

December 13, 2022

VIA ELECTRONIC FILING

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

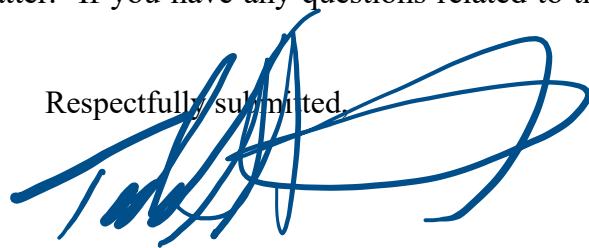
Re: Optimum Energy Group LLC Natural Gas Supplier License Application;
Docket No. A-2022-3036817; **RESPONSES OF OPTIMUM ENERGY
GROUP LLC TO DATA REQUESTS OF THE STAFF, SET 1 (PUBLIC
VERSION)**

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission are the **PUBLIC** Responses of Optimum Energy Group LLC to the Data Requests of the Staff, Set 1 in the above-captioned matter. Please note that the **CONFIDENTIAL** Version of this Response will be sent via overnight delivery for filing.

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

Respectfully submitted,



Todd S. Stewart
Counsel for Optimum Energy Group LLC

TSS/jld

Enclosures

cc: Jeremy Haring, Bureau of Technical Utility Services (via email - jharing@pa.gov)

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

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: December 13, 2022

**RESPONSES OF OPTIMUM ENERGY GROUP LLC
TO DATA REQUESTS
OF THE STAFF, SET 1**

Docket No. A-2022-3036817

1. Reference Application, Section 1.a, Identity of Applicant – The Applicant stated throughout the Application that the name of the applicant is Optimum Energy Group, LLC. This is not consistent with the Pennsylvania Department of State filing which shows the company’s name as Optimum Energy Group LLC (please note the absence of the comma). Please either provide a corrected application page or submit a letter stating that the application contains numerous typographical errors and stating the correct name of the applicant consistent with the Pennsylvania Department of State.

RESPONSE:

See attached revised Application pages.

Provided By: Jeff Garofalo

**RESPONSES OF OPTIMUM ENERGY GROUP LLC
TO DATA REQUESTS
OF THE STAFF, SET 1**

Docket No. A-2022-3036817

3. Reference Application, Section 11, Affidavits – The Affidavits submitted state the name of the applicant is Optimum Energy Group. This is not consistent with the Pennsylvania Department of State filing which shows the company’s name as Optimum Energy Group LLC. Please resubmit the Application Affidavit and the Operations Affidavit.

RESPONSE:

Please see attached revised Affidavits.

Provided By: Jeff Garofalo

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

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,



Kyhia 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 7.1.4



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
TSSStewart@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

ATTENTION: Jeffrey Garofalo, Owner

**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

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 11.1

APPLICATION AFFIDAVIT

Commonwealth of Pennsylvania

SS.

County of ALLEGHENY

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 LLC;

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

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

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

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



Signature of Affiant

Sworn and subscribed before me this 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

ATTACHMENT 11.2

OPERATIONS AFFIDAVIT

[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
LLC (Name of Applicant);]

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

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



Signature of official administering oath

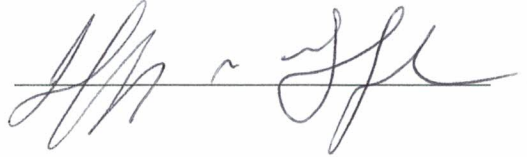
My commission expires 07/07/2023.

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

VERIFICATION

I, JEFFREY M CAROPALO hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

DATE: 12/07/2022

A handwritten signature in cursive script, appearing to read "Jeffrey M. Caropalo", written over a horizontal line.