



March 16, 2023

VIA E-FILING

David P. Zambito

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

Re: EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy; Docket No. A-2011-2248532
5% Financial Security Annual Compliance Filing for 2023

Dear Secretary Chiavetta:

EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy ("EnerPenn") hereby files its 5% Financial Security Annual Compliance Filing for 2023.

EnerPenn requests that Appendices A-B be treated as Confidential Documents because they contain Proprietary Information and/or Trade Secrets. Consistent with 52 Pa. Code § 1.32(b)(4), those documents are being filed separately.

Background

EnerPenn is a limited liability company organized in the State of Texas. EnerPenn is registered to do business in Pennsylvania and is licensed as an electric generation supplier ("EGS") throughout the Commonwealth of Pennsylvania.

EnerPenn has been a licensed EGS for more than eleven years. It was licensed in November 2011 and has maintained its license in good standing since that time.

EnerPenn filed a Petition to Reduce its Security Requirement on October 2, 2015. By Secretarial Letter dated October 26, 2015, the Commission granted the Petition. The Commission has continued the reduction of EnerPenn's security requirement since that date by Secretarial Letters dated March 6, 2017, August 24, 2017, and August 29, 2018, and by e-mails of July 11, 2019, March 26, 2020, April 2, 2021 and May 6, 2022.

Required Information and Documentation

1. Intent to renew financial security reduction at 5%

By this correspondence, EnerPenn requests to maintain its financial security reduction at 5% of its most recent 12 months (or four quarters) of gross receipts, in accordance with the Commission Order deemed final on October 16, 2018 at Docket No. P-2017-2608078.

2. Certificate of Service

Attached is a certificate of service showing that this 5% financial security annual compliance filing is being served on the statutory advocates and all affected electric distribution companies.

3. Licensee Information

Licensed Name: EnerPenn USA, LLC
Docket Number: A-2011-2248532
Utility Code: 1113668
EGS Contact Information: Christian Bedortha, Esq.
Assistant General Counsel
7660 Woodway Dr., Suite 471A
Houston, TX 77063
Phone: (713) 358-8509
Fax: (713) 335-5768
Email: Christian.Bedortha@YepEnergy.com

Anniversary date of current financial security: June 17, 2023

4. EnerPenn's most recent 12-months of Pennsylvania gross receipts

Please see **Attachment A (CONFIDENTIAL)**.

5. Recent Tax Status Letter of Good Standing

The tax status letter of good standing has been requested but not yet received. We will supplement this filing when it is received.

6. EnerPenn's most recent Department of Revenue REV-423 PA Corporation Specialty Tax Estimated Payment form

The REV-423 PA Corporation Specialty Tax Estimated Payment form has been requested but not yet received. We will supplement this filing when it is received.

7. EnerPenn's calculation of 5% of gross receipts

Please see **Attachment A (CONFIDENTIAL)**.

8. Original financial security Attachment B is a Copy of Bond already on file so not attached- jbs

EnerPenn has on file with the Commission an original security instrument containing an automatic renewal provision. Please see **Attachment B. (CONFIDENTIAL)**. EnerPenn's present bond will expire on June 16, 2023. The amount of that instrument is slightly less than the amount necessary to cover the new 5% gross receipt calculation. EnerPenn is in the process of obtaining a bond in the new amount, and will forward it to the Commission upon receipt.

9. Compliance with Alternative Energy Portfolio Standards Act

EnerPenn has not yet received its notice of compliance for energy year 2023. It is our understanding that such notices will be issued in September, 2023. EnerPenn's notice of compliance will be forwarded to the PUC upon receipt.

In the meantime, attached as **Attachment C (CONFIDENTIAL)** is EnerPenn's notice of compliance for energy year 2022.

10. Compliance with Commission Fees

EnerPenn has no outstanding annual or supplemental annual fees.

Conclusion

EnerPenn anticipates working with TUS to process this 5% Financial Security Annual Compliance Filing and welcomes TUS's input and guidance for this reduction.

If you have any questions regarding this matter, please direct them to me. Thank you.

Sincerely,

COZEN O'CONNOR



By: David P. Zambito
Counsel for *EnerPenn USA, LLC d/b/a Y.E.P.,*
d/b/a YEP Energy

DPZ
Enclosures

cc: Stephen Jakab, Bureau of Technical Utility Services (via email only)
Per Certificate of Service
Christian Bedortha, Esq. (via email only)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP : Docket No. A-2011-2248532
Energy :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the **5% Financial Security Annual Compliance Filing of EnerPenn USA, LLC d/b/a Y.E.P., d/b/a YEP Energy**, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA FIRST CLASS MAIL (WITHOUT CONFIDENTIAL ATTACHMENTS):

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

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

Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101

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

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

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

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

Pike County Light & Power Company
Director of Customer Energy Services
Orange and Rockland Company
390 West Route 59
Spring Valley, NY 10977-5300

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

Legal Department
FirstEnergy
2800 Pottsville Pike
Reading, PA 19612

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

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

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

Vice President – Energy Supply
Corning Natural Gas Holding Corporation
330 West William Street
Corning, NY 14830

Commonwealth of Pennsylvania
Department of Revenue
Bureau of Compliance
P.O. Box 281230
Harrisburg, PA 17128-0946



David P. Zambito, Esquire
Counsel for *EnerPenn USA, LLC* d/b/a
Y.E.P., d/b/a *YEP Energy*

Dated: March 16, 2023

VERIFICATION

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

Date: 3/15/2023


