

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

To the Pennsylvania Public Utility Commission:

1. IDENTIFICATION AND CONTACT INFORMATION

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

Approved Energy II LLC
6717 4th Avenue
Brooklyn, NY 11220
1-833-CLN-ENER
www.approvedenergy.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.

Registered Agents Inc.,
1150 First Avenue STE 511
King of Prussia, PA 19406
Telephone number: 610-456-2133
Fax: none

- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application and future inquiries should be addressed.

NOTE: To ensure timely receipt of regulatory information, a contact employed directly by the Applicant, and not a consultant, is preferred.

Chris Dieguez
Title: Manager of Operations
E-mail Address: cdieguez@approvedenergy.com
Telephone number: 718 238-1050 x505
Fax: (718) 921-1053
Address: 6717 4th Avenue, Brooklyn, NY 11220

- 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.

Robert Ross
E-mail Address: robertr@approvedoil.com
Telephone number: 718 238-1050
Fax: (718) 921-1053
Address: 6717 4th Avenue, Brooklyn, NY 11220

- 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.

Chris Dieguez
Title: Manager of Operations
E-mail Address: cdieguez@approvedenergy.com Telephone number: 718
238-1050 x505
Fax: (718) 921-1053
Address: 6717 4th Avenue, Brooklyn, NY 11220

Renee Pegeron
Title: Director of Customer Operations
Telephone number: 833-CLN-ENER
E-mail Address: rpegeron@approvedenergy.com
Group Email Address: customerservice@approvedenergy.com
Address: 67A Mountain Blvd, Warren, NJ 07059

2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

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

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

Or

☐ The Applicant will not be using a fictitious name.

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

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

☐ The Applicant is a sole proprietor.

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

Or

☐ The Applicant is a:

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

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

or

☐ The Applicant is a:

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

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above. **See Foreign Registration Statement which may be found in Attachment 1.**
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.
Approved Energy II LLC is organized under the law of the state of
- Give name and address of officers.

Vincent Theurer, President, CEO, and Managing Member
6717 4th Ave.
Brooklyn, NY 11220

Niraj Parikh, COO
6717 4th Ave.
Brooklyn, NY 11220

Kevin Duffy, CFO
6717 4th Ave.
Brooklyn, NY 11220

Nicholas Fasano, Sr., Managing Member
422 Summer St
Stamford, CT 06901

John Sutherland, Head of Sales
6717 4th Ave.
Brooklyn, NY 11220

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.

Approved Oil Company of Brooklyn, Inc. (stand-alone entities, with common ownership, no parent/subsidiary relationship).

6717 Fourth Avenue
Brooklyn, NY 11220

Approved Energy represents that Approved Oil Company of Brooklyn, Inc. is not a jurisdictional public utility. Approved Energy currently has no affiliates applying to do business in Pennsylvania

- 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.

Approved Energy has no predecessors that have done business.

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.

Approved Energy is seeking authorization to serve all customer classes in all electric utility service territories in Pennsylvania. Approved Energy proposes to offer fixed rate, indexed rate, and variable rate products with the option to add voluntary renewable energy content

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

☒ Columbia
☐ National Fuel Gas
☒ PECO
☒ Peoples Natural Gas Company

☒ Philadelphia Gas Works
☒ UGI Utilities – Gas Division
☐ 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.

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

Approved Energy seeks to begin actively marketing in Pennsylvania as soon as the license is granted.

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.

CONFIDENTIAL. See Attachment 2.

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

CONFIDENTIAL. See Attachment 2

- 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.

Except as provided in this Section 5(c), Approved Energy has no such actions or complaints to list. Approved Energy has received two (2) customer complaints in the last five (5) years from the New York Public Service Commission ("NYPSC"). Both cases were resolved to the customer's satisfaction and finalized by the NYPSC. The case numbers are: Case Number: 148734 and Case Number: 156180. Approved Energy has not had a Pennsylvania PUC EGS or NGS license canceled by the Commission.

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

See section 5.c.

6. PROOF OF SERVICE

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

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

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

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

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

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

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

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

Columbia Gas of PA, Inc. Transport Support Services 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.4980 e-mail: transportevaluations@nisource.com	National Fuel Gas Distribution Corp. Daniel Czechowicz, Director – Gas Supply Administration 6363 Main Street Williamsville, NY 14221 PH: 716.857.6917 e-mail: czechowiczd@natfuel.com
Peoples Natural Gas Company LLC Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com	PECO Suzette Adams, Sr. Manager, Gas Supply and Transportation 2301 Market Street, S-18 Philadelphia, PA 19103 PH: 215.841.6467 Email: Suzette.Adams@exeloncorp.com
Philadelphia Gas Works Ryan Reeves, Director Supply Transportation & Control 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.787.5103 email: pgwchoicesupply@pgworks.com	UGI Utilities, Inc. – Gas Division Sherry Epler 1 UGI Drive Denver, PA 17517 PH: 610.796.3447 Email: sepler@ugi.com
Valley Energy Inc. Ed Rogers 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: erogers@ctenterprises.org	

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.

CONFIDENTIAL. See Bonding/Security documentation by NGDC which may be found in Attachment 3A.

- b. **FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:
- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
 - Published Applicant or parent company financial and credit information (i.e. 10Q or 10K). (SEC/EDGAR web addresses are sufficient)
 - Applicant's accounting statements, including balance sheet and income statements for the past two years.
 - Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
 - A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
 - Audited financial statements exhibiting accounts over a minimum two year period.
 - Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

CONFIDENTIAL. See Attachment 3B.

- 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.

CONFIDENTIAL. See Attachment 3C

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

Approved Energy is not a broker/marketer

- 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.

Ian Aizenberg, CPA
Aizenberg Accounting Services LLC
15 McDivitt Ave
Staten Island, NY 10314
Phone: (347) 216-1371
Fax: (718) 234-2110
iana@approvedoil.com

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

All sections of the Tax Certification Statement must be completed. Submitting N/A on either the Sales Tax License Number or the Employer ID Number (items 7A and 7B) shall be accompanied by supporting documentation or an explanation validating the absence of such information.

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

CONFIDENTIAL. See Attachment 3F.

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. Approved Energy II LLC ("Approved") has been serving electricity and natural gas to customers in New York and New Jersey since 2016 and currently serves over 4,000 customers in those states, of which 1,800 are electric, with a leadership team that possesses decades of combined experience in retail energy markets. Approved serves load across all customer segments, focusing on residential and small commercial customers, and plans to extend its marketing into all deregulated markets in PJM, including Pennsylvania. Approved will achieve this goal primarily through direct sales via our internal sales force, and by partnering with PUC licensed brokers. Approved will also engage in online sales to residential and small commercial customers through its own website or other online postings, such as papowerswitch.com. See also Approved Energy II – Welcome Letter NYISO, showing that Approved Energy has been a customer of the New York Independent System Operator, Inc. since 2016. Approved uses both an internal sales channels and third-party channel partners in its current operations, and it intends to continue such channels in its marketing of Pennsylvania customers.

Company Structure is CONFIDENTIAL. See Attachment 4.

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

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

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

☐
☒

Yes
No

If yes, will the Applicant be using verification procedures?

☐
☐

Yes
No

If yes, describe the Applicant's verification procedures.

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

Approved Energy provides training and ongoing guidance to its internal sales team to ensure that its offerings are represented accurately, perspicuously, and in accordance with ethical business practices, the marketing standards set forth in 52 PA Code §54 and §111, and any regulations or standards which are established by the Pennsylvania Public Utility Commission. Violations of marketing standards, whether internal or imposed by a governing body, may result in disciplinary action up to and including termination of employment.

Approved Energy contractually requires its marketing affiliates to adhere to all applicable laws and regulations, and Approved Energy reserves the right to terminate the relationship with any affiliate that violates this requirement.

Per company policy, marketing material must be reviewed and approved by Management before release to ensure compliance with applicable marketing standards.

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.

CONFIDENTIAL. Resumes for Approved Energy's officers and key staff may be found in Attachment 4.

9. **DISCLOSURE STATEMENT:**

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

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

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

A sample disclosure statement is attached as Appendix E

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

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

☒ AGREED

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

☒ AGREED

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

☒ AGREED

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

☒ ACKNOWLEDGED

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

☒ AGREED

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

☒ AGREED

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

☒ AGREED

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

☒ AGREED

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

☒ PAYMENT ENCLOSED

11. AFFIDAVITS
(All affidavits must be notarized before filing.)

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

12. NEWSPAPER PUBLICATIONS

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

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

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

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

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

(Newspaper Publication Templates are provided at Appendices G)

13. SIGNATURE

Applicant: 

By: Niraj Parikh

Title: COO

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: Approved Energy II LLC

Applicant's Use	<input checked="" type="checkbox"/>	Signature	
	<input checked="" type="checkbox"/>	Filing Fee (ONLY CERTIFIED CHECK OR MONEY ORDER)	
	<input checked="" type="checkbox"/>	Application Affidavit	
	<input checked="" type="checkbox"/>	Operations Affidavit	
	<input checked="" type="checkbox"/>	Proof of Publication	
	<input checked="" type="checkbox"/>	Tax Certification Statement	
	<input checked="" type="checkbox"/>	Commonwealth Department of State Verification	
	<input checked="" type="checkbox"/>	Certificate of Service	
PUC Secretary's Bureau Use			

APPLICATION AFFIDAVIT

[Commonwealth/State] of New York

ss.

County of Kings

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

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

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

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

That the Applicant herein **Approved Energy II, 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 **Approved Energy II, 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.



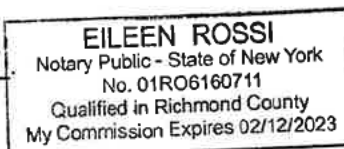
Signature of Affiant

Sworn and subscribed before me this 23 day of November, 2022.



Signature of official administering oath

My commission expires FEB. 12, 2023.



Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of **New York**

:

ss.

County of **Kings**

:

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

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

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

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

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

Appendix B (Continued)

That **Approved Energy II, 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 23. day of NOVEMBER, 2022.



Signature of official administering oath

My commission expires FEB. 12, 2023

EILEEN ROSSI Notary Public - State of New York No. 01RO6160711 Qualified in Richmond County My Commission Expires 02/12/2023

Appendix C

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

CERTIFICATE OF SERVICE TEMPLATE

On this the 23rd day of November 2022, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as a Natural Gas Supplier and all **NON-CONFIDENTIAL** attachments have been served, as either a hardcopy or a searchable PDF version on a cd-rom, upon 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	
Columbia Gas of PA, Inc. Transport Support Services 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.4980 e-mail: transportevaluations@nisource.com	National Fuel Gas Distribution Corp. Joanne E. Maciok 6363 Main Street Williamsville, NY 14221 PH: 716.857.7670 FAX: 716.857.7479 e-mail: maciokj@natfuel.com
Peoples Natural Gas Company LLC Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com	PECO Carlos Thillet, Manager, Gas Supply and Transportation 2301 Market Street, S9-2 Philadelphia, PA 19103 PH: 215.841.6452 Email: carlos.thillet@exeloncorp.com
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	Philadelphia Gas Works Ryan Reeves, Director Supply Transportation & Control 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.787.5103 email: pgwchoicesupply@pgworks.com
Valley Energy Inc.	UGI Utilities, Inc. – Gas Division

Ed Rogers 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: erogers@ctenterprises.org	Sherry Epler 1 UGI Drive Denver, PA 17517 PH: 610.796.3447 Email: sepler@ugi.com
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Niraj Parikh, COO

Appendix E

Natural Gas Supplier Agreement

Approved Energy

6717 4th Ave

Brooklyn, NY 11220

1-833-CLN-ENER



NATURAL GAS SUPPLIER AGREEMENT

PENNSYLVANIA RESIDENTIAL AND SMALL COMMERCIAL USE

Customer:

Billing Address:

Tel. No:

Email Address:

Contact:

Date: _____

For list of accounts served, see Appendix A

Contract Volume: _____ Dth

Contract Term: _____ months starting on the first available meter read on or after _____.

Bill Type: Single Billed

CUSTOMER DISCLOSURE STATEMENT

Natural Gas Supplier Information	Approved Energy II, LLC ("Approved Energy"), PUC License # xxxxxxxxx 6717 4 th Ave Brooklyn, NY 11220 Contact us M-F 9AM-5PM at: (833) CLN-ENER support@approvedenergy.com Approved Energy is not affiliated with your local utility. Your local utility will continue to deliver your energy. Approved Energy is responsible for your generation charges.
Price Structure	Fixed price includes commodity, capacity, storage, balancing, transportation to the burner tip, and other market-related factors, plus estimated state taxes, fees, charges or other assessments and Approved Energy's costs, expenses and margins. Price does not include applicable state and local sales tax.
Natural Gas Supply Rate	You will pay a fixed price of \$_____ per Dth for natural gas service.
Statement on Savings	Your price may be higher or lower than the EDC's price-to-compare. EDC prices vary over time and Approved Energy offers no guarantee of savings over the EDC's price.
Deposit Requirements	None
Contract Start Date	This agreement will begin on the date set by the EDC.
Contract Duration/Length	_____ billing cycles after enrollment.
Cancellation Policy/Early Termination Fees	EXCEPT AS PROVIDED BY THE RIGHT TO RECISSION BELOW, IF YOU OR APPROVED ENERGY CANCELS THIS AGREEMENT PRIOR TO EXPIRATION OF THE INITIAL TERM OR ANY RENEW TERM, YOU WILL INCUR AN EARLY TERMINATION FEE ("ETF") OF \$10 FOR EACH MONTH REMAINING ON THE INITIAL OR ANY RENEWAL TERMS. THE ETF WILL NOT EXCEED \$100 IF THE REMAINING TERM IS LESS THAN 12 MONTHS OR \$200 IF THE REMAINING TERM IS 12 MONTHS OR MORE.

End of Contract	If you have a fixed duration contract that will be ending, you will receive two separate notices before the contract ends or the changes happen. You will receive the first notice 60 to 75 days before, and the second notice 45 days before the expiration date or the date the change becomes effective. These notices will explain your options.
Right of Recission	You may rescind the Agreement within three (3) business days of receipt of confirmation of this Agreement with no termination fee by contacting Approved Energy using the contact information listed in the Natural Gas Supplier Information section above.

By entering into this Agreement, Customer agrees to the terms above, along with the attached Terms and Conditions, and authorizes Approved Energy to act as Customer's agent in dealing with the Utility.

Approved Energy II LLC	[CUSTOMER NAME]
Signed by:	Signed by:
Name:	Name:
Date:	Date:

I. Definitions

Basic Services: Services necessary for the physical delivery of natural gas to a retail customer, consisting of natural gas distribution services and natural gas supply services.

Burner Tip: the point at which natural gas is used, such as a furnace, water heater, or range.

City Gate: the point where interstate pipelines deliver gas into NGDC facilities.

Commodity Charges: the charges for basic gas supply service which is sold either by volume (ccf or Mcf) or heating value (therms or Dth).

NGDC: Natural Gas Distribution Company, also referred to as the Utility. A state regulated natural gas utility which owns the gas lines and equipment necessary to deliver natural gas to the consumer (Formerly called local distribution company).

NGS: Natural Gas Supplier. An entity that sells or arranges to sell natural gas to customers that is delivered through the distribution lines of an NGDC.

Non-basic Charges: optional services which are separate and not required for the physical delivery of natural gas service. No non-basic services apply to this contract.

II. Terms and Conditions

1. **Agreement to Sell and Purchase Energy.** This is an agreement between Approved Energy II LLC, d/b/a Approved Energy ("Approved Energy") and the undersigned customer ("Customer," "You," or "Your") (collectively, the "Parties") under which Customer shall initiate natural gas service and begin enrollment with Approved Energy (the "Agreement"). Subject to the terms and conditions of the Agreement, Approved Energy agrees to sell and facilitate supply, and Customer agrees to purchase and accept the quantity of natural gas (the "Contract Quantity") necessary to meet Customer's requirements based upon consumption data obtained by Approved Energy from the EDC. The amount of natural gas delivered under this Agreement is subject to change based upon data reflecting Customer's consumption obtained by Approved Energy or the EDC's delivery schedule. The EDC will continue to deliver the natural gas supplied by Approved Energy. Approved Energy is not affiliated with, and does not represent, the EDC. Supply prices and charges are set by the natural gas supplier you have chosen. The Public Utility Commission regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

2. **Customer Acknowledgements.** Customer acknowledges the following:

- That any sales representative with whom Customer has spoken represents Approved Energy and is not from the NGDC;
- That you are the Customer whose name is on the account, the spouse of the account holder, or over 18 years of age, and are authorized to make decisions concerning the account;
- That your NGDC will continue to deliver your natural gas and provide you with your natural gas bill unless otherwise agreed to in writing.

3. **Eligibility.** This offer is only available to accounts on residential rate codes.

4. **Term.** You will buy your natural gas supply service for the above address from Approved Energy beginning on the date set by your natural gas distribution company (NGDC) and will continue for ____ months.

5. **Price.** Customer will pay a fixed rate per Dth for natural gas supply service, which is listed in the Contract Summary of this Agreement. This price includes commodity, capacity, storage, balancing, transportation to the burner tip, and other market-related factors, plus estimated state taxes, fees, charges or other assessments and Approved Energy's costs, expenses and margins. Price does not include applicable state and local sales tax.

6. **Billing.** Customer will receive a single bill for both commodity and delivery costs from the EDC.

7. **Renewal Provision/Agreement Expiration/Change in Terms.** If you have a fixed duration contract that will be ending, or whenever Approved wants to change the contract, you will receive two separate notices before the Initial Term ends or the contract change happens. The first notice will be sent 60 to 75 days prior to the end of the Initial Term, and the second notice will be sent 45 days prior to the end of the Initial Term. These notices will explain your options. Customer will not be subject to a penalty of fee if the customer terminates the contract at any time between the date the options notice is issued and the expiration of the contract.

8. **Customer Right to Rescission.** Customer may rescind the Agreement within three (3) business days of executing this Agreement (if executed in person), or within three (3) business days of receipt of confirmation of this Agreement (if enrolled via a telephonic or Internet-based sale). Customer may do this by either notifying us in writing at Approved Energy II LLC, 6717 4th Ave. Brooklyn, NY 11220 or by calling us at 1-833-CLN-ENER (833-256-3637) and informing us that Customer would like to rescind the Agreement.

9. **Cancellation Provisions**

- Customer-initiated cancellation: If you cancel this Agreement before the end of the Initial Term, you will be charged an Early Termination Fee as described in section 10 below.

- **Company-initiated cancellation:** If at some future date there is a change in any law, rule, regulation, pricing structure or market condition whereby we are prevented or prohibited from carrying out the terms of the Agreement, or which causes us to be unable to economically continue this Agreement, we may cancel this Agreement. If we cancel this Agreement for any reason other than non-payment, we will provide you notice as described in section 7 above.
- **Customer move:** If Customer moves from the address listed above, this Agreement will be cancelled.

10. Early Termination Fee. IF CUSTOMER TERMINATES THIS AGREEMENT AFTER THE 3-DAY RECISSION PERIOD AND BEFORE THE EXPIRATION OF THE INITIAL TERM OR ANY RENEWAL TERMS, OR IF APPROVED ENERGY TERMINATES THIS AGREEMENT DUE TO CUSTOMER'S BREACH, CUSTOMER SHALL PAY APPROVED ENERGY, IN ADDITION TO ANY OTHER APPLICABLE CHARGES, AN EARLY TERMINATION FEE EQUAL TO \$10 FOR EACH MONTH REMAINING ON THE INITIAL OR ANY RENEWAL TERM. THE ETF WILL NOT EXCEED \$100 IF THE REMAINING TERM IS LESS THAN 12 MONTHS OR \$200 IF THE REMAINING TERM IS 12 MONTHS OR MORE.

11. Assignment. Customer may not assign its interests in and delegate its obligations under this Agreement without the express written consent of Approved Energy. Approved Energy may sell, transfer, pledge, or assign the accounts receivable, revenues, or proceeds hereof, in connection with any financing agreement, purchase of accounts receivables program or billing services agreement, and may assign this Agreement and the rights and obligations thereunder, to another energy supplier, energy services company or other entity as authorized by the PUC. Approved Energy shall notify Customer of any such assignment at the time it enters into contract with the other supplier. In the event of such Assignment, all Terms and Conditions of this Agreement will remain unchanged.

12. Information Release Authorization. Customer authorizes Approved Energy to obtain and review the following information from the EDC: consumption history; billing determinants; utility account number. This information may be used by Approved Energy to determine whether it will commence and/or continue to provide energy supply service to Customer and will not be disclosed to a third party unless required by law. Customer's execution of this Agreement shall constitute authorization for the release of this information to Approved Energy. This authorization will remain in effect during the Initial Term and any Renewal Term. Customer may rescind this authorization at any time by providing written notice thereof to Approved Energy or by calling Approved Energy at 1-833-CLN-ENER (833-256-3637). Approved Energy reserves the right to cancel this Agreement in the event Customer rescinds the authorization.

13. Consumer Protection. The services provided by Approved Energy to Customer are governed by the terms and conditions of this Agreement. Customer may obtain additional information by contacting Approved Energy at 1-833-CLN-ENER (833-256-3637) or the Pennsylvania Office of Consumer Advocate at www.oca.state.pa.us or (800) 684-6560.

14. Effect of Cancellation. Customer is liable for all Approved Energy charges until Customer returns to the NGDC or goes to another supplier.

15. Agency. Customer hereby appoints Approved Energy as agent for the purposes of (i) acquiring the supplies necessary to meet Customer's natural gas needs, and (ii) arranging, contracting for and administering transportation and related services through natural gas pipelines and the NGDC's local delivery system needed to deliver natural gas to the Customer's premises. These services are provided on an arm's length basis and market-based compensation is included in the price noted above.

16. Delivery point, title, and taxes. Approved Energy will deliver Customer's natural gas supply to the NGDC city gate ("City Gate"). Title to, and risk of loss of, the natural gas will pass from Approved Energy to Customer at the City Gate. Approved Energy warrants good title to the natural gas sold and delivered to Customer. If Customer requests, Approved Energy will act as Customer's agent and arrange transportation of natural gas from transfer point(s) to the respective NGDC's City Gate. Customer will be liable for and pay all taxes or surcharges, which are imposed with respect to the sale of natural gas. If Customer is exempt from such taxes, Customer is responsible for identifying and requesting any exemption from the collection of the taxes by filing appropriate documentation with Approved Energy.

17. Warranty. This Agreement, including applicable attachments, constitutes the entire Agreement between Customer and Approved Energy. Approved Energy makes no representations or warranties other than those expressly set forth in this Agreement. APPROVED ENERGY EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

18. Force majeure. In the event that either party is rendered unable, wholly or in part, to perform that party's obligations under this Agreement due to events not reasonably anticipated or within either party's control, such as, but not limited to, acts of G-d, pandemics, curtailment by Customer's NGDC or Approved Energy transportation capacity, or Customer's NGDC appropriation of natural gas, the Parties agree that such non-performance shall be excused for the duration of the event which caused it. Should the Parties have cause to claim force majeure, the claiming party will notify the other party, in writing, of the cause(s) of such event, the anticipated duration of non-performance and the remedies

being taken to eliminate the cause. Financial obligations relating to payment for or delivery of natural gas under this Agreement cannot be cause for claiming force majeure and obligations cannot be excused as a result of a force majeure event.

19. Liability. The remedy in any claim or suit by Customer against Approved Energy will be solely limited to direct actual damages, which will not exceed the amount of Customer's single largest monthly invoice during the preceding twelve (12) months. By entering into this Agreement, Customer waives any right to any other remedy in law or equity. In no event will either Approved Energy be liable for consequential, incidental, indirect, special or punitive damages. These limitations apply without regard to the cause of any liability or damages. There are no third-party beneficiaries to this Agreement.

20. Contact Information. Customer may contact Approved Energy's Customer Service Center at 1-833-CLN-ENER (833-256-3637), Monday through Friday 8:00 a.m. - 8:00 p.m. EST and Saturday 8:00 a.m. - 5:00 p.m. EST (contact center hours subject to change). Customer may write to Approved Energy at: 6717 4th Ave. Brooklyn, NY 11220.

21. Measurement. For purposes of measuring the quantity, quality, and consumption of the natural gas delivered pursuant to this Agreement, the parties expressly agree to accept the measurements reported by the NGDC.

22. Dispute resolution. In the event of a billing dispute or a disagreement involving Approved Energy's service hereunder, the Parties will use their best efforts to resolve the dispute. Customer should contact Approved Energy by telephone or in writing as provided above. Customer must pay the bill in full, except for the specific disputed amount, during the pendency of the dispute. If the Parties cannot resolve the dispute within forty-five (45) days, either Party may avail itself of all remedies available under law or equity. Contact us with any questions concerning our terms of service. Information about shopping for a natural gas supplier is available at www.pagasswitch.com or by calling the Pennsylvania Public Utility Commission at (800) 692-7380. Information is available from the Pennsylvania Office of Consumer Advocate at www.oca.state.pa.us or (800) 684-6560.

23. Arbitration. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

24. Choice of Laws. This Agreement shall be construed under and shall be governed by the laws of the Commonwealth of Pennsylvania without regard to the application of conflicts of law principles.

25. Notice. A correctly addressed notice sent to Approved Energy at the address set forth herein by pre-paid first-class post or recorded delivery post shall be deemed to have been received at the time at which it would have been delivered in the normal course of post. A notice sent by email sent to Approved Energy at the email address set forth herein shall be deemed to have been received at the time of successful transmission (as shown by the timed email records and the absence of a "failure to deliver" email response obtained by the sender).

26. Counterparts. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be an original, but all of which shall constitute one and the same instrument. Signature may be communicated by electronic transmission and shall be binding upon the parties so transmitting their signatures.

27. Severability. If any provision of this Agreement is held by a court or regulatory agency of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall continue in full force without being invalidated in any way.

28. Delay or Failure to Exercise Rights. No partial performance, delay or failure on our part in exercising any rights under this Agreement and no partial or single exercise thereof shall constitute a waiver of such rights or of any other rights hereunder.

29. Confidentiality. Customer agrees that for so long as this Agreement remains in effect and for a period of two (2) years following termination of this Agreement, this Agreement and all pricing provided hereunder is commercially sensitive and shall not, unless required by law, be disclosed to any third party, or any Customer employee without a need to know, without the prior written consent of Approved Energy.

30. Taxes and Laws. Except as otherwise provided in the Agreement or provided by law, all taxes of whatsoever kind, nature and description due and payable with respect to service provided under this Agreement, other than taxes based on Approved Energy's net income, shall be paid by Customer, and Customer agrees to indemnify Approved Energy and hold Approved Energy harmless from and against any and all such taxes.

31. Emergency service. In the event of a gas leak, service interruption or other emergency, Customer should immediately call emergency personnel and their NGDC before contacting Approved Energy:

Columbia Gas	(888) 460-4332
National Fuel Gas	(800) 444-3130
PECO	(844) 841-4151
Peoples Natural Gas	(800) 400-4271
Peoples Gas	(800) 400-4271
Philadelphia Gas Works	(215) 235-1212
UGI Utilities	(800) 276-2722
Valley Energy	(800) 998-4427

32. **Parties bound.** This Agreement is binding upon the parties hereto and their respective successors and legal assigns.

Appendix A

List of Accounts Served

Account Number	Utility	Legal Name	Street 1	Street 2	City	State	Postal Code

Baseload (Dth)

[illegible]

Appendix G

NEWSPAPER PUBLICATION TEMPLATE FOR COMBINED EGS AND NGS

LOCALiQ

Erie Times- News
The Daily American

PO Box 630531 Cincinnati, OH 45263-0531

PROOF OF PUBLICATION

Niraj Parikh
Approved Energy
6717 4Th AVE
Brooklyn NY 11220-5306

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:

02/25/2022

Sworn to and subscribed before on 02/25/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$344.04

Order No: 6958804

Customer No: 719160

PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

SARAH BERTELSEN
Notary Public
State of Wisconsin

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Applications of Approved Energy II LLC (d/b/a "Approved Energy") 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.

Approved Energy 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. Approved Energy 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. Approved Energy proposes to sell electricity, natural gas, and related services in Columbia Gas of Pennsylvania, National Fuel Distribution - PA, Peoples Natural Gas Company, Philadelphia Gas Works, UGI Utilities, Valley Energy, Duquesne Light Company, Pennsylvania Power Company, Metropolitan Edison Company, Pennsylvania Electric, PPL Electric Utilities, PECO Energy Company, West Penn Power 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 Approved Energy 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 Approved Energy attorney at the address listed below.

By and through Counsel: Robert Ross

Approved Energy
6717 4th Avenue
Brooklyn, NY 11220
(833) CLN-ENER
FAX (718) 228-9886

(2-6958804-NT-25)

PA Media Group
1900 Patriot Dr
Mechanicsburg, PA 17050



The Patriot News

APPROVED ENERGY
6717 4TH AVENUE
BROOKLYN, NY 11220

AD#: 0010253192

Sales Rep: PA Classifieds
Account Number:1000957807
AD#: 0010253192

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

Page 1 of 2

Date	Position	Description	P.O. Number	Ad Size	Costs
02/24/2022	Misc Legal Notice PA	PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE Applications of		1 x 65 L	
Affidavit Notary Fee - 02/24/2022					\$5.00
Basic Ad Charge - 02/24/2022					\$303.55
Total					\$308.55

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



The Patriot News

LEGAL AFFIDAVIT

AD#: 0010253192

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 02/24/2022

Principal Clerk of the Publisher

Sworn to and subscribed before me this 24th day of February 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

6717 4th Avenue
Brooklyn, NY 11220
(833) CLN-ENER
FAX (718) 228-9886

Applications of **Approved Energy II LLC** (d/b/a "Approved Energy") 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.

Approved Energy 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. **Approved Energy** 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. **Approved Energy** proposes to sell electricity, natural gas, and related services in Columbia Gas of Pennsylvania, National Fuel Distribution - PA, Peoples Natural Gas Company, Philadelphia Gas Works, UGI Utilities, Valley Energy, Duquesne Light Company, Pennsylvania Power Company, Metropolitan Edison Company, Pennsylvania Electric, PPL Electric Utilities, PECO Energy Company, West Penn Power 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 **Approved Energy** 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 **Approved Energy** attorney at the address listed below.

By and through Counsel: Robert Ross
Approved Energy

The Philadelphia Inquirer

601 MARKET STREET, SUITE 300, PHILADELPHIA, PA 19107

Return Service Requested

6144000375 PRESORT 375 MB 0.327 P1C3



APPROVED ENERGY
6717 4TH AVE
BROOKLYN NY 11220-5306

Advertiser APPROVED ENERGY

Advertiser No. 113803

Bill-To APPROVED ENERGY

Bill To No. 113803

Please Remit To

AMOUNT REMITTED \$

FED ID#: 27-2937767

The Philadelphia Inquirer, LLC

PO Box 822063

Philadelphia, PA 19182-2063

REMEMBER: DETACH AND RETURN THIS PORTION WITH REMITTANCE FOR PROPER CREDIT

- The Philadelphia Inquirer reserves the right to share information regarding your payment history with commercial credit reporting agencies.
- Delinquent accounts are subject to reasonable collection charges.

Invoice Info

Invoice No. **IN16643**
Campaign No. **44495**
Description **PUC**
Invoice Date **2/27/2022**
P.O. Number
Sales Rep(s) **Maria Lafrance**
Credit Rep **Danielle White dwhite@inquirer.com 215 854-2264**

Payment Due

Gross Amount	1,704.20
Agency Commission	0.00
Net Amount	1,704.20
Pre-Paid Amount	-1,704.20
Payment Amount Due	\$ 0.00
Terms Due	Net 15

Print

Product / PO#	Section / Position	Classified Tree / Category	Start	End	Line ID	Ad Size(s)	Qty	RATE	Agency Comm	Net Amount
Daily News Legals		Legals Legals -> Legal Notices	2/25/2022	2/25/2022	97641	52.066 Agate Lines by 2 Column(s)	1	\$ 1,669.20	\$ 0.00	\$ 1,669.20
Legal Affidavit		Legals Legals -> Legal Notices	2/25/2022	2/25/2022	97642		—	\$ 35.00	\$ 0.00	\$ 35.00

The Philadelphia Inquirer

801 MARKET STREET, SUITE 300, PHILADELPHIA, PA 19107

Affidavit of Publication

On Behalf of:

APPROVED ENERGY
6717 4TH AVE
BROOKLYN, NY 11220

STATE OF PENNSYLVANIA COUNTY OF PHILADELPHIA:

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

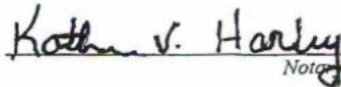
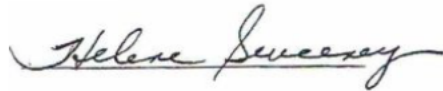
1. The Philadelphia Inquirer, LLC is the publisher of the Philadelphia Daily News, with its headquarters at 801 Market Street, Suite 300, Philadelphia, Pennsylvania 19107.
2. The Philadelphia Daily News is an edition of The Philadelphia Inquirer. The Philadelphia Daily News is continuously published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

Legal Notices

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

2/25/2022

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


Notary Public

My Commission Expires:

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

Ad No: 97641

Customer No: 113803

COPY OF ADVERTISEMENT

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Applications of **Approved Energy II LLC** (d/b/a "Approved Energy") 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.

Approved Energy 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. **Approved Energy** 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. **Approved Energy** proposes to sell electricity, natural gas, and related services in Columbia Gas of Pennsylvania, National Fuel Distribution - PA, Peoples Natural Gas Company, Philadelphia Gas Works, UGI Utilities, Valley Energy, Duquesne Light Company, Pennsylvania Power Company, Metropolitan Edison Company, Pennsylvania Electric, PPL Electric Utilities, PECO Energy Company, West Penn Power 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 **Approved Energy** 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 **Approved Energy** attorney at the address listed below.

By and through Counsel: Robert Ross
Approved Energy
6717 4th Avenue
Brooklyn, NY 11220
(833) CLN-ENER
FAX (718) 228-9886

Proof of Publication of Notice in Pittsburgh Post-Gazette

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

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

24 of February, 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:
February 24, 2022



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

STATEMENT OF ADVERTISING COSTS

Approved Energy
6717 4th Avenue
ATTN: Niraj Parikh
Brooklyn New York 11220

To PG Publishing Company

Total ----- \$688.50

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  David A. Lockert

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

Attorney For

**COPY OF NOTICE
OR PUBLICATION****PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE**

Applications of Approved Energy II LLC (d/b/a "Approved Energy") 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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The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Approved Energy 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 Approved Energy attorney at the address listed below.

By and through Counsel:
Robert Ross
Approved Energy
6717 4th Avenue
Brooklyn, NY 11220
(833) CLN-ENER
FAX (718) 228-9886

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

APPROVED ENERGY
ROBERT ROSS
6717 4TH AVENUE BROOKLYN NY 11220

Account # 644500
Order # 82614125
Ad Price: 358.94

NOTICE PENNSYLVANIA PUBLIC

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:

02/23/2022

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 23rd day of February A.D., 2022

Kathleen Weaver
(Notary Public)

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

NOTICE
PENNSYLVANIA PUBLIC
UTILITY COMMISSION

Applications of **Approved Energy II LLC** (d/b/a "Approved Energy") 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:
Robert Ross
Approved Energy
6717 4th Avenue
Brooklyn, NY 11220
(833) CLN-ENER
FAX (718) 228-9886

See Proof on Next Page

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

Robert O. Rolley, Jr. Publisher of the Sun Gazette (PA) LLC publishers
Williamsport Sun-Gazette, successor to the Williamsport Sun and the Gazette
& Bulletin, both daily newspapers of general circulation, published at 252
West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes
and says that the Williamsport sun was established in 1870 and the Gazette
& Bulletin was established in 1801, since which dates said successor, the
Williamsport Sun-Gazette has been regularly issued and published in the
County of Lycoming aforesaid, and that a copy of the printed notice is
attached hereto exactly as the same was printed and published in the regular
editions of said Williamsport Sun-Gazette on the following dates, viz:

28 Feb 2022

Affiant further deposes that he is an officer daily authorized by the Sun-
Gazette LLC. publisher of the Williamsport Sun-Gazette, to verify the
foregoing statement under oath and declare that affiant is not interested in the
subject matter of the aforesaid notice of publication, and that all the
allegations in the foregoing statement as to time, place and character of
publication are true


SUN-GAZETTE LLC

Sworn to and subscribed before me

The 28th day of February, 2022


Notary Public

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

**PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE**

Applications of Approved Energy II LLC (d/b/a "Approved Energy") 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:
Robert Ross
Approved Energy
6717 4th Avenue
Brooklyn, NY 11220
(833) CLN-ENER
FAX (718) 228-9886

Advertising Receipt

The Tribune-Democrat

PO Box 340
Johnstown, PA 15907-0340

Phone: 814-532-5038

Fax: 814-532-5104

APPROVED ENERGY
NIRAJ PARIKH
6717 4th AVE
BROOKLYN , NY 11220

Acct #: 11134047
Ad #: 00312401
Phone: (917)757-5921
Date: 02/22/2022

Ad taker: vo **Salesperson:**

Sort Line: PENNSYLVANIA PUBLIC UTILITY C

Ad Notes: Approval Code: 286839

Classification 147

Description	Start	Stop	Ins.	Cost/Day	Total
01 Tribune-Democrat	02/24/2022	02/24/2022	1	212.50	212.50
CF Clerical Fee					2.50
Oath Oath form for Legals					5.00

Ad Text:

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Payment Reference:

Applications of Approved Energy II LLC (d/b/a "Approved Energy") 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.

Approved Energy will be filing an application with the Pennsylvania

Total: 220.00
Tax: 0.00
Net: 220.00
Prepaid: -220.00

Total Due 0.00

COMMONWEALTH OF PENNSYLVANIA }
County of Cambria } SS

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Applications of Approved Energy II LLC (d/b/a "Approved Energy") 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: Robert Ross
Approved Energy
6717 4th Avenue, Brooklyn, NY 11220
(833) CUN-ENER FAX (718) 228-9886

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that the anne
of The Johnst
interested in t
character of s

Signed and sw
25th day of Fe
by Christine Marhefka

[Signature]

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

On this 25th day of February 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,

Cambria, and Commonwealth of Pennsylvania and ter published in said publication in the regular issues February 24, 2022; and that the Affiant is not g and that all of the allegations as to time, place and

[Signature: Christine Marhefka]

STATEMENT OF ADVERTISING COSTS

0.00 Lines @	\$2.50 per line	0.00
8.5 Inches @	\$25.00 per inch	212.50
Notary Fee		5.00
Clerical Fee		2.50
Total Cost		220.00

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.

(Name of Newspaper)


By

[Signature]

Attachment 1
Question 2 - BUSINESS ENTITY FILINGS
AND REGISTRATION

Registration of Fictitious Name
Foreign Registration Information
Statement of Organization
Commonwealth of PA Department of State Verification

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

<input checked="" type="checkbox"/> Return document by mail to: Approved Energy II LLC _____ Name 6717 4th Avenue _____ Address Brooklyn NY 11220 _____ City State Zip Code <input checked="" type="checkbox"/> Return document by email to: <u>nparikh@approvedenergy.com</u>	Registration of Fictitious Name DSCB:54-311 (rev. 2/2017)  311
--	--

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

Fee: \$70

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

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is: <u>Approved Energy</u>
--

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is: <u>Retail sales and marketing of natural gas and power</u>

3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):				
<u>6717 4th Avenue</u>	<u>Brooklyn</u>	<u>NY</u>	<u>11220</u>	<u>Kings</u>
Number and street	City	State	Zip	County

4. The name and address, including number and street, if any, of each individual interested in the business is:				
Name	Number and Street	City	State	Zip

5. Each entity, other than an individual, interested in such business is (are):

Name	Form of Organization	Organizing Jurisdiction
Approved Energy II LLC	Limited Liability Company	New York

6717 4th Avenue, Brooklyn NY 11220

Principal Office Address

c/o Registered Agents Inc., 1150 First Avenue STE 511, King of Prussia PA 19406

PA Registered Office, if any

Name	Form of Organization	Organizing Jurisdiction

Principal Office Address

PA Registered Office, if any

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. (Optional): The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

16 day of March, 2022.

Individual Signature

Individual Signature

Individual Signature

Individual Signature

Approved Energy II LLC

Entity Name

A. Parikh NIRAJ PARIKH

Signature

Entity Name

Signature

Chief Operating Officer

Title

Title

**Pennsylvania Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Website: www.dos.pa.gov/corps**

Instructions for Completion of Form:

- A. Typewritten is preferred. If handwritten, the form shall be legible and completed in black or blue-black ink in order to permit reproduction. The nonrefundable filing fee for this form is \$70 made payable to the Department of State. Checks must contain a commercially pre-printed name and address. Filers requesting a veteran/reservist-owned small business fee exemption should attach proof of the veteran's or reservist's status to the Registration of Fictitious Name form when submitted. For more information on the fee exemption, see Fees and Payments.

Enter the name and mailing address to which any correspondence regarding this filing should be sent. This field must be completed for the Bureau to return the filing. If the filing is to be returned by email, an email address must be provided. An email will be sent to address provided, containing a link and instructions on how a copy of the filed document or correspondence may be downloaded. Any email or mailing addresses provided on this form will become part of the filed document and therefore public record.

- B. Under 15 Pa.C.S. § 135(c) (relating to addresses) an actual street or rural route box number must be used as an address, and the Department of State is required to refuse to receive or file any document that sets forth only a post office box address.
- C. The following, in addition to the filing fee, shall accompany this form:
- (1) Any necessary copies of form DSCB:19-17.2 (Consent to Appropriation of Name).
 - (2) Any necessary governmental approvals.
- D. For general instructions relating to fictitious name registration see 19 Pa. Code Subch. 17C (relating to fictitious names). These instructions relate to such matters as voluntary and mandatory registration, general restrictions on name availability, use of corporate designators, agent for effecting amendments, etc., execution, official advertising when an individual is a party to the registration, and effect of registration and non-registration.
- E. The name of a commercial registered office provider may not be used in Paragraph 3 in lieu of an address.
- F. Insert in Paragraph 5 for each entity which is not an individual the following information: (i) the name of the entity and a statement of its form of organization, e.g., corporation, general partnership, limited partnership, business trust, (ii) the name of the jurisdiction under the laws of which it is organized, (iii) the address, including street and number, if any, of its principal office under the laws of its domiciliary jurisdiction and (iv) the address, including street and number, if any, of its registered office, if any, in this Commonwealth. If any of the entities has an association which has designated the name of a commercial registered office provider in lieu of a registered office address as permitted by 15 Pa.C.S. § 109, the name of the provider and the venue county should be inserted in the last column.
- G. Every individual whose name appears in Paragraph 4 of the form must sign the form exactly as the name is set forth in Paragraph 4. The name of every other entity listed in Paragraph 5 shall be signed on its behalf by an officer, trustee or other authorized person. See 19 Pa. Code § 13.8(b) (relating to execution), which permits execution pursuant to power of attorney. A copy of the underlying power of attorney or other authorization should not be submitted to, and will not be received by or filed in, the Department.
- H. An entity (which includes an individual) that registers a fictitious name is required by 54 Pa.C.S. § 311(g) to advertise its intention to file or the filing of an application for registration of fictitious name. Proofs of publication of such advertising should not be submitted to the Department, and will not be received by or filed in the Department, but should be kept with the permanent records of the business.
- I. This form and all accompanying documents shall be mailed to the address stated above.

PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

Consent to Appropriation of Name

DSCB:19-17.2
(rev. 7/2015)



19172

Pursuant to 19 Pa. Code § 17.2 (relating to appropriation of the name of a senior corporation), the undersigned association, desiring to consent to the appropriation of its name by another association, hereby certifies that:

1. The name of the association executing this Consent to Appropriation of Name is:

Approved Energy II LLC

2. The (a) address of the consenting association's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

Complete part (a) **OR** (b) – not both:

(a) _____
Number and street City State Zip County

OR

(b) c/o: Registered Agents Inc., 1150 First Avenue STE 511, King of Prussia PA 19406 Montgomery County
Name of Commercial Registered Office Provider County

3. The date of incorporation or other organization of the consenting association is: 09/21/2015

4. The association(s) entitled to the benefit of this Consent to Appropriation of Name is(are):

Approved Energy

5. The consenting association is (check only one):

- ☒ About to change its name
☐ About to cease to do business
☐ Being wound up
☐ A foreign association about to withdraw from doing business in the Commonwealth

IN TESTIMONY WHEREOF, the undersigned association has caused this Consent to Appropriation of Name be signed by a duly authorized officer thereof this 16 day of March, 2022.

Signature

Chief Operating Officer

Title

**Pennsylvania Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Web site: www.dos.pa.gov/corps**

General Information

Typewritten is preferred. If handwritten, the form must be legible and completed in black or blue-black ink in order to permit reproduction. There is no fee for this document.

Who should complete this form?

A domestic filing entity, a domestic limited liability partnership, an electing partnership, a registered foreign association or an association registered at any time under 54 Pa.C.S. Ch. 5 (relating to corporate and other association names) may consent to the use of its name by another association as long as the consenting association has stated that it is about to change its name, is about to cease to do business, is being wound up or is a foreign association about to withdraw from doing business in this Commonwealth, and the statement and a consent to the adoption of the name are delivered to the Department of State for filing.

This form will be deemed to be incorporated by reference into the filing to which it relates, e.g., articles of incorporation, articles of amendment effecting a change of name, articles of merger effecting a change of name, articles of division, application for a certificate of authority, application for an amended certificate of authority, certificate of limited partnership, amended certificate of limited partnership effecting a change of name, documents merging a partnership or other association effecting a change of name, instrument with respect to a business trust, amended instrument with respect to a business trust effecting a change of name, etc. Therefore an executed copy (which may be a photocopy) of this form should be attached to each copy of the filing to which it relates which is submitted to the Department and no separate docketing statement should be submitted with respect to this form.

Applicable Law

For names, in general, see 15 Pa.C.S. § 414 and §§ 201-209. Statutes are available on the Pennsylvania General Assembly

website, www.legis.state.pa.us, by following the link for Statutes.

Instructions for Completion of Form:

1. Give the exact name of the consenting association. The name on this line must match exactly the association name as shown in Department's records at the time the Consent for Appropriation is submitted for filing. **This field is required.**

2. The address provided must be of the consenting association's registered office (a) or Commercial Registered Office Provider (b) as on file with the Department of State.

Post office boxes are not acceptable for any address. Under 15 Pa.C.S. § 135(c) (relating to addresses) an actual street or rural route box number must be used as an address, and the Department of State is required to refuse to receive or file any document that sets forth only a post office box address. **This field is required.**

3. Give the date on which the consenting association was originally incorporated or formed. Provide month, day and year. **This field is required.**

4. Give the exact name(s) of the association(s) that will use the name. **This field is required.**

5. Check and complete one of the boxes, based on the status or situation of the consenting association. **This field is required.**

Signature and Verification

An authorized representative of the consenting association must sign the Consent to Appropriation of Name. Signing a document delivered to the Department for filing is an affirmation under the penalties provided in 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) that the facts stated in the document are true in all material respects. **This field is required.**

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

Document will be returned to the name and address entered below.

Vincent Theurer

Name

6717 4th Avenue,

Address

Brooklyn

NY

11220

City

State

Zip Code

Foreign Registration Statement

DSCB: 15-412

(rev. 2/2017)



412

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

Fee: \$250.00

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

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

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

☐ Business Corporation

☐ Limited Partnership

☐ Business Trust

☐ Nonprofit Corporation

☐ Limited Liability (General) Partnership

☐ Professional Association

☒ Limited Liability Company

☐ Limited Liability Limited Partnership

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

Approved Energy II LLC

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

3. The jurisdiction of formation:

NY

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

1150 First Ave STE 511,

King of Prussia

PA

19406

Number and street

City

State

Zip

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

6717 4th Avenue,

Brooklyn

NY

11220

Number and street

City

State

Zip

5. The (a) address of the association's registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

Complete part (a) **OR** (b) – not both:

(a) _____
 Number and street City State Zip County
OR
 (b) c/o: Registered Agents Inc Montgomery
 Name of Commercial Registered Office Provider County

6. Check one of the following:

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

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

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

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

- ☒ The association is a limited liability company which is not organized to render any of the below professional service(s).
☐ The association is a restricted professional limited liability company organized to render one or more of the following professional service(s): (If this box is checked, one or more of the fields below must be checked.)

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

IN TESTIMONY WHEREOF, the undersigned association has caused this Foreign Registration Statement to be signed by a duly authorized representative thereof this 22nd day of July, 2021

Approved Energy II LLC

 Name of Association
 Vincent Theurer

 Signature
 President

 Title

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

Docketing Statement - New Entity DSCB: 15-134A	 134A
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1.Entity Name :

Approved Energy II LLC

In the case of a foreign association which must use an alternate name to register to do business in Pennsylvania, the alternate name should be given.

2.Tax Responsible Party

Name of individual responsible for initial tax	Kevin	Duffy
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Mailing address of individual responsible for initial tax

6717 4th Avenue	Brooklyn	NY	11220	Out Of State
Number and street	City	State	zip	County

3.Description of Business Activity:

Esco Sales of Gas and Electricity

4.FEIN [Employer Identification Number/Federal Tax Identification Number]:

47-5166967

FEIN enables agencies to confirm that Commonwealth accounts are properly matched and that this request is processed without added delay. If the business entity does not currently have an FEIN, it can get a FEIN immediately by applying online at <http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Employer-ID-Numbers-EINs>.

STATEMENT OF ORGANIZATION

OF

THE SOLE ORGANIZER

OF

APPROVED ENERGY II LLC

THE UNDERSIGNED, being the sole organizer of the within named limited liability company (the "Company"), formed under Article 2 of the Limited Liability Company Law of the State of New York (LLCL), does hereby state that:

1. The Articles of Organization of the Company under LLCL § 203 were filed by the Department of State of the State of New York on 9/21/15. A copy of the Articles of Organization and the original receipt of the Department of State showing payment of the filing fee are annexed hereto. The same hereby, is ordered filed with the Operating Agreement of the Company.

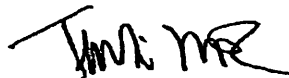
2. At the time of its formation, the Company had at least one member, to wit:

VINCENT M. THEURER

3. The sole organizer herein is neither a member or a manager of the Company.

4. The undersigned, effective the date upon filing of the limited liability company, has fulfilled the duties as the sole organizer of APPROVED ENERGY II LLC, in accordance with the provisions set forth in LLCL § 203 and herewith relinquishes all further duties relating to the organization and formation of the Company.

IN WITNESS WHEREOF, I have made and subscribed this Statement of Organization on the date of filing.



TRUDI WINTER

Sole Organizer

ACKNOWLEDGEMENT COPY

ARTICLES OF ORGANIZATION OF

APPROVED ENERGY II LLC

Under Section 203 of the Limited Liability Company Law

FIRST: The name of the limited liability company is:

APPROVED ENERGY II LLC

SECOND: The county, within this state, in which the office of the limited liability company is to be located is **KINGS**.

THIRD: The Secretary of State is designated as agent of the limited liability company upon whom process against it may be served. The address within or without this state to which the Secretary of State shall mail a copy of any process against the limited liability company served upon him or her is:

THE LIMITED LIABILITY COMPANY
6717 4TH AVE.
BROOKLYN, NY 11220

FOURTH: The limited liability company is to be managed by: **ONE OR MORE MEMBERS**.

I certify that I have read the above statements, I am authorized to sign these Articles of Organization, that the above statements are true and correct to the best of my knowledge and belief and that my signature typed below constitutes my signature.

TRUDI WINTER, ORGANIZER (signature)

TRUDI WINTER , ORGANIZER
BLUMBERGEXCELSIOR
236 BROADWAY
MENANDS, NY 12204

Filed by:

BLUMBERGEXCELSIOR CORPORATE SERVICES INC.
236 BROADWAY
MENANDS, NY 12204

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

04/14/2022

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

Approved Energy II LLC

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

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



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

Leigh M. Chapman

Acting Secretary of the Commonwealth

Certification Number: TSC220414100852-1

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