020-3017229	Closed 09/15/2022
Texas Public Utility Commission v. Spark Energy, LLC	Spark Energy, LLC	TX	Public Utility Commission (PUC)	Compliance with 16 Tex. Admin. Code (TAC) 25.475, related to General Retail Electric Provider Requirements and Information Disclosures to Residential and Small Commercial Customers. Matter closed with no penalty	2022 Investigation No. SIR202203000 7	Closed 08/11/2022

ATTACHMENT E
Experience, Plans and Technical Fitness

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Technical Fitness:

Summary and Proof of Licenses as a supplier of Electric Services in other states or jurisdictions:

Via Energy Solutions, LLC does not operate as a Supplier, but does operate as a licensed Broker in other states. Please see License numbers below:

State	Electric	Gas
TX	BR220016	-
MD	IR-5005	IR - 5005
DC	EA2022-03	GA2022-02
VA	A-126	-
NJ	EA-068	-

Types of Customers and number of Customers:

Via Energy Solutions, LLC's mission is to assist commercial, industrial and municipality end-use consumers effectively manage their energy costs through effective purchasing strategies. As of today, Via Energy Solutions, LLC manages over 500 customers in TX, NY, DC, MD, VA, NJ, and NH.

Structure:

Via Energy Solutions, LLC's staffing brings a diversity of experience. Our staff are all college degreed professionals, with educational and business backgrounds in finance, utility rates and marketing. Via Energy Solutions, LLC does a drug and background check on every potential candidate. Our staff are led by experienced and professional leaders who bring over 30 years of combined management and executive level leadership - as well as energy and financial services experience.

Business Plans:

Via Energy Solutions, LLC intends to offer service in all areas of Pennsylvania as an electricity and natural gas Broker and will not be supplying or taking title to any commodity. Via Energy Solutions, LLC's mission is to assist commercial, industrial and municipality end-use consumers effectively manage their energy costs through effective purchasing strategies.

Memberships:

Via Energy Solutions, LLC is a proud member of TEPA (The Energy Professionals Association) dedicated to advancing competitive energy markets across the country. Included is a link to the TEPA Members page. <https://www.tepaua.org/current-members/>

A-E

- Able Power Management
- Abundant IOT
- Access Energy Services
- Acclaim Energy Advisors
- AIM Retail Energy Group
- Alternative Utility Services
- Amerex Retail Energy Services
- Amerigy
- APPI Energy
- APC Consulting
- Apollo Edison
- Arcadia Power
- Atlas Retail Energy
- Balanced Rock Energy
- Bollinger Energy
- Bridge Energy Services
- Broadway Energy
- Broker Online Exchange
- Choice1 Energy Management
- Commercial Energy Consultants
- Community Energy
- Creekwalk Consulting Group
- CSD Energy Advisors
- Dawn Energy Consulting
- Diversegy
- DNE Resources
- Eastwood Energy Group
- ElQhome, LLC
- Electric Advisors
- Energy BPO
- EnerConnex
- Energy CX
- Energy4U
- Energy Edge Consulting
- Energy Enablement, LLC
- Energy Market Exchange

F-P

- Fox, Smolen & Associates
- Freedom Energy Logistics
- Good Energy
- Greencrown Energy
- Hospital Energy
- Indigo Energy
- Infinity Power Partners
- interactive Energy Group
- KWH Energy Solutions
- Lantern Power
- Laredo Electric Consulting
- Live Energy
- Lower Electric
- Lower Watt
- Mantis Innovation
- MD Energy Advisors
- Midwest Energy
- MSI Utilities
- Muirfield Energy
- Nania Energy
- National 1 Energy
- NE Energy, LLC
- Nordic Energy
- Onyx Power & Gas Consulting
- Op2mize Energy
- Paris K & Associates
- Power 2 Profit Energy Solutions, Inc.
- Power Brokers
- PowerPlay
- Pratt Power Partners, LLC
- Premier Energy Group
- Priority Power Management
- Prism Energy Solutions
- Progressive Energy Group
- ProStar Energy Solutions

Q-Z

- Quantum Energy Solutions
- Quantum Spectrum Energy
- QuotEnergy
- R-Square Correlations
- Rapid Power Management
- Retail Power Services
- RPD Energy
- Satori Energy
- Schneider Electric
- Scioto Energy
- SJI Energy Advisors
- Sustainable Energy Services
- TES Energy Services
- Tobelmann Energy Brokers
- Tomorrow's Utilities
- Transparent Edge
- U.S.E.C.
- Unified Energy Services
- United Commercial Energy Partners
- US Energy Experts
- VARO
- Verde Solutions
- Via Energy Solutions
- Worthington Energy Consultants

ATTACHMENT F

Officer Resumes

DATE OF DEPOSIT

OCT 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Biographies

W. Keith Maxwell III

Chief Executive Officer & Chairman of the Board of Directors

Mr. Maxwell serves as Chairman of the Board of Directors and was appointed to this position in connection with the IPO in 2014. Mr. Maxwell also serves as Chief Executive Officer of Spark Energy as well as Chief Executive Officer of several privately owned energy related companies. Prior to founding the predecessor of Spark Energy in 1999, Mr. Maxwell was a founding partner in Wickford Energy, an oil and natural gas services company which was sold to Black Hills Utilities in 1997. Prior to Wickford Energy, Mr. Maxwell was a partner in Polaris Pipeline, a natural gas producer services and midstream company that sold to TECO Pipeline in 1994. In 2010, Mr. Maxwell was named Ernst & Young Entrepreneur of the Year in the Energy, Chemicals and Mining category. A native of Houston, Texas, Mr. Maxwell earned a Bachelor's Degree in Economics from the University of Texas at Austin in 1987. Mr. Maxwell has several philanthropic interests, including the Special Olympics, Child Advocates, Salvation Army, Star of Hope and Helping a Hero. We believe that Mr. Maxwell's extensive energy industry background, leadership experience, and strategic planning and oversight brings an important skill set to our board of directors.

Paul Konikowski

Chief Operating Officer

Paul Konikowski was appointed Chief Operating Officer in November 2021. Immediately prior to his appointment as COO, Mr. Konikowski served as Senior Vice President of National Gas and Electric ("NG&E"), a position he had held since April 2015.

Prior to NG&E, Mr. Konikowski served as Chief Operating Officer of Glacial Energy and Senior Vice President and Chief Information Officer of Via Renewables, Inc. (formerly Spark Energy, Inc.). Mr. Konikowski has extensive retail energy experience spanning 20+ years including, sales, operations, risk and IT.

Mr. Konikowski holds a Bachelor of Business Administration in Computer Information Systems and Marketing from Stephen F. Austin State University.

Johnathan Martin

Vice President, Sales

Johnathan Martin was appointed Vice President of Sales in December 2021. Mr. Martin brings over 10 years of retail energy experience to Via Energy Solutions with extensive knowledge in energy procurement.

Prior to his appointment, Mr. Martin served as Vice President of Sales at EGS Advanced Energy Solutions from October 2019 to October 2021 managing large C&I and public sector clients. Prior to EGS Advanced Energy Solutions, Mr. Martin was a top performer as a business development manager for Constellation Energy.

Mr. Martin was appointed Vice President of Sales because of his extensive knowledge in the retail energy space, as well as his management expertise.

**WILLIAM KEITH
MAXWELL III**
CEO & CHAIRMAN OF SPARK
ENERGY (VIA RENEWABLES, LLC)

EXPERIENCE

SPARK ENERGY (VIA RENEWABLES, LLC)

HOUSTON, TX

1999 - PRESENT

Founder of Spark Energy a Natural Gas & Power Retail Energy provider in multiple states.

Serves in the role of CEO/Chairman of a Public Company in directing innovation and managing the company

WICKFORD ENERGY MARKETING

HOUSTON, TX

1994-1998

Co-Founder of a Natural Gas & Oil Gathering Pipeline Company

Marketed natural gas and oil in Texas, Louisiana, Arkansas and Okiahoma. Responsible for development and building of both oil and gas gathering and storage assets. Sold Company to Black Hills Utility in 1998.

POLARIS PIPELINE

HOUSTON, TX

1988 - 1993

Director of Natural Gas

Responsible for starting and managing the Marketing and Operations Teams. Built gas gathering processing assets in East Texas and North Louisiana. Sold company to Brooklyn Union/PG&E Joint Venture Marketing Company in 1993

Paul Konikowski

A proven, intensely motivated leader with the desire, ability and practical experience to succeed under a wide range of circumstances.

CAREER ACCOMPLISHMENTS

- Via Renewables (Spark Energy) 2021 – Present
Chief Operating Officer
- Completed numerous M&A transactions.
 - Manage/Improve sales, marketing, business development, IT, and operations.
 - Launched Via Energy Solutions a full service broker.
- National Gas and Electric 2015 – 2021
Senior Vice President and General Manager and Vice President Nu-Devco Partners
- Completed numerous M&A transactions for affiliate company Spark Energy.
 - Successfully created and managed an electricity and natural gas retailer peaking at approximately 55,000 customers in almost 20 markets.
 - Manage/Improve sales, marketing, business development, IT, and operations of various natural gas and electricity retailers under the Nu-Devco umbrella of companies.
- Self Employed 2013 - 2015
- Wrote, edited and published a novel.
 - Financial/Real Estate Speculation.
- Glacial Energy – 2011 – 2012
Chief Operating Officer
- Launched Residential Retail Energy Business in multiple markets.
 - Introduced fixed pricing for both residential and commercial customers.
 - Negotiated new supply agreement at highly competitive rate with significant flexibility.
 - Built new low cost customer acquisition model with average CTA under \$60.
 - Created multiple new products which quickly dominated the marketing mix.
- Spark Energy – 2010 - 2011
Senior Vice President and Chief Information Officer
- Turn around assignment
 - Developed tactical and strategic IT plan.
 - Virtually halted employee attrition and built very strong well respected team.
 - Stabilized a chaotic IT environment and eliminated 99.5% of financially impacting processing issues in first three months.
 - Reduced new market entry time from six months to 4-6 weeks allowing for a large percentage of new customer growth from seven new markets.
 - Remediated internal CIS system which allowed for the elimination and conversion of two external CIS providers.
 - Implemented systems and processes necessary to move from a predominantly variable book to a fixed product offering.
 - Created accounting data mart largely responsible for improving financial close process from 45 days to under 10 days.
 - Deployed a new website that resulted in over 600% increase in online enrollments.
 - Created and delivered IT shared service model to support shareholders' other companies including Marlin, E-Now, Ampegy, among others.
- MXEnergy – 2006 - 2010

Managing Director of IT and Customer Operations

- Top position for IT and Customer Operations departments
- Converted four CIS platforms to one enterprise CIS without significant incremental spend resulting in best in class market entry, customer billing, and service.
- Developed and implemented IT strategy
- Implemented and maintained SOX compliance for IT and Customer Operations.
- Reduced IT spend by 15% in first year while simultaneously increasing overall IT project delivery and quality.
- Strategic creation and deployment of Data Warehouse resulting in estimated 3 million annual savings from more accurate and timely load forecasting and marketing data.
- Deployed consolidated enrollment entry and tracking system resulting in significantly reduced Cost Per Acquisition.
- Dramatically improved communication and cooperation between business units and IT thru a unique alignment methodology and the creation of a highly business savvy IT team.

Director of Customer Operations

- Turn around assignment for a failing department
- Reduced customer error rates by more than 80%
- Improved customer gross to net sales “stick” rates by more than 20%.
 - Implemented controls for and achieved first time SOX compliance

Director of Infrastructure

- Number two IT position.
- Planned and managed consolidation of IT personnel and Infrastructure from New Jersey, Stamford and Maryland offices to Houston after the Shell Energy acquisition.
- Facilities Manager Houston – Built out Pennzoil 10th floor office.
- Created new strategic architecture rapidly improving up time from 98% to 99.5+.

Shell Energy Services – (Houston, TX)

2003 – 2006

IT Manager

- Managed all aspects of outsourcing Application Infrastructure in less than 6mos for a savings in excess of **60%** after transition cost in the first year alone. This resulted in a total of a **14%** bottom line impact to the company as a whole.
- Managed Microsoft Windows 2000 transition resulting in a **one-year payback** and no unplanned outage time.
- Architected Infrastructure redundancy and processes leading to a Core System uptime of **99.99%**
- Managed DBA's, Middleware, and Web development teams responsible for hundreds of thousands of transactions per day.
- Created and maintained a very strong link with the business units to ensure IT staff was working on projects with maximum benefit to SESCO.
- Managed dozens of system enhancement projects resulting in millions of dollars of benefits.

Business Systems Manager

- Led team tasked with both economic analysis of cross-functional company wide projects and process improvement initiatives.
- Prioritized and oversaw numerous projects resulting in substantial financial benefit.
- Created a comprehensive statistical view of customer behavior from enrollments, to attrition, to seasonality, all the way down to price plan. This view fundamentally changed our customer acquisition strategy and has been used to influence everything from pricing to retention.
- Focused on and repaired seven key company processes with an expected result of increased customers satisfaction, reduced complaints and a substantial cost saving/revenue generation.

Shell Information Technology International – (Houston, TX) - *Consultant*

2/99 – 5/2003

Architecture/Strategy

- Designed and implemented the first production **Storage Area Network** at Shell resulting in extensive cost savings and improved operational performance. Adopted as the strategic storage model for most of Shell Worldwide.

- Designed and implemented the first shared Fibre Channel Backup solution resulting in improved backup times, substantially lower FTE per terabyte cost, and substantial hardware and media savings.
- Designed numerous clusters and high availability solutions including the first production solution at Shell in the US.
- Developed and implemented an enterprise wide monitoring system resulting in a **90% reduction in false alerts (VS-NetIQ)** and significantly improved ticket routing.
- Architected and developed hardware and software solutions for hundreds of projects, involving budgets in the 10s of millions, using cost-benefit analysis.

Product Development

- Acted as **Chief Technology Officer** for Shell Internet Works spin-off venture to provide storage and backup solutions to third party customers -through 3rd stage of funding.
- Key negotiator responsible for winning comprehensive infrastructure contract resulting in nearly a **30% increase** in total division revenue.
- Developed cost, price and financial models adopted enterprise wide.
- Developed numerous processes for the Globalization of third level support and infrastructure.

EDP-Electronic Data Systems – Huntsman Petrochemical (Houston, TX) - Contract 1998 – 1999

Technical Support Team Lead –

- Turned around a sub-par technical support (90% reduction in unresolved problem queue)
- Led VIP, remote sales, and onsite support teams.
- Consistently outperformed all other sites in the enterprise.
- Designed and implemented inventory system to reduce overhead and delivery time.
- Implemented system maintenance tracking program to improve turnaround time.
- Dramatically improved customer relations through communication and improved service.

Staffware-Compaq (Houston, TX) - Contract 1997 - 1998

Automation/Tools Strategy and Development

- Pioneered new automation approach responsible saving thousands of man-hours.
- Learned and developed **Rational Visual Test 4.0** applications.

Olde Discount Stockbrokers (Dallas, TX) 1996 - 1997

Stock Broker –

- Advised individuals and groups on personal financial decisions from mutual funds to IRA's.
- Earned **Series 52, Series 63, and Series 7** licenses.

C & P Publishing (Dallas, TX)

Minority partner in small startup publishing with two other principals. 1995 - 1996

- Streamlined production process.
- Wrote and presented the business plan instrumental to the acquisition of an equity partner.
- Negotiated printing in Montrey, Mexico saving nearly 50% in printing and packaging cost.
- Organized and delegated multiple assignments including printing, advertising, production, and promotions.

EDUCATION

Stephen F. Austin State University (Nacogdoches, TX)
 Bachelor of Business Administration December 1994
 Major: **Marketing**
 2nd Major: **Computer Information Systems**

MIKE BARAJAS

EXPERIENCE

November 2021 – Present Via Renewables/Spark Energy
Chief Financial Officer

October 2021 – November 2021 Via Renewables/Spark Energy
Vice President of Finance and Investor Relations

September 2019 – October 2021 Via Renewables/Spark Energy
Director of Finance and Investor Relations

April 2017 – September 2019 NuDevco Partners
Director of Accounting and Reporting

July 2015 – April 2017 NuDevco Partners
Assistant Controller

- Manage the financial and accounting functions and supporting information systems of the company including financial reporting, A/R, A/P and related internal controls.
- Corporate consolidations at the parent company level.
- Transitioned newly acquired Oasis Energy into NuDevco systems in order to be better prepared for when Oasis was dropped down by the parent company to Spark Energy in August 2015.
- Currently assisting in setting up a new retail energy provider (REP) which entails creating pro forma financials.
- Back office activity setup including accounts, AR, AP, and bad debt analytics for Logistics subsidiary
- Developed projections based off individual contracts to determine profitability.

October 2014 – July 2015 Marlin Midstream (formerly a NuDevco Partners subsidiary)
Assistant Controller

- Worked with the Treasurer on various finance projects including cash management, budgeting, forecasting, and presentation drafting.
- Prepared, reconciled and analyzed monthly corporate financial statements and monthly management package.
- Supervised and reviewed the Accounts Payable and Fixed Asset process and accounting.
- Assisted Plant Accounting Manager with gross margin.
- Assisted in due diligence related to the transaction resulting in the sale of Marlin Midstream

February 2014 – October 2014 Marlin Midstream (formerly a NuDevco Partners subsidiary)
Accounting & Finance Manager

- Assisted with financial statement reporting and analysis.
- With Controller & Assistant Controller, developed and maintained proper documentation of quarterly control activities and ensured proper procedures and controls are in place supporting all significant accounts and disclosures in the financial statements to facilitate testing by internal and external auditors.
- Worked with the Assistant Controller to participate in quarterly reviews and annual audits with outside auditors.

- Ensured proper accounting classification for entries, the proper procedures and control environment, and prepared monthly management reporting package.
- Analyzed daily cash balances for Treasury and Management.
- Responsible for logging cash transactions, keeping records, directing transfers, and engaging in other activities related to monitoring the supply and movement of cash.
- Participated in capital project, AFE, and purchase order coding, monitoring, and reporting.
- Analyzed and approved expense and capital expenditure coding along with budget and trend comparisons.
- Reviewed monthly journal entries including prepaids, accruals, and reclasses; created monthly lead schedules for balance sheet accounts.

May 2013 – February 2014 Spark Energy (a NuDevco Partners subsidiary)

Manager – Operational Accounting

- Margin analysis for all gas retail markets. This included actualizing volumes to third party documentation, compiling unbilled revenue per market and invoicing imbalance trades.
- Completed and analyzed flow month models in each market as part of the month end close procedures.
- Accountable for tracking of imbalance positions in specific markets in order to record long/short positions and estimate future true-up invoices.
- Analyzed wholesale storage and managed supply. Worked with traders and schedulers to validate transactions entered into Entegrate.
- Provided Treasury Department the unbilled revenue for the Retail and Wholesale gas group for monthly collateral reporting. Additionally, prepared quarterly look-back comparisons to provide to the bank between unbilled estimates and actuals.
- Compiled and submitted regulatory & compliance reports, along with individual PUC license renewals.
- Project Manager for Microsoft Solomon accounting system upgrade.

May 2011 – April 2013 Spark Energy (a NuDevco Partners subsidiary)

Senior Gas Accountant

- Responsible for month end closing entries including, but not limited to: revenue, inventory, bad debt, managed supply, deferred revenue, AR adjustments, and LDC accruals.
- Prepared volume reconciliations which facilitated the collection of over \$600k in billings for 2012.
- Compiled monthly retail sales WASP comparison by market and communicated results to Senior Management.
- Compared and analyzed estimated margins per MMBTU to actualized margins.
- Monthly reconciliation of balance sheet accounts relating to gross margin entries.
- Prepare monthly financial reports and provide variance analysis to Director of Operational Accounting.
- Completed assigned task of accelerating the month end close schedule from a 45 day close to a 5 workday close. This task was completed three months ahead of schedule.
- Assisted Audit team with preparation of audit packages necessary to finish audit ahead of schedule.

September 2009 – May 2011 Spark Energy (a NuDevco Partners subsidiary)

Staff Gas Accountant

- Margin analysis for all gas retail markets in the East Coast, Indiana, Illinois, Michigan, Ohio, and Colorado.
- Provided Senior Management with balance sheet reconciliation analysis.
- Collaborated with consultants in implementing the calendarization of billing reports used for unbilled calculations.

EDUCATION

University of Houston, C.T. Bauer College of Business Houston, TX
Master of Science in Accountancy 2009.
Graduate School GPA of 3.5

University of Houston, C.T. Bauer College of Business Houston, TX
B.S., Accounting, 2007.
Graduated with Honors, Cum Laude

CERTIFICATIONS & SKILLS

CPA License
Fluent in English & Spanish
Proficient in MS Office Suite & Microsoft Dynamic SL (Solomon)

JOHNATHAN MARTIN

1749 Woodcrest Drive, Houston, TX 77018
C: 281-851-8292 | E: Johnathan@egs-aes.com

Enthusiastic and optimistic professional with material retail energy and leadership experience. Skilled at developing and maintaining client relationships and highly committed to working with a team to achieve company goals. Strong negotiation skills and in-depth knowledge of the energy industry. Analytical thinker with the ability to perform well under pressure with the client's goals in mind.

EXPERIENCE:

EGS-Advanced Energy Solutions, Inc. | Vice President of Sales **2019-Present**

- Integral part of expanding EGS from an energy broker into a full-service energy consulting firm
- Responsible for expanding and driving in new and current business
- Actively manage a 250,000 MWH & 1,300,000 DTH portfolio across multiple States
- Work closely with external and internal partners to maximize sales growth
- Lead the delivery and management of client projects
- Responsible for Origination activities in all major ISOs
- Lead sales efforts and develop proposals for the local and national market
- Maintain a high level of industry knowledge in accordance with corporate, federal, and state law
- Experienced contract management and negotiation skills

Constellation Energy | Business Development Manager **2015 - 2019**

- Top performer three years in a row bringing in over 150% of goal year over year
- Responsible for generating over \$5MM+ in additional Gross Margin in my last year
- Led one of the first virtual offsite renewable energy purchases with a retail power supply agreement
- Helped commercial and industrial customers effectively manage their energy costs
- Developed commodity procurement strategies that aligned with customer visions
- Educated and informed customers on energy efficiency projects, load response programs, and distributed energy solutions
- Extensive market knowledge in both the electricity, and natural gas commodity markets
- Maintained a high level of industry knowledge in accordance with corporate, government, and state law.

Constellation Energy | Data Management Analyst **2012 - 2015**

- Handled day-to-day usage data acquisition needs for North American Retail Electric Markets
- Responded to usage data inquiries from other teams within Company
- Resolved usage data exceptions that occur in the system based upon established business
- Maintained a central repository for all usage and ancillary data for North American Retail Electric Markets in support of pricing, billing, supply forecasting, supply origination, and sales
- Understand, extract, and document business rules for customer usage data acquisition and clean-up in all active North American Retail Electricity Markets

- Worked with respective vendors and other third parties in order to ensure the accuracy and timeliness of data received
- Ensured consistent data is distributed for each service account to various stakeholder groups within the business
- Communicated and troubleshoot data issues to vendors, third parties and Utilities.
- Specialize in the regions of Metro-North, ERCOT and Mid-Atlantic

NextEra Energy | Pricing & Supply Analyst

2011

- Compiled, reviewed and formatted energy usage data
- Performed pricing functions and made decisions regarding the appropriate inputs to pricing on a daily basis
- Maintained awareness about market changes/conditions that may affect pricing
- Managed complex projects, all of which required unique coordination of resources from other business units
- Supported pricing analysts in daily pricing activity as needed
- Learned the financial and physical factors which effect pricing, the market and associated risks
- Attended internal market meetings as necessary to grasp better knowledge of the company
- Acquired extensive experience using Microsoft Excel for data analysis and modeling

EDUCATION:

Bachelor of Business Administration (“BBA”) – Management

2012

Texas A&M University | Mays Business School | College Station, Texas

CERTIFICATE OF SERVICE

On this the 4thth day of October 2022 I certify that a true and correct copy of the foregoing filing has been served upon the following by First Class U.S. Mail, postage prepaid:

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 Small Business Advocate Commerce Building, Suite 202 300 North Second Street Harrisburg, PA 17101	Commonwealth of Pennsylvania Department of Revenue Bureau of Compliance PO Box 281230 Harrisburg, PA 17128-0946
Columbia Gas of PA, Inc. Transport Support Services 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.4980 e-mail: transportevaluations@nisource.com	National Fuel Gas Distribution Corp. Daniel Czechowicz 6363 Main Street Williamsville, NY 14221 PH: 716.857.7670 FAX: 716.857.7479 e-mail: maciokj@natfuel.com
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	PECO Suzette Adams, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 PH: 215.841.6452 Email: carlos.thillet@exeloncorp.com
UGI Utilities, Inc. – Gas Division Sherry Epler 1 UGI Drive Denver, PA 17517 PH: 610.796.3447 Email: sepler@ugi.com	Philadelphia Gas Works Ryan Reeves, Director Supply Transportation & Control 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.787.5103 email: pgwchoicesupply@pgworks.com
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	DATE OF DEPOSIT OCT 4 2022 PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

DATE: October 4, 2022


Michael A. Grun, Esq.

