



Todd S. Stewart
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November 2, 2022

**VIA FEDERAL EXPRESS
OVERNIGHT DELIVERY**

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

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Application of Optimum Energy Group; Docket No. _____
NGS LICENSE APPLICATION

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is an original and one (1) copy of the Natural Gas Supply Services Application of Optimum Energy Group, for approval to offer, render, furnish, or supply natural gas supply services as a Broker/Marketer of Natural Gas to the public in the Commonwealth of Pennsylvania. Also enclosed is a check in the amount of \$350.00 to cover the filing fee. Also, please note that this NGS Application is being submitted simultaneously with Optimum Energy's EGS Application and the combined applications were noticed together as provided in the Application. Accordingly, the original proofs of publication are included with the EGS Application, and copies are included with this application. Copies of the remaining proofs of publication will be provided as soon as we receive them. Finally, please note that this application contains several attachments that are **Confidential** and are attached in a separate and appropriately marked envelope. These attachments will not be provided to the parties being served the Application. Please return a time-stamped copy to the undersigned in the self-addressed stamped envelope provided.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Todd S. Stewart

Counsel for Optimum Energy Group

TSS/jld

Enclosures

cc: Per Certificate of Service (Application/non-confidential attachments ONLY)

CERTIFICATE OF SERVICE

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

VIA FIRST-CLASS MAIL

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

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

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

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

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

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VIA ELECTRONIC MAIL

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

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

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

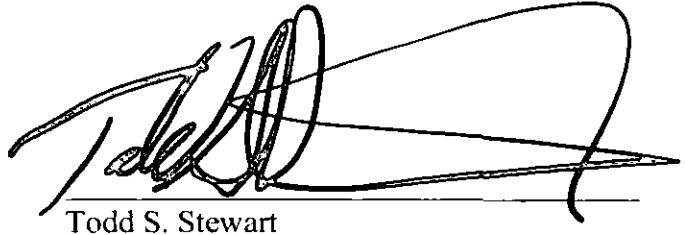
Columbia Gas of PA, Inc.
Transport Support Services
290 W. Nationwide Blvd.
Columbus, OH 43215
transportevaluations@nisource.com

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

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

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

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



Todd S. Stewart

DATED: November 2, 2022

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NOV 03 2022
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Optimum Energy Group, for approval to offer, render, furnish, or supply natural gas supply services as a Broker/Marketer of Natural Gas 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:

Optimum Energy Group, LLC
1797 Tragone Drive
Pittsburgh, PA 15241
www.Optimumenergygroup.com

- 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.

Optimum Energy Group, LLC
Jeffrey Garofalo
1797 Tragone Drive
Pittsburgh, PA 15241
412-420-7587

- 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.

Jeffrey Garofalo
President
1797 Tragone Drive
Pittsburgh, PA 15241
412-420-7587
JeffGaro@optimumenergygroup.com

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

Todd S. Stewart
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
Telephone: 717-703-0806
Facsimile: 717-236-4841
tsstewart@hmslegal.com

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

Jeffrey Garofalo
President
1797 Tragone Drive
Pittsburgh, PA 15241
412-420-7587
JeffGaro@optimumenergygroup.com

Todd S. Stewart
Counsel
100 N 10th Street
Harrisburg, PA 17101
717-236-1300
tsstewart@hmslegal.com

2. **BUSINESS ENTITY FILINGS AND REGISTRATION**

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

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

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

Or

x 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):

See Attachments 2.1 and 2.2 which are Applicants accepted LLC filing with Pennsylvania's Department of State and the LLC approval letter.

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.
- Give name and address of officers.

The only officer is Jeffrey Garofalo, whose information is listed herein.

3. AFFILIATES AND PREDECESSORS

(both in state and out of state)

a. AFFILIATES: Give name and address of any affiliate(s) currently doing business and state whether the affiliate(s) are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are currently applying to do business in Pennsylvania.

None

b. PREDECESSORS: Identify the predecessor(s) of the Applicant and provide the name(s) under which the Applicant has operated within the preceding five (5) years, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

None

4. OPERATIONS

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

Definitions

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

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

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.

Broker.

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

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

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.

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

As soon as possible or by January 1, 2023.

5. COMPLIANCE

a. **CRIMINAL/CIVIL PROCEEDINGS:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

Identify all such proceedings (active or closed), by name, subject and citation; whether before an administrative body or in a judicial forum. If the Applicant has no proceedings to list, explicitly state such.

None

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

N/A.

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

None

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

N/A

6. PROOF OF SERVICE

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

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

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

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

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

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

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

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

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

7. FINANCIAL FITNESS

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

See attached, which includes the Financial Security letters from:

- Columbia Gas of PA (**Attachment 7.1.1**),
- National Fuel Gas (**Attachment 7.1.2**),
- PGW (**Attachment 7.1.3**),
- Valley Energy (**Attachment 7.1.4**),
- UGI (**Attachment 7.1.5**),
- Peoples (**Attachment 7.1.6**), and
- PECO (**Attachment 7.1.7**).

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

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.

See Confidential Attachment 7.1 which is Applicant's Business Insurance Policy

- Audited financial statements exhibiting accounts over a minimum two year period.
- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

See Confidential Attachment 7.2 which is Applicant's 2021 US Tax Return

See Confidential Attachment 7.3 which is Applicant's 2021 PA Tax Return

See Confidential Attachment 7.4 which is Applicant's 2020 PA Tax Return

See Confidential Attachment 7.5 which is Applicant's 2020 US Tax Return

See Confidential Attachment 7.6 which is Applicant's June 2022 Bank Statement

- 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.

Applicant will be operating only as a Broker/Marketer.

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

As a broker we are paid by suppliers for whom we place customers. The suppliers pay commissions monthly calculated on the amount of natural gas the customer purchases per month.

- 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.

Jeffrey Garofalo
President
1797 Tragone Drive
Pittsburgh, PA 15241
412-420-7587
JeffGaro@optimumenergygroup.com

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

See Confidential Attachment 7.7 – Optimum Energy Tax Certification.

8. TECHNICAL FITNESS:

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

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

See Attachment 8.1, the resume of Jeff Garafalo, President.

- 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.

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

Applicant will be solely responsible for marketing at present. As operations grow, Applicant will develop appropriate oversight policies and procedures to ensure that all marketing is ethical and in compliance with all applicable requirements.

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.

Jeffrey Garofalo
President

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.

N/A

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.

X 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.

X 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.

X 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.

X 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.

X 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.

X 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.

X 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.

X 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.

X PAYMENT ENCLOSED

11. AFFIDAVITS

(All affidavits must be notarized before filing.)

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

See Attachment 11.1, the Executed Application Affidavit.

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

See Attachment 11.2, the Executed Operations Affidavit.

12. NEWSPAPER PUBLICATIONS

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

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

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

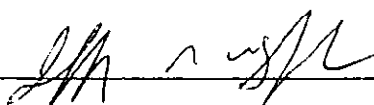
The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and must be supplied with this application. Applicants do not need a docket number in their publication. Docket numbers will be issued when all criteria on the item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

	Erie Times-News	Harrisburg Patriot-News	Philadelphia Daily News or Philadelphia Inquirer	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
Columbia Gas	X	X		X		X	X
National Fuel Gas	X			X			
PECO			X				
Peoples Natural Gas	X			X			X
Peoples Gas Company				X			
Philadelphia Gas Works			X				
UGI Utilities – Gas Div.	X	X	X	X	X	X	X
Valley Energy					X	X	
Entire Commonwealth	X	X	X	X	X	X	X

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

See Attachment 12.1 – the Form of Notice that is being published in the 7 newspapers listed above and the Proofs of Publication. The remaining will be provided upon receipt.

13. SIGNATURE

Applicant: 
 By: Jeffrey Garofalo
 Title: Officer/Owner

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: Optimum Energy Group

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

ATTACHMENT 2.1

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

Return document by mail to:
Todd S Stewart
Name
100 North Tenth Street,
Address
Harrisburg PA 17101
City State Zip Code
 Return document by email to: _____

Certificate of Organization Domestic
Limited Liability Company
DSCB:15-8821(rev. 2/2017)



8821

Read all instructions prior to completing. This form may be submitted online at <https://www.corporations.pa.gov/>.

Fee: \$125.00

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

In compliance with the requirements of 15 Pa.C.S. § 8821 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

1. The name of the limited liability company (designator is required, i.e., "company", "limited" or "limited liability company" or abbreviation):
Optimum Energy Group LLC

2. Complete part (a) or (b) – not both:

(a) The address of the limited liability company's initial registered office in this Commonwealth is:
(post office box alone is not acceptable)

1797 Tragone Drive	Pittsburgh	PA	15241	Allegheny
Number and Street	City	State	Zip	County

(b) name of its commercial registered office provider and the county of venue is:

c/o:
Name of Commercial Registered Office Provider County

3. The name of each organizer is (all organizers must sign on page 2):

Name	Address
Jeffrey M Garofalo	1797 Tragone Drive , Pittsburgh , PA , United States , 15241

4. Effective date of Certificate of Organization (check, and if appropriate complete, one of the following):

The Certification of organization shall be effective upon filing in the Dept of State.

The Certification of organization shall be effective _____ at _____
on: Date(MM/DD/YYYY) Hour (if any)

5. Restricted professional companies only.

Check the box if the limited liability company is organized to render a restricted professional service and check the type of restricted professional service(s).

The company is a restricted professional company organized to render the following restricted professional service(s):

- Chiropractic**
- Dentistry**
- Law**
- Medicine and surgery**
- Optometry**
- Osteopathic medicine and surgery**
- Podiatric medicine**
- Public accounting**
- Psychology**
- Veterinary medicine**

6. Benefit companies only.

Check the box immediately below if the limited liability company is organized as a benefit company:

This limited liability company shall have the purpose of creating general public benefit

Optional specific public benefit purpose. Check the box immediately below if the benefit company is organized to have one or more specific public benefits and supply the specific public benefit(s). See instructions for examples of specific public benefit.

This limited liability company shall have the purpose of creating the enumerated specific public benefit(s):

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

IN TESTIMONY WHEREOF, the organizer(s) has (have) signed this Certificate of Organization this 13 day of October, 2022.

Jeffrey M Garofalo

Signature

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 2.2

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS
401 NORTH STREET, ROOM 206
P.O.BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.PA.GOV

Todd Stewart
100 North Tenth Street
Harrisburg PA 17101

Optimum Energy Group LLC

The Bureau of Corporations and Charitable Organizations is happy to send your filed document. The Bureau is here to serve you and we would like to thank you for doing business in Pennsylvania.

Thank you for registering with the Department of State to do business in Pennsylvania. Like many other businesses, you may have employees, sell taxable products, or provide a taxable service to consumers in Pennsylvania. Please visit www.pa100.state.pa.us to register for Business Taxes with the PA Department of Revenue & Labor and Industry or visit www.Business.pa.gov to find answers to most common registration questions.

If you have any questions pertaining to the Bureau, please visit our website at www.dos.pa.gov/BusinessCharities Or you may contact us by telephone at (717)787-1057. Information regarding business and UCC filings can be found on our searchable database at www.corporations.pa.gov/Search/CorpSearch .

Entity number : 7620576

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 7.1.1

July 27, 2022

Jeffrey Garofalo
Optimum Energy Group, LLC
1797 Tragone Drive
Pittsburgh, PA 15241

Dear Jeffrey Garofalo:

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

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

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

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

Sincerely,

Kylia Davis

Kylia Davis
Manager of Choice and Transportation Support Services

ATTACHMENT 7.1.2



National Fuel

September 19, 2022

Optimum Energy Group, LLC.
Attn: Jeffrey Garofalo, Owner
1797 Tragone Drive
Pittsburgh, PA 15241

Dear Andrew,

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

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

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

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

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

Yours truly,

Nicole Barker
Transportation Services Department

ATTACHMENT 7.1.3

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

July 27, 2022

Todd S. Stewart
Hawke McKeon & Sniscak LLP
Counsel for Optimum Energy Group

Email: Tsstewart@hmslegal.com

RE: Security Requirement Bond for Optimum Energy Group.

Dear Todd S. Stewart, Managing Member

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

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

However, you have indicated, and it is Philadelphia Gas Works' understanding, that **Optimum Energy Group** intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that in performing these services **Optimum Energy Group** will never take title to any delivered natural gas. Based upon your representations, Philadelphia Gas Works has determined that, at this time, **Optimum Energy Group** does not need to post a bond or other form of security to operate in its service territory. If the services provided by **Optimum Energy Group** should change, Philadelphia Gas Works reserves the right to require security from **Optimum Energy Group** as it deems appropriate.

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

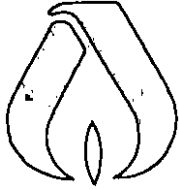
Sincerely,

A handwritten signature in black ink that reads "John C. Zuk". The signature is written in a cursive style.

JOHN C. ZUK

Sr. Vice President, Gas Management

ATTACHMENT 7.1.4



VALLEY ENERGY

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

July 27, 2022

Mr. Todd S. Stewart
Hawke McKeon & Sniscak LLP
TSS Stewart@hmslegal.com

RE: Optimum Energy Group, LLC

Dear Mr. Stewart:

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

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

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

Sincerely,

Edward E. Rogers
President & CEO

EER/ss

cc: J. Levering, Valley Energy

ATTACHMENT 7.1.5



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

VIA E-MAIL

August 2, 2022

Optimum Energy Group, LLC
1797 Tragone Drive
Pittsburgh, PA 15241

DATE OF DEPOSIT

NOV 03 2022

ATTENTION: Jeffrey Garofalo, Owner

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**RE: Optimum Energy Group, LLC
Application to Serve as a Natural Gas Broker**

Dear Mr. Garofalo,

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

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

Sincerely,

Sherry Epler
Senior Manager
Tariff & Supplier Administration

SE/rks

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 7.1.6



375 North Shore Drive
Pittsburgh, Pennsylvania 15212

www.peoples-gas.com

Carol Scanlon
Manager, Rates

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

July 27, 2022

Jeffrey Garofalo
Owner
Optimum Energy Group, LLC
1797 Tragone Drive
Pittsburgh, PA 15241

Dear Mr. Garofalo:

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

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

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

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

Sincerely,

Carol Scanlon
Manager, Rates
Peoples Natural Gas Company LLC

Cc: Stephen Kelly
Mina Speicher

ATTACHMENT 7.1.7



pecoSM

AN EXELON COMPANY

October 12, 2022

Optimum Energy Group, LLC
1797 Tragone Drive
Pittsburgh, PA 15241

Re: Bonding Requirements

Dear Optimum Energy Group, LLC

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

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

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

If you should have any questions regarding this matter, please contact Wanda Rucker at wanda.rucker@exeloncorp.com.

Respectfully submitted,

Suzette Adams (Aw)
Manager, Gas Supply and Transportation
2301 Market
Philadelphia, PA 19103

ATTACHMENT 8.1

ENERGY MANAGEMENT POSITION

Marketing of Energy Products to Industrial, Commercial and Residential customers primarily focused on Electricity Sales and Customer Service. Excellent customer communication and problem resolution including billing delineations and market intelligence. Diversified energy background that includes Electricity and Natural Gas pricing and product comparisons, Demand Response programs, energy efficiency initiatives and renewable energy products. A team-oriented and entrepreneurial individual stressing corporate as well as individual goals.

Professional strengths include:

Clear Communication Flow
Multi-tasking/Structured
Detail Oriented

Resourceful
Goal Driven
Customer Service

Relationship Building
Reliable/Loyal
Vendor Relations

BUSINESS EXPERIENCE

J M Garofalo, LLC - Pittsburgh, P.A.

June 2014-Present

(Electricity, Demand Response and Natural Gas Sales)

INDEPENDENT BROKER (Self Employed/Freelance through T&F Exploration, also Freelance with Chrislynn Energy) – ELECTRIC, DEMAND RESPONSE AND NATURAL GAS

- Identified Market Opportunities
- Targeted Customer and Suppliers to Approach
- Established Relationships with Potential Clients and Supply Sources
- Managed Customer Accounts (commodities, pricing, terms, strategies, etc.)
- Developed Profit Margin Strategy with yearly/monthly goals
- Established Working Relationships and Devised Services Customized for each customer, their goals as well as our potential profitability from each customer
- Customer Oriented – highly responsive to customer needs, requests and problematic scenarios
- Numerous Customer Visits, Presentations and Entertainment Venues
- Utility Bill Analysis, Comparison Reports, Conflict Resolutions
- Sales = 100 MWh, 10 BCF

DOMINION RETAIL, INC - Pittsburgh, P.A.

November 2013-June 2014

(Electric and Natural Gas Sales)

SALES REPRESENTATIVE – ELECTRICITY/NATURAL GAS (Salary plus commission)

- Utilized market intelligence in the development of gas and electric product costs and pricing strategies
- Established customer acquisition and income goals
- Maintained existing customer base through renewals and conversion to new and multiple product lines
- Targeted and developed new prospective sales through referrals, networking, direct calls and relationship building
- Developed customer strategies to maximize customer saving and retain clients simultaneously
- Prepared standard and customized contracts for customer signature
- Reported on sales activities and the resulting profit margin to senior management
- Support (multiple salespeople) and actively transact leads into sales through the inside sales process
- Trained key sales and management personnel on telephone techniques and strategies
- Educated prospects and employees of the benefits of choosing a supplier for competitive gas/electric programs
- Promoted successful and lasting relations with new and regular customers through customer service (frequent phone calls, face to face meetings, Market info, etc.) and relationship building
- Consulted with billing and contracts departments to finalize sales, initialize payment processing and resolve customer issues
- Consistently exceeded sales goals earning exceptional commissions and additional responsibilities from management

Independent Contractor - Pittsburgh, P.A.
(Energy Sales Contractor – exclusive with Dominion)

May 2007-Oct 2013

MARKETING AGENT - NATURAL GAS AND ELECTRICITY

- Target and develop new prospective sales through referrals, networking, direct calls and relationship building for both Natural Gas and Electricity customers
- Develop sales strategies to entice customer interest and maximize company revenue and associated commissions
- Expand sales territory to multiple LDC's and Utilities
- Report on sales activities and recommend pricing changes and product offerings

EDUCATION

Duquesne University
A.J. Palumbo School of Business Administration
Bachelor of Science in Marketing

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT 11.1

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DATE OF DEPOSIT

NOV 03 2022

APPLICATION AFFIDAVIT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Commonwealth of Pennsylvania :
County of ALLEGHENY : ss.

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

He is the Proprietor/President (Office of Affiant) of Optimum Energy Group;

That he is authorized to and does make this affidavit for said Applicant;

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

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

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

[Signature]
Signature of Affiant

Sworn and subscribed before me this 12 day of OCTOBER, 2022.

[Signature]
Signature of official administering oath

My commission expires 07/07/2023

Commonwealth of Pennsylvania - Notary Seal
Kenneth A. McCarrell, Notary Public
Allegheny County
My commission expires July 7, 2023
Commission number 1234583
Member, Pennsylvania Association of Notaries

ATTACHMENT 11.2

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DATE OF DEPOSIT

NOV 03 2022

OPERATIONS AFFIDAVIT

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

[Commonwealth/State] of Pennsylvania :

: SS.

County of ALLEGHENY :

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

[He/she is the President/Proprietor (Office of Affiant) of Optimum Energy Group
(Name of Applicant);]

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

That Optimum Energy Group, 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 Optimum Energy Group, 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 Optimum Energy Group, 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 Optimum Energy Group, 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 12 day of OCTOBER, 2022.



Signature of official administering oath

My commission expires 07/07/2023.

Commonwealth of Pennsylvania - Notary Seal
Kenneth A. McCarrell, Notary Public
Allegheny County
My commission expires July 7, 2023
Commission number 1234583
Member, Pennsylvania Association of Notaries

DATE OF DEPOSIT

NOV 03 2022

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

ATTACHMENT 12.1

DATE OF DEPOSIT

NOV 03 2022

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

*Applications of **Optimum Energy Group** For Approval To Offer, Render, or Furnish Services as a **Supplier, Aggregator, and Marketer/Broker** 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.*

Optimum Energy Group will be filing an application with the Pennsylvania Public Utility Commission (“PUC”) for a license to provide natural gas supply services as (1) a supplier of natural gas, and (2) a broker/marketer engaged in the business of providing natural gas services. **Optimum Energy Group** will also be filing an application with the PUC for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Optimum Energy Group** proposes to sell electricity, natural gas, and related services Citizens Electric, Duquesne, Met Ed, PECO (gas & electricity), Penelec, Pike, PPL, UGI, Wellsboro, West Penn, Columbia Gas, Equitable Gas, National Fuel Gas, Peoples Natural Gas, Peoples TWP, Philadelphia Gas Works, UGI, UGI Central Penn, UGI Penn Natural, and Valley Energy, under the provisions of the new Natural Gas Choice and Competition Act and the Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Optimum Energy Group** 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 **Optimum Energy Group** attorney at the address listed below.

By and through Counsel: Todd S. Stewart

Hawke McKeon & Sniscak, LLP

100 North Tenth Street

Harrisburg, PA 17101

(717) 236-1300

(717) 236-4841

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Proof of Publication of Notice in Pittsburgh Post-Gazette

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

Commonwealth of Pennsylvania, County of Allegheny, ss D. Rullo, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

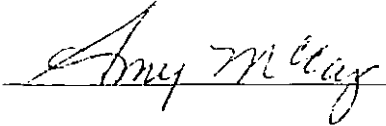
20 of October, 2022

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:
October 20, 2022



Commonwealth of Pennsylvania - Notary Seal
Amy McCay, Notary Public
Allegheny County
My commission expires January 24, 2026
Commission number 1323004
Member, Pennsylvania Association of Notaries

STATEMENT OF ADVERTISING COSTS
Hawke McKeon & Sniscak LLP
100 N. Tenth St
Harrisburg PA 17101

To PG Publishing Company

Total ----- \$543.40

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 Jeffrey Garafalo (d/b/a "Optimum Energy Group") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker 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

Optimum Energy Group will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Optimum Energy Group will also be filing an application with the PUC for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Optimum Energy Group proposes to sell electricity, natural gas, and related services, in the service territories of, PECO, PPL Electric Utilities, Metropolitan Edison, Pike County Light & Power, Citizens Electric, Wellsboro Electric, Penelec, Penn Power, West Penn Power, Duquesne Light, Philadelphia Gas Works, Columbia Gas, Valley Energy, National Fuel Gas, Peoples Gas, and UGI under the provisions of the new Natural Gas Choice and Competition Act and the Electricity Generation Customer Choice and Competition Act.

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

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

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

PENNSYLVANIA
 PUBLIC UTILITY COMMISSION
 NOTICE

Applications of Jeffrey Garafalo (d/b/a "Optimum Energy Group") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker 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. Optimum Energy Group will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Optimum Energy Group will also be filing an application with the PUC for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Optimum Energy Group proposes to sell electricity, natural gas, and related services, in the service territories of: PECO, PPL Electric Utilities, Metropolitan Edison, Pike County Light & Power, Citizens Electric, Wellisboro Electric, Penelec, Penn Power, West Penn Power, Duquesne Light, Philadelphia Gas Works, Columbia Gas, Valley Energy, National Fuel Gas, Peoples Gas, and UGI under the provisions of the new Natural Gas Choice and Competition Act and the Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Optimum Energy Group 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 Optimum Energy Group's attorney at the address listed below.

publishes
 that the
 of The J
 interests
 character

On this 17th day of October 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.

County of Cambria, and Commonwealth of Pennsylvania and the matter published in said publication in the regular issues A. on October 12, 2022; and that the Affiant is not advertising and that all of the allegations as to time, place and

Christine Marhefka

STATEMENT OF ADVERTISING COSTS

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

Signed and sworn to before me on
 17th day of October, 2022.
 by Christine Marhefka making the statement.

Vivian Ohs

0.00 Lines @ \$2.70 per line	0.00
8 Inches @ \$27.00 per inch	226.80
Notary Fee	5.00
Clerical Fee	2.50
Total Cost	234.30

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

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

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

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

TRIBUNE-DEMOCRAT
 (Name of Newspaper)
 By Vivian Ohs

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

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

Jennifer Deitch
Hawke McKeon Sniscak LLP
100 NORTH TENTH ST
Harrisburg PA 17101

STATE OF PENNSYLVANIA, COUNTY OF ERIE

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

10/11/2022

Sworn to and subscribed before on 10/11/2022

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Applications of Jeffrey Garafalo (d/b/a "Optimum Energy Group") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker 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. Optimum Energy Group will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a broker/marketer engaged in the business of providing natural gas services. Optimum Energy Group will also be filing an application with the PUC for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. Optimum Energy Group proposes to sell electricity, natural gas, and related services, in the service territories of: PECO, PPL Electric Utilities, Metropolitan Edison, Pike County Light & Power, Citizens Electric, Wellsboro Electric, Penelec, Penn Power, West Penn Power, Duquesne Light, Philadelphia Gas Works, Columbia Gas, Valley Energy, National Fuel Gas, Peoples Gas, and UGI under the provisions of the new Natural Gas Choice and Competition Act and the Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Optimum Energy Group 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 Optimum Energy Group's attorney at the address listed below.

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

(10-7899132-NT-11)

Legal Clerk

Notary, State of WI, County of Brown

7/27/25

My commission expires

Publication Cost: \$313.40
Order No: 7899132 # of Copies: 1
Customer No: 579162
PO #:

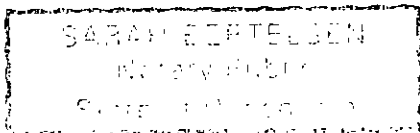
THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance

DATE OF DEPOSIT

NOV 03 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU





AD#: 0010470886

Commonwealth of Pennsylvania,) ss
County of Cumberland)

Christine Arnold being duly sworn, deposes that he/she is principal clerk of PA Media Group; that The Patriot News is a public newspaper published in the city of Mechanicsburg, with general circulation in Cumberland and Dauphin and surrounding counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Patriot News 10/11/2022

Principal Clerk of the Publisher

Sworn to and subscribed before me this 11th day of October 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**

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**By and through Counsel:
Todd S. Stewart**

**Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841**

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

HAWKE MCKEON & SNISCAK
100 NORTH TENTH STREET
HARRISBURG PA 17105

Account # 51864
Order # 82670147
Ad Price: 354.16

DATE OF DEPOSIT

NOV 03 2022

OPTIMUM ENERGY GROUP

Sharon Venturi

Being duly sworn according to law deposes and says that (s)he is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

10/09/2022

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Sharon Venturi

Sworn and subscribed to before me
this 10th day of October A.D., 2022

[Signature]
(Notary Public)

Commonwealth of Pennsylvania - Notary Seal
Kathleen Weaver, Notary Public
Lackawanna County
My commission expires June 14, 2025
Commission number 1314506
Member, Pennsylvania Association of Notaries

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

LEGAL NOTICE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Applications of Jeffrey Garafalo (d/b/a "Optimum Energy Group") For Approval To Offer, Render, or Furnish Services as a Supplier, Aggregator, and Marketer/Broker 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:
Todd S. Stewart
Hawke McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841

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

SHIP DATE: 03NOV22
ACTWGT: 1.00 LB
CAD: 5875296/INET4530

HARRISBURG, PA 17101
UNITED STATES US

BILL SENDER

TO ROSEMARY CHIAVETTA, SECRETARY
PA PUBLIC UTILITY COMMISSION
400 NORTH STREET

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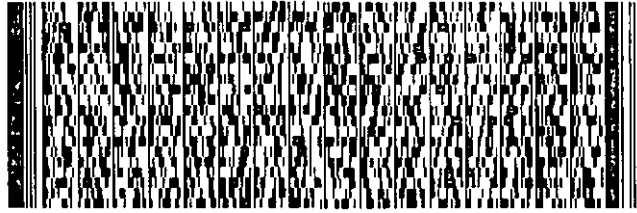
HARRISBURG PA 17120

(999) 999-9999

REF: TSSAULD: 1493-0001

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PC

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PRIORITY OVERNIGHT

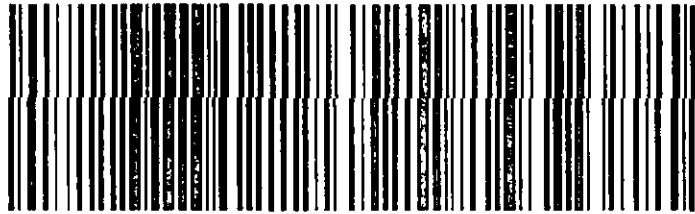
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NOV - 4 2022

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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