



**COMMONWEALTH OF PENNSYLVANIA**  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120  
September 11, 2023

Docket No. A-2023-3041216  
Utility Code: 1126310

MICHAEL A GRUIN ESQ  
STEVENS & LEE PC  
17 N SECOND ST 16<sup>TH</sup> FL  
HARRISBURG PA 17101

RE: Electric Generation Supplier License Application

Dear Mr. Gruin:

On June 12, 2023, the Public Utility Commission (Commission) received Rhythm Retail, LLC's application for an Electric Generation Supplier license. On August 4, 2023, Rhythm Retail, LLC filed responses to deficiencies in the application. In order for us to complete our analysis of your application, the Energy Industry Group requires answers to the attached question(s).

Please use the Commission's efilings system or an overnight delivery service to submit the requested information to the Secretary of the Commission **within 30 days** from the date of this letter. The Commission accepts all public documents through our efilings system and strongly recommends companies open an efilings account through the Commission's website at <https://efiling.puc.pa.gov>. Use of the efilings system will ensure that submissions by the company are received timely and receipt can be verified. Failure to respond timely may result in the application being denied.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary's Share Point File system to ensure the timely filing of your submission. Filers should contact the Secretary's Bureau in advance to gain access to the Share Point File system. Make sure to reference the Docket Number listed above and mark the materials "CONFIDENTIAL" in bold or highlighted manner if any of the requested information is deemed to be of a confidential nature.

The overnight address for hard-copy or confidential responses is:

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

**Your answers should be verified per 52 Pa Code § 1.36.** Accordingly, you must provide the following statement with your responses:

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

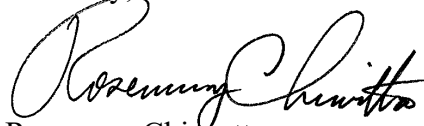
Signature \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

Please note that all documents requiring notary stamps must have original signatures.

If Rhythm Retail, LLC has decided to withdraw its application, please reply notifying the Commission of such a decision.

Finally, in order to expedite the application review process, please send a copy of your response to Jeff McCracken at [jmccracken@pa.gov](mailto:jmccracken@pa.gov). If any problems arise that prevent a full timely response or if any clarification of these data requests is needed, please contact Jeff McCracken of the Bureau of Technical Utility Services via e-mail at [jmccracken@pa.gov](mailto:jmccracken@pa.gov) (preferred) or (717) 783-6163.

Sincerely,



Rosemary Chiavetta  
Secretary

Enclosure

Docket No. A-2023-3041216  
Rhythm Retail, LLC  
Data Requests

1. Reference Application, Section 7.b, Financial Fitness – Please provide consolidated financial statements for Rhythm Holdings, LP for calendar year 2022. Please also provide a breakout of the financial statements by subsidiary.
2. Reference Application, Section 7.b, Financial Fitness – Please provide a letter from Rhythm Holdings, LP in which the company assumes financial responsibility for the applicant’s energy operations within the Commonwealth of Pennsylvania.
3. Reference Application, Section 8.a, Technical Fitness – Applicant failed to provide a license for each state in which it is licensed to operate in electric and/or natural gas industries. Please provide the missing documentation.