

June 1, 2023

Horizon Midstream LLC  
PO Box 57  
Ludlow PA 16333

VIA USPS

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

Re: Horizon Midstream LLC Natural Gas License Application

Dear Secretary:

Please find enclosed the Natural Gas Supplier License Application for Horizon Midstream LLC. We are seeking to become licensed to serve residential and small commercial customers in the service territories of National Fuel Gas Distribution Corporation.

Enclosed please find our completed application form and various attachments including:

- Attachment A: Certificate of Organization – Section 2B
- Attachment B: Answers to Section 7B, 7C, and 8A
- Attachment C: Financial Records – Section 7C - CONFIDENTIAL
- Attachment D: Tax Certification – Section 7F - CONFIDENTIAL
- Attachment E: Officer Resumes – Section 8E
- Attachment F: Proof of Publication – Section 12
- Attachment G: Certificate of Service – Section 6
- Attachment H: Disclosure Statement – Section 9
- Attachment I: Application Affidavit – Section 11A
- Attachment J: Operations Affidavit – Section 11B
- Attachment K: Bonding Letter – Section 7A
- A check for \$350.00 to cover the application fee.
- A flash drive containing PDF searchable copies of this application and attachments

Should you have any questions or require additional information, please contact me at 814-564-0175 or via email at [copperheadrippy@gmail.com](mailto:copperheadrippy@gmail.com).

Sincerely,



Shannon Moore  
Office Manager

Enclosures

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of HORIZON MIDSTREAM LLC, for approval to offer, render, furnish, or supply natural gas supply services as a SUPPLIER 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:

HORIZON MIDSTREAM LLC  
PO BOX 57  
230 MUDLICK ROAD  
LUDLOW PA 16333  
814-706-8349

- 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.

N/A, Horizon Midstream maintains a primary address and physical location within Pennsylvania.

- 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.

CHARLES C. RIPPEY  
SOLE MEMBER  
PO BOX 57  
LUDLOW PA 16333  
814-706-8349  
COPPERHEADRIPPEY@GMAIL.COM

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

STAPLEFORD & BYHAM LLC  
ANDREA STAPLEFORD  
600 MARKET STREET  
WARREN PA 16365  
814-723-3445  
ASALAWANDREA@ATLANTICBB.NET

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- 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.

CHARLES C. RIPPEY  
SOLE MEMBER  
PO BOX 57  
LUDLOW PA 16333  
814-706-8349  
COPPERHEADRIPPEY@GMAIL.COM

SHANNON M. MOORE  
OFFICE MANAGER  
PO BOX 57  
LUDLOW PA 16333  
814-564-0175  
COPPERHEADRIPPEY@GMAIL.COM

## 2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

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

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

**Or**

The Applicant will not be using a fictitious name.

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

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

The Applicant is a sole proprietor.

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

**Or**

The Applicant is a:

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

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.

- \* If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

**OR**

The Applicant is a:

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

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

SEE ATTACHMENT A

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

SEE ATTACHMENT A

- Give name and address of officers.

CHARLES C. RIPPEY (100%)  
SOLE MEMBER  
PO BOX 57  
LUDLOW PA 16333

### **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.

COPPERHEAD ENTERPRISES LLC  
PO BOX 57  
230 MUDLICK ROAD  
LUDLOW PA 16333

This business is owned and operated by the same sole member as Horizon Midstream LLC. Copperhead Enterprises LLC is not a public utility. Instead, Copperhead owns and operates oil and gas wells in Pennsylvania which produce natural gas for Horizon Midstream to transport to sale points.

- 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.

N/A, Horizon Midstream has no predecessors.

#### 4. OPERATIONS

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

Definitions

- Supplier – an entity which provides natural gas supply services to retail gas customers utilizing the jurisdictional facilities of a 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) – NATURAL GAS TRANSPORTER

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.

We are proposing to provide an uninterrupted natural gas supply for consumers from our affiliated company local oil and gas fields. Our affiliated company's daily average is four hundred (400) MCF, we are planning on marketing approximately fifty (50) MCF daily to start with and to increase incrementally from there as are affiliated company commences its long-term drilling program to increase production. The consumers will benefit by being able to have the option of purchasing their energy supply from locally produced natural gas from an environmentally friendly company who minimizes emissions and gives back to the community.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Columbia                     | <input type="checkbox"/> Philadelphia Gas Works       |
| <input checked="" type="checkbox"/> National Fuel Gas | <input type="checkbox"/> UGI Utilities – Gas Division |

- PECO
- Peoples Natural Gas Company - Peoples Natural Gas Division
- Peoples Natural Gas Company - Peoples Gas Division
- All of the above
- Valley Energy

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.

JULY 2023

## 5. COMPLIANCE

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

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

NO PROCEEDINGS TO LIST

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

N/A

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

NO ACTIONS OR COMPLAINTS TO LIST

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

N/A

**6. PROOF OF SERVICE**  
SEE ATTACHMENT G

**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

PA Public Utility Commission  
Secretary's Bureau

JUN 07 2023

DATE OF DEPOSIT

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

<p><b>Columbia Gas of PA, Inc.</b> Transport Support Services 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.4980 e-mail: <a href="mailto:transportevaluations@nisource.com">transportevaluations@nisource.com</a></p>	<p><b>National Fuel Gas Distribution Corp.</b> Daniel Czechowicz, Director – Gas Supply Administration 6363 Main Street Williamsville, NY 14221 PH: 716.857.6917 e-mail: <a href="mailto:czechowiczd@natfuel.com">czechowiczd@natfuel.com</a></p>
<p><b>Peoples Natural Gas Company LLC – Peoples Natural Gas Division</b> Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p>	<p><b>Peoples Natural Gas Company LLC – Peoples Gas Division</b> Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p>
<p><b>PECO</b> Suzette Adams, Sr. Manager, Gas Supply and Transportation 2301 Market Street, S-18 Philadelphia, PA 19103 PH: 215.841.6467 Email: <a href="mailto:Suzette.Adams@exeloncorp.com">Suzette.Adams@exeloncorp.com</a></p>	<p><b>Philadelphia Gas Works</b> Ryan Reeves, Director Supply Transportation &amp; Control 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.787.5103 email: <a href="mailto:pgwchoicesupply@pgworks.com">pgwchoicesupply@pgworks.com</a></p>
<p><b>UGI Utilities, Inc. – Gas Division</b> Sherry Epler</p>	<p><b>Valley Energy Inc.</b> Ed Rogers</p>

1 UGI Drive  
Denver, PA 17517  
PH: 610.796.3447  
Email: [sepler@ugi.com](mailto:sepler@ugi.com)

523 South Keystone Avenue  
Sayre, PA 18840-0340  
PH: 570.888-9664  
FAX: 570.888.6199  
email: [erogers@ctenterprises.org](mailto: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.

SEE ATTACHMENT K

- 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.

SEE ATTACHMENT B

- 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.

SEE ATTACHMENT C

- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.

SEE ATTACHMENT C

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

SEE ATTACHMENT C

- 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.

SEE ATTACHMENT B

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

N/A, 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.

SHANNON M. MOORE  
OFFICE MANAGER  
PO BOX 57  
230 MUDLICK ROAD  
LUDLOW PA 16333  
814-564-0175  
COPPERHEADRIPPEY@GMAIL.COM

KERSEY AND ASSOCIATES  
JAMES EMBREY, CPA  
208 LIBERTY STREET  
WARREN PA 16365  
814-723-4280  
JIME@KERSEYANDASSOCIATES.COM

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

SEE ATTACHMENT D

*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.*

*Item 7A on the Tax Certification Statement is designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.*

## 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:

SEE ATTACHMENT B

- 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.

- 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.

We plan to offer our service to people within a certain marketing area, if they reside within it, we will provide an equal opportunity for them to be able to purchase their domestic energy needs from us. We will ensure all of our employees and subcontractors will attempt to contact all people within this area to offer them our marketing service. There will be no discrimination against any consumers on the basis of color, race, national origin, age, sex or disability.

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.

SEE ATTACHMENT E

## 9. DISCLOSURE STATEMENT:

SEE ATTACHMENT H

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

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

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

## 10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

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

AGREED

- b. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission:
- **Reports of Gross Receipts:** Applicant shall file an annual report with the Commission on an annual basis no later than April 30<sup>th</sup> 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.

SEE ATTACHMENT I

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

SEE ATTACHMENT J

**12. NEWSPAPER PUBLICATIONS**

SEE ATTACHMENT F

**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 - Peoples Natural Gas Division 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 – Peoples Natural Gas Division	X			X			X
Peoples Natural Gas – Peoples Gas Division				X			
Philadelphia Gas Works			X				
UGI Utilities – Gas Div.	X	X	X	X	X	X	X
Valley Energy					X	X	
Entire Commonwealth	X	X	X	X	X	X	X

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

**13. SIGNATURE**

**DATE OF DEPOSIT**

Applicant:   
 By: Charles C. Rippey  
 Title: Sole Member

JUN 07 2023

PA Public Utility Commission  
 Secretary's Bureau

# 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:   
 Charles C. Rippey, Sole Member  
 of Horizon Midstream LLC

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

PUC Secretary's Bureau Use

**DATE OF DEPOSIT**

JUN 07 2023

PA Public Utility Commission  
 Secretary's Bureau

ATTACHMENT A



**Pennsylvania Department of State**  
Bureau of Corporations and Charitable Organizations  
PO Box 8722 | Harrisburg, PA 17105-8722  
T: 717.787.1057  
[dos.pa.gov/BusinessCharities](http://dos.pa.gov/BusinessCharities)

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January 30, 2023

Horizon Midstream, LLC  
230 MUDLICK RD  
LUDLOW, PA 16333

**Entity Name:** Horizon Midstream, LLC  
**Entity File Date:** November 30, 2022  
**Entity Number:** 0003629898  
**Filing Type:** Domestic Limited Liability Company

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

Thank you for registering with the Department of State to do business in Pennsylvania. Like many other businesses, you may have employees, sell taxable products, or provide a taxable service to consumers in Pennsylvania. Please visit [www.pa100.state.pa.us](http://www.pa100.state.pa.us) to register for business taxes with the Department of Revenue and the Department of Labor and Industry. You may also visit [www.Business.pa.gov](http://www.Business.pa.gov) to find resources for businesses through all stages of development.

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Secretary's Bureau

ATTACHMENT A

89468-1677 11-30-2022 12:24 PM Received by Pennsylvania Department of State

PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

Pennsylvania Department of State

**-FILED-**

File #: 0003629898  
Date Filed: 11/30/2022

Return document by mail to:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Return document by email to: asalawandrea@atlanticbb.net

Certificate  
Domestic Limited Liability  
DSCB:15-



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

Fee: \$125  I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

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

1. The name of the limited liability company is: Horizon Midstream, LLC  
(designator is required, e.g., "company," "limited" or "limited liability company" or any abbreviation thereof)

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

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

230 Mudlick Road	Ludlow	PA	16333	McKean
Number and Street	City	State	Zip	County

(b) The name of this limited liability company's commercial registered office provider and county of venue is:

c/o: \_\_\_\_\_

Name of Commercial Registered Office Provider \_\_\_\_\_ County \_\_\_\_\_

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

Charles C. Rippey

\_\_\_\_\_

\_\_\_\_\_

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

- The Certificate of Organization shall be effective upon filing in the Department of State.
- The Certificate of Organization shall be effective on: \_\_\_\_\_ at \_\_\_\_\_  
Date (MM/DD/YYYY) Hour (if any)

PA DEPT. OF STATE

NOV 30 2022

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

ATTACHMENT A

DSCB:15-8821-2

BR468-7678 11/30/2022 12:24 PM Received by Pennsylvania Department of State

5. Restricted professional companies only.

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

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

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

6. Benefit companies only.

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

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

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

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

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

IN TESTIMONY WHEREOF, the organizer(s) has (have) executed this Certificate of Organization this

22 day of November, 2022.

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

ATTACHMENT A

**CERTIFICATE OF ORGANIZATION**  
**Continuation Sheet**

Horizon Midstream, LLC

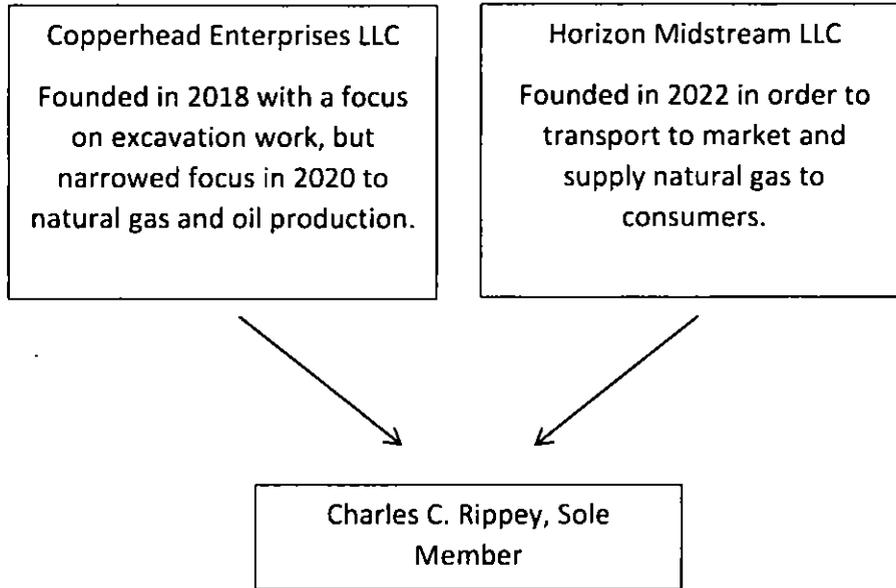
**No. 7 – Additional Provisions**

- A. Dissociation of Members. No specific event shall trigger the automatic or involuntary dissociation of an LLC Member.
  
- B. Dissolution of LLC. No specific event shall trigger the automatic or involuntary dissolution of the LLC; the LLC shall have perpetual existence.

89469-7579 11/30/2022 12:24 PM Received by Pennsylvania Department of State

# Attachment B

## Section 7B. Financial Records, Statements, and Ratings:



DATE OF DEPOSIT  
JUN 07 2023  
PA Public Utility Commission  
Secretary's Bureau

# Attachment B

## **Section 7C. Financial Records, Statements, and Ratings:**

Horizon Midstream LLC will fund its operations by transporting marketing and selling natural gas for Copperhead Enterprises LLC, its affiliate. As an Affiliate it will have access to working capital from Copperhead Enterprises LLC if necessary.

## **Section 8A: Technical Fitness: Experience, Plan, Structure**

The sole member, Charles Rippey, of this midstream company is also the sole member of Copperhead Enterprises LLC, an oil and natural gas production company. Charles started in the oil and gas business over 10 years ago as a well tender. Throughout his years he moved through the ranks from a well tender to field manager to head supervisor of over multiple oil and gas fields. Using what he had learned over the years, Charles set out on his own by acquiring the fields he used to manage. Copperhead started out with one small lease that had five wells which he operated by himself and grew the company to fifteen leases and over two hundred and sixty wells and nine employees. With the fields that he used to manage he has been able to triple production from these fields by reinvesting into them after years of chronic under investment from the previous owners. He has also acquired enough acreage to maintain his drilling program for another twenty years to be able to grow his production to three times current Production. He founded Horizon Midstream LLC to begin transporting and marketing his natural gas production directly to consumers. Copperhead averages four hundred MCF a day which will be available to Horizon Midstream LLC.

Horizon Midstream LLC has contracts with Copperhead Enterprises LLC as well as other excavation companies to maintain uninterrupted gas flows.

Horizon does not currently serve any type of domestic customers directly instead they have contracts to other downstream gas marketers that directly sell to consumers. The goal is to begin serving domestic customers once approved through this application.

Charles has the experience in the upstream and midstream sectors of the industry to effectively and reliably operate and maintain uninterrupted natural gas supply from his own oil and gas fields. He owns all equipment needed to replace and repair pipelines. He also employes and maintains multiple rigs necessary to maintain natural gas production levels through his upstream company.

ATTACHMENT E

# CHARLES C. RIPPEY

PO Box 57 Ludlow PA 16333 · 814-706-8349

· copperheadrippy@gmail.com ·

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## EXPERIENCE

**JANUARY 2023 – PRESENT**

**OWNER, HORIZON MIDSTREAM LLC**

- Negotiate hedges for natural gas being transported through the pipeline system.
- Maintain and operate natural gas pipelines to ensure gas is being transported safely.

**AUGUST 2018 – PRESENT**

**OWNER, COPPERHEAD ENTERPRISES LLC**

- Own, operate and manage an oil field with over 260 combination wells which produce per all environmental guidelines.
- Maintain all equipment necessary to support the production of the field such as excavators, dozers, trailers, grader, trucks, service rigs etc.
- Work for other independent oil companies doing general excavation and well intervention.

**DECEMBER 2018 – SEPTEMBER 2022**

**FIELD MANAGER, DL RESOURCES INC**

- Oversaw the maintenance and production of oil and gas fields in Elk and McKean counties.

**MAY 2014 – SEPTEMBER 2018**

**WELL TENDER, DL RESOURCES INC**

- Maintained over 250 oil and natural gas wells within DEP guidelines for producers.
- Maintained the production of wells to meet specific contracts.

## EDUCATION

**MAY 2015**

**PARKS AND RESOURCE MANAGEMENT, SLIPPERY ROCK UNIVERSITY**

**DATE OF DEPOSIT**

**JUN 07 2023**

PA Public Utility Commission  
Secretary's Bureau

ATTACHMENT E

# SHANNON M. MOORE

PO Box 57 Ludlow PA 16333 · 814-5640175

· copperheadrippy@gmail.com ·

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## EXPERIENCE

**JANUARY 2023 – PRESENT**

**FIELD AND OFFICE MANAGER, HORIZON MIDSTREAM LLC**

- Oversee and maintain pipeline integrity while maximizing production flows.
- Disburse payments all with regards to production, payroll and operating agreements.
- Oversee and manage all aspects of hedges for both natural gas and oil sales.

**AUGUST 2018 – PRESENT**

**PRODUCTION AND OFFICE MANAGER, COPPERHEAD ENTERPRISES LLC**

- Oversee and maintain maximize oil and gas production.
- Disburse payments all with regards to production, payroll and operating agreements.
- Submit federal, state, and local environmental and production reports.

**MAY 2019 – SEPTEMBER 2022**

**OFFICE MANAGER, DL RESOURCES INC**

- Oversee all aspects of running an office for and independent natural gas company.
- Disbursed payments all with regards to production, payroll and operating agreements.
- Submit federal, state, and local environmental and production reports.

## EDUCATION

**MAY 2019**

**BIOLOGY, DUQUESNE UNIVERSITY**

- Concentration in Microbiology with minors in Mathematics and Biochemistry.

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

# Attachment F

## LOCALiQ

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

PO Box 630531 Cincinnati, OH 45263-0531

### PROOF OF PUBLICATION

Shannon Moore  
Horizon Midstream LLC  
Po Box 57  
Ludlow PA 16333-0057

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 12<sup>th</sup> 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:

04/11/2023

Sworn to and subscribed before on 04/11/2023

### PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of Horizon Midstream LLC For Approval To Offer, Render, or Furnish Natural Gas Services as a Supplier Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

Horizon Midstream LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. Horizon Midstream LLC proposes to sell natural gas and related services in National Fuel Gas Distribution Corp. under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Horizon Midstream LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to Horizon Midstream LLC's attorney at the address listed below.

By and through Counsel: Andrea Stapleford  
Horizon Midstream LLC  
600 Market Street  
Warren PA 16365  
814-723-3445

(4-8691756-NT-11)

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$221.48

Order No: 8691756

# of Copies:

Customer No: 924431

1

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

AMY KOKOTT  
Notary Public  
State of Wisconsin

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

**Proof of Publication of Notice in Pittsburgh Post-Gazette**

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

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

**30 of March, 2023**

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:  
March 30, 2023



Commonwealth of Pennsylvania - Notary Seal  
Kimberly A. Lebak, Notary Public  
Allegheny County  
My commission expires November 7, 2026  
Commission number 1427000  
Member, Pennsylvania Association of Notaries

**STATEMENT OF ADVERTISING COSTS**  
Horizon Midstream LLC  
PO Box 57  
Ludlow, PA 16333

To PG Publishing Company

Total ----- \$336.05

**Publisher's Receipt for Advertising Costs**

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office  
2201 Sweeney Drive  
Clinton, PA 15026  
legaladvertising@post-gazette.com  
Phone 412-263-1440

PG Publishing Company, a Corporation, Publisher of  
Pittsburgh Post-Gazette, a Newspaper of General Circulation

By \_\_\_\_\_

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

\_\_\_\_\_  
Attorney For

**COPY OF NOTICE  
OR PUBLICATION**

**PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION  
NOTICE**

Application of **Horizon Midstream LLC** For Approval To Offer, Render, or Furnish Natural Gas Services as a **Supplier** Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania.

**Horizon Midstream LLC** will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as a supplier of natural gas. **Horizon Midstream LLC** proposes to sell natural gas and related services in **National Fuel Gas Distribution Corp.** under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Horizon Midstream LLC** may be filed within 15 days of the date of this notice with the Secretary of the PUC, 400 North Street, Harrisburg, PA 17120. You should send copies of any protest to **Horizon Midstream LLC's** attorney at the address listed below.

By and through Counsel:  
Andrea Stapleford  
**Horizon Midstream LLC**  
600 Market Street  
Warren PA 16365  
814-723-3445

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau



# Attachment G

## CERTIFICATE OF SERVICE TEMPLATE

On this the 1<sup>st</sup> day of June 2023, 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 or a USB flash drive, upon the following:

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

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

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

**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](mailto:czechowiczd@natfuel.com)

**Peoples Natural Gas Company LLC - Peoples Natural Gas Division**  
Carol Scanlon  
375 North Shore Drive  
Pittsburgh, PA 15212  
PH: 412.208.6931  
e-mail: [Carol.Scanlon@peoples-gas.com](mailto: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](mailto:pgwchoicesupply@pgworks.com)

**Valley Energy Inc.**  
Ed Rogers  
523 South Keystone Avenue  
Sayre, PA 18840-0340  
PH: 570.888-9664  
email: [erogers@ctenterprises.org](mailto:erogers@ctenterprises.org)

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

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

**Columbia Gas of PA, Inc.**  
Transport Support Services  
290 W. Nationwide Blvd.  
Columbus, OH 43215  
PH: 614.460.4980  
e-mail: [transportevaluations@nisource.com](mailto:transportevaluations@nisource.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](mailto:Suzette.Adams@exeloncorp.com)

**Peoples Natural Gas Company LLC - Peoples Gas Division**  
Carol Scanlon  
375 North Shore Drive  
Pittsburgh, PA 15212  
PH: 412.208.6931  
e-mail: [Carol.Scanlon@peoples-gas.com](mailto:Carol.Scanlon@peoples-gas.com)

**UGI Utilities, Inc. – Gas Division**  
Sherry Epler  
1 UGI Drive  
Denver, PA 17517  
PH: 610.796.3447  
Email: [sepler@ugi.com](mailto:sepler@ugi.com)

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

  
Charles C. Rippey, Sole Member

## ATTACHMENT H

### HORIZON MIDSTREAM LLC DISCLOSURE STATEMENT FOR RESIDENTIAL AND SMALL BUSINESS NATURAL GAS SUPPLY

This document is a contract between us, Horizon Midstream LLC, and you, the consumer, that allows us to switch your natural gas account(s) to our service. It describes the nature of our service with you and provides important information for you to be aware of. We will begin supplying your natural gas under this contract, but your utility will continue to be responsible for delivering your gas to your home or business and sending a bill for both of our services. This contract may be referred to as the "Disclosure Statement."

#### Summary of Important Information

- **Length of Your Commitment:** Month-to-month. We will begin providing service to you after your utility processes our request to switch your service. This takes 1-2 billing cycles.
- **Price for Your Natural Gas:** The price of your natural gas will be variable. We will determine the variable supply price in our discretion based on many different factors, which may include competitive prices, industry charges we are responsible for, applicable state and local taxes, profit margins, or other business conditions, and you'll see it listed on your monthly bill. Your variable supply price may change monthly, but no matter what, we will not increase your variable price in any given month by more than 35% from the prior month's supply price.
- **Applicable Fees:** None
- **Savings:** Our current and historical prices are not an indicator of our future prices and we do not guarantee and savings. Our prices may be higher than your utility's supply rate. You may contact us at the telephone number or email address listed below to obtain historical price information.
- **Your Right to Rescind:** You have 3 business days to rescind this contract. This is called your "Right to Rescind" period, which means you will not start service with us until after this period.
- **Your Right to Cancel:** Once service has started, you may cancel by contacting us. It may take 1 or 2 billing cycles before the cancellation is finalized, depending on your utility's timeframe for processing our cancellation request.
- **Renewal:** This contract automatically renews at the end of each monthly billing cycle for another month of service with us. This contract will continue to renew on a month-to-month basis until either of us cancels the contract.
- **Our Information:** We are Horizon Midstream LLC, and under this contract, we will supply your natural gas. Our contact information is as follows:
  - PO Box 57, Ludlow PA 16333
  - Phone: (814) 706-8349
  - Email: copperheadrippy@gmail.com
- **Your Utility's Information:** Your utility will continue to be responsible for delivering your natural gas and sending you a bill for both of our services. Their contact information is as follows:
  - National Fuel Gas:
    - Emergencies: 1-800-444-3130
    - Billing: 1-800-365-3234

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau

## ATTACHMENT H

### A. Important Information

**Length of Your Commitment:** Month-to-month. We will begin providing service to you after your utility processes our request to switch your service. This takes 1-2 billing cycles. The switch will not occur before the expiration of your "Right to Rescind" period. Our service will continue until either of us cancels the contract.

**For Your Natural Gas:** You will be charged a variable supply price per ccf. We will determine the variable supply price in our discretion based on many different factors, which may include competitive prices, industry charges we are responsible for, applicable state and local taxes, profit margins, or other business conditions. For your reference, our natural gas supply prices include natural gas supply and transportation charges and estimated total state taxes, but they do not include any state sales tax, county tax, utility distribution charges or other utility fee or charge. Your variable supply price may change monthly, but, no matter what, we will not increase your variable price in any given month by more than 35% from the prior month's supply price. Our current and historical prices are not an indicator of our future prices and we do not guarantee any savings. Our prices may be higher than your utility's supply rate.

**Billing:** Your local utility is responsible for sending you a bill that includes the charges for our service and charges for the utility's service. You also agree to review your bills in a timely manner, and if there are any inaccuracies with the portion of the bill for our services, you agree to notify us within 60 days after the date of the bill. If we do not hear from you, you are agreeing that the billed amounts are correct and you are waiving any right to dispute the billed amounts to the extent permitted by law.

**Right to Rescind:** You have the "Right to Rescind" this contract for three business days, which means you can cancel your request to switch your natural gas service and never start your service with us. You will receive a Welcome Confirmation from us, which will include this contract, and you will have until midnight of the third business day after receipt of the Welcome Confirmation to rescind this contract by contacting us at the telephone number or email

address listed on the first page of this disclosure. This contract is not binding until your "Right to Rescind" period has ended with no action on your part to rescind the contract.

**Contract Renewal and Expiration Provisions or Changes in Terms:** This contract automatically renews at the end of each month and will continue to renew on a month-to-month basis until either of us cancels the contract. You may cancel without a cancellation fee. If you have a fixed term contract approaching the expiration date, or whenever we propose to change the terms of service in any type of contract, you will receive two separate written notifications that precede either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward.

**Applicable Fees:** None. If you are currently in a contract with another natural gas supplier, the request to switch you to our service will automatically cancel your service with the other natural gas supplier. You are responsible for any penalties the other natural gas supplier may charge.

**Your Right to Cancel:** You may cancel this contract without having to pay a cancellation fee by calling us at our contact information listed on the first page of this disclosure. We will request that the utility cancel your service with us, but the utility controls the effective date of your cancellation. It may take 1 or 2 billing cycles before the cancellation is finalized, depending on your utility's timeframe for processing our cancellation request. If you do cancel this contract, you will be responsible for unpaid balances as of the cancellation date.

**Our Right to Cancel and Cancellations Provisions:** We have the right to cancel this contract for any reason as long as we give you thirty days written notice, but if we are cancelling the contract due to your conduct or your breach of this contract, you will have an opportunity to fix this condition within thirty days. Your utility will control the effective date of our cancellation. If your utility terminates your service, this contract will be automatically cancelled. It may take 1 or 2 billing cycles before the cancellation is finalized, depending on your utility's timeframe for processing our cancellation request. If your utility

## ATTACHMENT H

terminates your service, this contract will be automatically cancelled.

Your Authorization to Release Your Information: This contract provides authorization for your utility to release all information regarding your natural gas account to us and for us to contact you about our other products and services or share information about your account with any designated rewards partner or with any third-party vendor we use to provide services. We reserve the right to share information with our affiliates, to the extent permitted by law. If you do not wish for us to share information about your account, you may cancel this contract by calling us at our contact information listed on the first page of this disclosure.

Taxes: Any applicable tax charges are included on the one bill you will receive from your utility. If you are exempt from any taxes, you are responsible for requesting an exemption by filing all required documentation with us and/or your utility.

Background: We are licensed by the Pennsylvania Public Utility Commission (PUC) to offer and supply natural gas generation in Pennsylvania. Our license number is TBD. We set the generation prices and charges that you pay. The PUC regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

Definitions: Commodity charge or natural gas supply charge – Basic service charges for natural gas supply services to retail customers, excluding charges for natural gas distribution services.

Distribution Charge – Cost for delivering natural gas from your natural gas distribution company (your utility) to your home or business. These charges continue to be regulated by the PUC.

Contact Details: Our full legal name is Horizon Midstream LLC and will use "Horizon", "we", "us", or "our" to refer to ourselves for the purposes of this contract. We use "you" or "your" to refer to you, the customer. This contract is for the sale and purchase of all of your natural gas for the residential account(s) listed in your Welcome Confirmation (letter or email). By entering into this contract, you are authorizing us to take the steps necessary to

switch your natural gas supply service to us, and you agree to appoint us as your agent to acquire the necessary information to meet your natural gas needs as required by your "utility", which we use to refer to your local distribution company. Your utility is responsible for the delivery of natural gas to you and we are not. This Terms of Service is your entire contract with us and replaces any prior oral or written statements or representations.

Contract Changes: Whenever we propose to change the terms of service in any type of contract, you will receive two separate written notifications that precede the effective date of the proposed changes. These notifications will explain your options going forward. We will not change or alter the waiver of jury trial provision under any circumstances, and any changes to this contract must be made in writing.

Customer Complaints and Dispute Procedures: If you have questions about our prices or our service, you should call us at the contact information listed below. If you are not satisfied with the response from our Customer Care representative, you may ask that your questions be referred to one of our supervisors, who will respond promptly. If you remain unsatisfied with our attempts to resolve the issue, you may seek assistance from the PUC or request information from the PUC regarding your consumer protection rights. The PUC's contact information is listed below.

CAPs Notice: If you are participating in Customer Assistance Programs (CAPs), you may lose your CAP benefits if your utility does not permit such benefits to be portable. Please contact your utility for additional information.

### Contact information:

Horizon Midstream LLC:  
Mailing Address: PO Box 57, Ludlow PA 16333  
Email Address: copperheadrippy@gmail.com  
Phone Number: (814) 706-8349

Your Utility: If you smell natural gas, have a problem with your natural gas meter, or experience an emergency relating to your natural gas service, please contact your local utility at the emergency number below:

## ATTACHMENT H

National Fuel Gas Distribution: 1-800-444-3130

Your utility has Universal Service programs available to customers who are on a limited or fixed income to assist them with utility bills. Some of these programs might include bill payment assistance and weatherization services. Information on your utility's Universal Service Program can be obtained by contacting:

National Fuel Gas Distribution: 1-814-871-8200

Information about shopping for a Natural Gas Supplier:

**Pennsylvania Public Utility Commission (PUC):**  
400 North Street, Harrisburg PA 17120  
1-800-692-7380, [www.pagasswitch.com](http://www.pagasswitch.com)

Pennsylvania Office of Consumer Advocate at  
[www.oca.state.pa.us](http://www.oca.state.pa.us)

### B. Other Important Information Our Lawyers Make Us Include

**Assignment:** We may sell, transfer, pledge, or assign the accounts, revenues or proceeds associated with this contract connection with any financial contract, and we may assign the rights and obligations under this contract to another energy supplier consistent with applicable law. You may not assign this contract.

**No Reliance:** You acknowledge that (1) you are not relying on any advice, statements, recommendations or representations of ours other than the written representations in this contract; (2) that you consulted with your own advisors to the extent you deemed necessary; and (3) that you understand the risks of entering into this contract, including the risk that our prices may be higher than your utility's rates. You acknowledge that you are capable and willing to assume those risks (whether financial, economic or otherwise) and that you have made your own decision to enter into this contract.

**Force Majeure:** We will use commercially reasonable efforts to provide natural gas supply to you pursuant to this contract, but we do not guarantee a continuous supply of natural gas. Certain Force Majeure events outside of our control may cause interruptions in service. If a Force Majeure event

prevents us from performing any of our obligations in any way, our performance shall be excused for the duration of such event, and we will not be liable for damages associated with any delay or failure to perform as a result. "Force Majeure" includes, without limitation, acts outside of our control, sabotage, riots or civil disturbances, acts of God, acts of the public enemy, acts of vandalism, terrorist acts, natural disasters, explosions, fires, or similarly cataclysmic occurrence, failure, shortage or unavailability of generating units or transmission facilities, nonperformance by your local utility, or any change in law or any other action by a governmental authority that materially impairs our ability to perform our obligations under this contract. We will give you reasonably prompt notice of any Force Majeure occurrence.

**Severability:** Each provision of the contract is made subject to the maximum extent permitted by law. If any are held to be unenforceable or invalid by any arbitrator or court of competent jurisdiction, we will negotiate an equitable adjustment to or an amendment of the affected provisions with you with a view toward effecting the purpose of this contract. In this case, the validity and enforceability of the remaining provisions shall not be affected.

## ATTACHMENT H

LIMITATIONS ON WARRANTY AND DAMAGES: THE NATURAL GAS PROVIDED UNDER THIS CONTRACT WILL MEET THE QUALITY STANDARDS OF YOUR UTILITY. YOU UNDERSTAND AND AGREE THAT THERE ARE NO OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, ASSOCIATED WITH THE SERVICE PROVIDED BY US. WE HAVE NO LIABILITY FOR SERVICE INTERRUPTIONS NOR ANY ASSOCIATED LOSS OR DAMAGE RESULTING FROM SUCH INTERRUPTIONS. TO THE MAXIMUM EXTENT PERMITTED BY PENNSYLVANIA LAW, LIABILITIES NOT EXCUSED BY REASON OF FORCE MAJEURE OR OTHERWISE SHALL BE LIMITED TO DIRECT ACTUAL DAMAGES. WE WILL BEAR NO LIABILITY TO YOU OR ANY THIRD PARTY FOR CONSEQUENTIAL, PUNITIVE, INCIDENTAL, SPECIAL, EXEMPLARY OR OTHER INDIRECT DAMAGES OR LOST PROFITS, THE LIMITATIONS IMPOSED ON REGARD TO THE CAUSE OR CAUSES OF THE HARM OR LOSS, INCLUDING THE NEGLIGENCE OF ANY PARTY, WHETHER SUCH NEGLIGENCE BE SOLE, JOINT OR CONCURRENT, OR ACTIVE OR PASSIVE.

ARBITRATION AND WAIVER OF JURY TRIAL: TO THE FULLEST EXTENT PERMITTED BY PENNSYLVANIA LAW, ANY DISPUTE, CONTROVERSY, OR CLAIM ARISING OUT OF, RELATING TO OR IN CONNECTION WITH THIS CONTRACT, SHALL BE FINALLY RESOLVED BY ARBITRATION BEFORE THE AMERICAN ARBITRATION ASSOCIATION ("AAA") CONDUCTED UNDER THE AAA COMMERCIAL RULES AND THE CONSUMER-RELATED DISPUTES SUPPLEMENTARY PROCEDURES, OR, AT THE ELECTION OF EITHER PARTY, BROUGHT AS A SMALL CLAIM ACTION, IN THE SMALL CLAIMS COURT, IF THE DISPUTE OR CLAIM IS WITHIN THE SCOPE OF ITS JURISDICTION. BY ENTERING INTO THIS CONTRACT, YOU ARE GIVING UP YOUR RIGHTS TO SEEK REMEDIES IN COURT, OTHER THAN IN SMALL CLAIMS COURT, AND RIGHT TO A JURY TRIAL. THE ABILITY TO CONDUCT DISCOVERY IN ARBITRATION IS LIMITED AND THE ARBITRATOR'S DECISION IS SUBJECT TO VERY LIMITED REVIEW BY COURTS. ARBITRATORS CAN AWARD THE SAME DAMAGES AND RELIEF THAT A COURT CAN AWARD. THE AAA SHALL HAVE THE POWER TO RULE ON ANY CHALLENGE TO ITS OWN JURISDICTION OR TO THE VALIDITY OR ENFORCEABILITY OF ANY PORTION OF THIS ARBITRATION PROVISION. THE PARTIES AGREE THAT ALL CLAIMS INCLUDING STATUTORY, STATE OR FEDERAL CLAIMS, MAY BE MADE SOLELY ON AN

INDIVIDUAL BASIS, AND THAT THIS CONTRACT DOES NOT PERMIT CLASS ACTIONS, EITHER IN ARBITRATION OR THROUGH A COURT PROCEEDING. AAA MAY NOT CONSOLIDATE MORE THAN ONE PERSON'S CLAIMS, AND MAY NOT OTHERWISE PRESIDE OVER ANY FORM OF A REPRESENTATIVE OR CLASS PROCEEDING. IN THE EVENT THE PROHIBITION ON CLASS ARBITRATION IS DEEMED INVALID OR UNENFORCEABLE, THEN THE ENTIRETY OF THIS ARBITRATION PROVISION SHALL BE NULL AND VOID. JUDGEMENT ON THE ARBITRATOR'S AWARD CAN BE ENTERED IN ANY

COURT HAVING JURISDICTION. THIS AGREEMENT EVIDENCES A TRANSACTION IN INTERSTATE COMMERCE, AND THUS THE FEDERAL ARBITRATION ACT GOVERNS THE INTERPRETATION AND ENFORCEMENT OF THIS PROVISION. THIS ARBITRATION PROVISION SHALL SURVIVE TERMINATION OF THIS AGREEMENT.

Other Provisions: This contract can change based on any future legislation, orders, rules, regulations, or your local utility tariff or policy changes. This contract is made and shall be construed in accordance with the laws of Pennsylvania. There are no third-party beneficiaries to this contract. This contract is binding upon us and you, as well as any successors or legal assigns. Failure to exercise any right we have under this contract should not be considered as a waiver of the right to exercise any such right at a later date. The headings and Summary of Important Information section in this contract are for reference only and do not affect the interpretation of this contract.

Attachment I

~~APPLICANT~~

APPLICATION AFFIDAVIT

DATE OF DEPOSIT

JUN 07 2023

Commonwealth of PENNSYLVANIA

ss.

PA Public Utility Commission  
Secretary's Bureau

County of MCKEAN

CHARLES C. RIPPEY, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He is the SOLE MEMBER of HORIZON MIDSTREAM LLC;

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

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

That the Applicant herein HORIZON MIDSTREAM 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 HORIZON MIDSTREAM 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 expects said Applicant to be able to prove the same at hearing.

  
Signature of Affiant

Sworn and subscribed before me this 18<sup>th</sup> day of April, 2023.

Commonwealth of Pennsylvania - Notary Seal  
Alena R. Goldsmith, Notary Public  
McKean County  
My commission expires December 1, 2026  
Commission number 1286865  
Member, Pennsylvania Association of Notaries

  
Signature of official administering oath

My commission expires 12/01/2026.

Attachment J

~~Appendix B~~

**OPERATIONS AFFIDAVIT**

**DATE OF DEPOSIT**

Commonwealth of PENNSYLVANIA :

JUN 07 2023

: ss.

PA Public Utility Commission  
Secretary's Bureau

County of MCKEAN :

CHARLES C. RIPPEY, Affiant, being duly [sworn/affirmed] according to law,  
deposes and says that:

He is the SOLE MEMBER of HORIZON MIDSTREAM LLC;

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

That HORIZON MIDSTREAM 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 HORIZON MIDSTREAM 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 HORIZON MIDSTREAM 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.

Attachment J (continued)

~~CONFIDENTIAL~~

That HORIZON MIDSTREAM 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 18<sup>th</sup> day of April, 2023.

Commonwealth of Pennsylvania - Notary Seal  
Alena R. Goldsmith, Notary Public  
McKean County  
My commission expires December 1, 2026  
Commission number 1286865  
Member, Pennsylvania Association of Notaries

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 12/01/2026.

DATE OF DEPOSIT

JUN 07 2023

PA Public Utility Commission  
Secretary's Bureau



Attachment K

**National Fuel**

January 31, 2023

Charles C. Rippey, Sole Member  
Horizon Midstream LLC  
PO Box 57  
230 Mudlick Road  
Ludlow, PA 16333

**DATE OF DEPOSIT**

**JUN 07 2023**

RE: Horizon Midstream LLC

PA Public Utility Commission  
Secretary's Bureau

Dear Charles,

Pursuant to 66 Pa. C. S. § 2208 (c), an applicant for a natural gas supplier license in the Commonwealth of Pennsylvania must furnish security to each utility where the supplier will do business to ensure the financial responsibility of such natural gas supplier. To this end, National Fuel Gas Distribution Corporation ("National Fuel") will perform a credit review and analysis of Horizon Midstream LLC ("HM") and determine at the appropriate time whether HM must post a security deposit acceptable to National Fuel in order to operate as a supplier on National Fuel's system.

HM's security requirement to serve Pennsylvania customers is dependent on the type of transportation service utilized by HM. There is no Natural Gas Supplier (NGS) security requirement for customers that will be enrolled in National Fuel's Purchase of Receivable (POR) program. As such, HM will not be required to post security for customers enrolled in the POR program. A security deposit will be required for transportation customers not enrolled in the POR program.

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

Yours truly,

Nicole Barker  
Transportation Service Department



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JUN 8 2023

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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**★ MAIL ★**

FROM: Horizon Midstream LLC  
PO Box 57  
Ludlow PA 16033

TO: Pennsylvania Public Utility  
Secretary  
400 North Street, 10th Floor  
Harrisburg PA 17102

Label 220, July 2013

FOR DOMESTIC AND INTL

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JUN 9 2023

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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