

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of ClearPath Energy LLC, d/b/a ClearPath Energy, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Broker/Marketer 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:

ClearPath Energy
 1200 Route 22 East
 Suite 2000
 Bridgewater, NJ 08807
<https://www.clearpathei.com/>
 215.589.2658

DATE OF DEPOSIT

OCT - 3 2023

PA Public Utility Commission
Secretary's Bureau

- 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 Agent:
 Harbor Compliance
 1830 Colonial Village Lane
 Lancaster, PA 17601
 T - 1-888-995-5895
 F - 1-717-202-2576

- 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.

Fernando Ramirez
 Managing Director
 2411 Tulip Street
 Philadelphia, PA 19125
 215.589.2658
 Framirez@clearpathei.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.

Not using an attorney

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS: (Required of ALL Applicants)** 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 Electric 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 EGSs.

Primary:

Fernando Ramirez
Managing Director
2411 Tulip Street
Philadelphia, PA 19125
215.589.2658
Framirez@clearpthei.com

Alternate:

Al Ramirez
Director
227 Sutphin Lane
Hillsborough, NJ 08844
908.565.2748
Aramirez@clearpathei.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, Form PA-953.

OR

X 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 attached

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

New Jersey
See Attached

- Give name and address of officers.

Fernando Ramirez
2411 Tulip Street
Philadelphia, PA 19125

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.

The applicant does not have any affiliates doing business.

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.

Applicant does not have any predecessors that have done business.

4. OPERATIONS

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

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

The Applicant is presently doing business in Pennsylvania as a

- municipal electric corporation
- electric cooperative
- local gas distribution company
- provider of electric generation, transmission or distribution services
- broker/marketer engaged in the business of supplying electricity services
- x Other; Identify the nature of service being rendered.

Energy Renewables and Water Conservation Consultant

OR

The Applicant is not presently doing business in Pennsylvania.

b. APPLICANT'S PROPOSED OPERATIONS: The Applicant proposes to operate as a *(may check multiple)*:

- Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- X Broker/Marketer engaged in the business of supplying electricity services
 - X Check here to verify that your organization will not be taking title to the electricity nor will you be making payments for customers.
- Electric Cooperative and supplier of electric power
- Other (Describe):

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

Electricity supply broker.
Business development services for renewable projects (Solar)
Energy and Water Conservation Consultant

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

- Citizens' Electric
- Duquesne Light
- Met-Ed
- PECO
- Penelec
- Penn Power

- Pike
- PPL
- UGI Utilities
- Wellsboro
- West Penn

x Entire Commonwealth of PA

e. **CUSTOMERS:** Applicant proposes to provide services to:

- Residential Customers
- x Small Commercial Customers - (25 kW and Under)
- x Large Commercial Customers - (Over 25 kW)
- 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.

January 1, 2024

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.

Applicant has no proceedings.

- b. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints, in the Commonwealth of Pennsylvania or any state, 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.
- c. **SUMMARY:** Provide a statement as to the resolution or present status of any proceedings or actions listed above. Additionally, provide details of any actions the applicant has undertaken that will prevent the items listed above from occurring if licensed in Pennsylvania.

Applicant has no actions or complaints to list.

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:

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

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

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

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

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

- b. **EDCs:** 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 Electric 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 EDC is as follows.

| | |
|---|---|
| <p>Citizens' Electric Company: Citizens' Electric Company Attn: EGS Coordination 1775 Industrial Boulevard Lewisburg, PA 17837</p> | <p>Duquesne Light Company: Regulatory Affairs Duquesne Light Company 411 Seventh Street, MD 16-4 Pittsburgh, PA 15219</p> |
| <p>Met-Ed, Penelec, and Penn Power: Legal Department First Energy 2800 Pottsville Pike Reading PA, 19612</p> | <p>PECO: Manager Energy Acquisition PECO Energy Company 2301 Market Street Philadelphia, PA 19101-8699</p> |
| <p>Pike County Light & Power Company: Vice President – Energy Supply Corning Natural Gas Holding Corporation 330 West William Street Corning, NY 14830</p> | <p>PPL: Office of General Counsel Attn: Kimberly A. Klock PPL Two North Ninth Street (GENTW3) Allentown, PA 18101-1179</p> |
| <p>UGI: UGI Utilities, Inc. Attn: Rates Dept. – Choice Coordinator 1 UGI Drive Denver, PA 17517</p> | <p>Wellsboro Electric Company: Wellsboro Electric Company Attn: EGS Coordination 33 Austin Street P. O. Box 138 Wellsboro, PA 16901</p> |
| <p>West Penn Power: Legal Department West Penn Power d/b/a Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15601-1689</p> | |

7. FINANCIAL FITNESS

a. **FINANCIAL SECURITY:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

- Furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- Furnishing the **ORIGINAL** of another initial security for Commission approval, to ensure financial responsibility, such as a parental guarantee, in the amount of \$250,000.
- X **For Marketers and Brokers** - Filing for a modification to the \$250,000 requirement and furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

CRITICAL BONDING NOTES:

Applicant is required to maintain a bond or other financial instrument the entire time it maintains an EGS license with the Commonwealth of Pennsylvania. If Applicant's security instrument is not continuous, Applicant **MUST** submit a Rider, Amendment, or Continuation Certificate annually based on the expiration date of its security instrument.

At least sixty days (60) prior to the security instrument's expiration date, EGS suppliers should email pc-puc-tus-energy@pa.gov or call (717)783-5242 to determine the appropriate bonding amount based on a percentage of suppliers gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. Once the amount has been determined, suppliers should overnight the updated security instrument(s) at least thirty (30) days prior to the expiration date to ensure adequate time for staff review and approval of the security instrument(s).

Template versions of a continuous bond (preferred), fixed-term bond, continuous letter of credit, and parental guarantee are attached at Appendix E, F, G, & H, respectively. Applicant's security must follow language from these examples, and must include the unmodified language outlined in Appendix D. Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.

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 statements (3-12 recent consecutive months), tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

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.

Operating as Broker

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

On behalf of clients, broker will be contacting several suppliers to secure pricing quotes and terms. Our broker fee, mills per kwh, will be communicated with all potential suppliers in advance. The selected supplier will be responsible for paying our broker fee directly.

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.

**Barbara Ramirez
Admin Manager
2411 Tulip Street
Philadelphia, PA 19125
908.797.7331
BERamirez132@gmail.com**

f. TAXATION: Complete the TAX CERTIFICATION STATEMENT attached as Appendix I 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.

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 electric utilities 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 electricity industry.
- Summary and proof of licenses as a supplier of electric 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.
 - Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS 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 EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- 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.

Marketing will be directly managed by Fernando Ramirez and will include attending conferences and tradeshows for PA centric business. We will not use third party marketing companies for any sales/marketing activity.

- 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.

Fernando Ramirez, CEO.
Resume attached.

- f. **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
 Received approval from FERC to be a Power Marketer at Docket or Case Number _____
 Not applicable

9. DISCLOSURE STATEMENTS:

Disclosure Statements: If proposing to serve Residential and/or Small Commercial (under 25 kW) Customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix J to this Application.

- Electricity 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.

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

10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:

- proof of registration as a PJM Load Serving Entity (LSE), or
- proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

(Select only one of the following)

- AGREED** - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- AGREED** - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED** - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

- b. **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 § 54.43, as well as any future amendments.

AGREED

- c. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- **Retail Electricity Choice Activity Reports:** The regulations at 52 Pa. Code §§ 54.201–54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- **Reports of Gross Receipts:** Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- **Net Metering Reports:** Applicant shall be responsible to report any Net Metering per the Standards on http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx. Scroll down to the Net Metering Standards Section.

- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(d).
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

X AGREED

- d. **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. Section 2809(D). Transferee will be required to file the appropriate licensing application.

X AGREED

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

X ACKNOWLEDGED

- f. **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 § 54.34.

X AGREED

- g. **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.

X AGREED

- h. **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 twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

X AGREED

- i. **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.

X AGREED

- j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at Appendix M.

X AGREED

- k. **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.**

X PAYMENT ENCLOSED

11. 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 reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. 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.

All Applicants MUST include a Commission issued Docket Number in their publications. Docket Numbers are issued to new applicants when an application packet is submitted to the PUC's Secretary's Bureau. **Newspaper publications published without a Commission issued Docket No. will be rejected.** For more information, see 52 Pa. Code § 54.35.

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 EDC. For example, an applicant that wants to operate in Penn Power would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. 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 to the Commission before the applicant is licensed.**

| | Erie Times-News | Harrisburg Patriot-News | Philadelphia Daily News or Philadelphia Inquirer | Pittsburgh Post-Gazette | Scranton Times-Tribune | Williamsport Sun-Gazette | Johnstown Tribune-Democrat |
|---------------------|-----------------|-------------------------|--|-------------------------|------------------------|--------------------------|----------------------------|
| Citizens' Electric | | | | | | X | |
| Duquesne | | | | X | | | |
| Met Ed | | X | X | | X | | |
| PECO | | | X | | | | |
| Penelec | X | X | | | X | X | X |
| Penn Power | X | | | X | | | |
| Pike | | | | | X | | |
| PPL | | X | X | | X | X | |
| UGI | | | | | X | | |
| Wellsboro | | | | | | X | |
| West Penn | | X | | X | | X | X |
| Entire Commonwealth | X | X | X | X | X | X | X |

(Newspaper Publication Templates are provided at Appendices K and L)

13. SIGNATURE

Applicant: ClearPath Energy

By: Fernando Ramirez

Title: CEO



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 are complete.

Applicant: ClearPath Energy

| | | |
|---|--|--|
| | Signature | |
| ✓ | Filing Fee (CERTIFIED CHECK OR MONEY ORDER ONLY) | |
| ✓ | Application Affidavit | |
| ✓ | Operations Affidavit | |
| ✓ | Bond, Letter of Credit, or Parental/Affiliate Guarantee | |
| ✓ | Tax Certification Statement | |
| ✓ | Commonwealth Department of State Verification | |
| ✓ | Certificate of Service | |

Applicant's Use

PUC Secretary's Bureau Use

490073

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of Pennsylvania :

ss.

County of Philadelphia :

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

He is the CEO of ClearPath Energy;

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

That the Applicant herein ClearPath Energy has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

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

That the Applicant herein ClearPath Energy 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 ClearPath Energy 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.

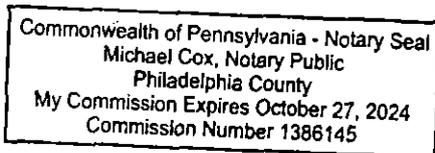
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

[Signature]
Signature of Affiant

Sworn and subscribed before me this 29th day of September, 2023.

[Signature]
Signature of official administering oath

My commission expires 10/27/2024



Appendix B

OPERATIONS AFFIDAVIT

Commonwealth of Pennsylvania :

: ss.

County of Philadelphia :

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

He is the CEO of ClearPath Energy;

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

That ClearPath Energy, the Applicant herein, acknowledges that ClearPath Energy 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 ClearPath Energy, the Applicant herein, asserts that he possesses the requisite technical, managerial, and financial fitness to render electric 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 ClearPath Energy, 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 28 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 Gross Receipts and power 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).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), ClearPath Energy, 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 ClearPath Energy, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) 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 Bureau of Public Liaison 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 29th day of September, 2023.



Signature of official administering oath

My commission expires 6/27/2024.

Commonwealth of Pennsylvania - Notary Seal
Michael Cox, Notary Public
Philadelphia County
My Commission Expires October 27, 2024
Commission Number 1386145

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

Regarding: CLEARPATH ENERGY, LLC
Request Type: Certificate of Registration **Issuance Date:** August 31, 2023
Request No.: 021433931 **File No:** 0006544750
Receipt No.: 669898
Filing Type: Foreign Limited Liability Company
Filing Subtype: Limited Liability Company
Initial Filing Date: April 21, 2017
Status: Active

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT

CLEARPATH ENERGY, LLC

is a foreign association duly registered to do business in this Commonwealth as of the issuance 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 my office to be affixed, the day and year above written.



Albert Schmidt
Secretary of the Commonwealth

Verify this certificate online at www.file.dos.pa.gov

Appendix C

CERTIFICATE OF SERVICE

On this the 29th day of September 2023, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation 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:

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

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

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

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

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

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

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

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

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading PA, 19612

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

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

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

DATE OF DEPOSIT

OCT - 3 2023

PA Public Utility Commission
Secretary's Bureau



Fernando Ramirez, CEO, ClearPath Energy

STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
FILING CERTIFICATION (CERTIFIED COPY)

CLEARPATH ENERGY, LLC
0400293750

*I, the Treasurer of the State of New Jersey,
do hereby certify, that the above named business
did file and record in this department a
Certificate of Formation on June 24th, 2009
and that the attached is a true copy of this
document as the same is taken from and compared
with the original(s) filed in this office and now
remaining on file and of record.*



*IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
25th day of June, 2009*

*R. David Rousseau
State Treasurer*

Certificate Number: 114704856

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

NEW JERSEY DEPARTMENT OF TREASURY
DIVISION OF REVENUE

CERTIFICATE OF FORMATION

CLEARPATH ENERGY, LLC
0400293750

The above-named DOMESTIC LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey State Law on 06/24/2009 and was assigned identification number 0400293750. Following are the articles that constitute its original certificate.

1. **Name:**
CLEARPATH ENERGY, LLC
2. **Registered Agent:**
BARBARA RAMIREZ
3. **Registered Office:**
7 ROSEBERRY RD.
WASHINGTON, NJ 07882
4. **Business Purpose:**
CONSULTING
5. **Members/Managers:**
FERNANDO RAMIREZ
7 ROSEBERRY RD.
WASHINGTON, NJ 07882
6. **Main Business Address:**
7 ROSEBERRY RD.
WASHINGTON, NJ 07882

Signatures:
SHEILA DANG
AUTHORIZED REPRESENTATIVE



IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
25th day of June, 2009

A handwritten signature in black ink, appearing to read "R. David Rousseau", written over a horizontal line.

R. David Rousseau
State Treasurer

Certificate Number: 114703480

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp



Joseph L. Fiordaliso
President

Mary-Anna Holden
Commissioner

Dr. Zenon Christodoulou
Commissioner

Christine Guhl-Sadovy
Commissioner

Marian Abdou
Commissioner

State of New Jersey

BOARD OF PUBLIC UTILITIES
44 South Clinton Avenue, 1st Floor
Post Office Box 350
www.nj.gov/bpu/
(609)777-3300

Alice A. Bator, Director
Division of Audits

Tel #: (609) 913-6258
Fax #: (609) 292-2620

June 9, 2023

Sent via electronic mail:

Fernando Ramirez
Managing Director
ClearPath Energy, LLC
FRamirez@clearpathei.com

Re: Receipt of Annual Energy Agent Registration Filing
Dkt No. EE21040706L

The New Jersey Board of Public Utilities ("Board") received a timely submission of the annual information update form for Energy Agent registration, number EA-0446, issued to ClearPath Energy, LLC for filing year 2023 on April 12, 2023. Pursuant to N.J.A.C. 14:4-5.8, this registration shall not expire so long as a registration renewal fee accompanied by an annual information update form is submitted to the Board within 30 days prior to the registrant's annual anniversary date of May 4th. This registration remains active and in good standing with the Board. Nothing shall limit the authority of the Board to deny, suspend, or revoke a license or registration at any time, consistent with the provision of P.L. 1999, c.23 (N.J.S.A. 48:3-49 et seq.). N.J.A.C. 14:4-5.13(d)

This letter is not an endorsement of, nor is it intended for use in, the marketing promotions of the registrant. Registrants shall comply with all applicable law, including the Electric Discount and Energy Competition Act of 1999, N.J.S.A. 48:3-49 et seq., which prohibits the unauthorized change of a customer's energy provider and other fraudulent and illegal marketing activities.

If you have any questions, please contact the Division of Audits at 609-913-6258.

Sincerely,

Alice Bator 
Director, Division of Audits

AB/sgp

FERNANDO RAMIREZ

2411 Tulip St.
Philadelphia, PA 19123
215.589.2658
fbramirez@comcast.net

CAREER OBJECTIVE

Results-driven relationship management and business development professional eager to contribute expertise in driving and delivering results with dynamic organization focused on growth, expansion and social impact.

PROFILE

- Consistently contribute to improved revenue goals, productivity, cost effectiveness, operational enhancement, and profitability through leadership, strategic planning, account management, and sound understanding of customer's needs, goals and objectives
- Developed and implemented energy programs and solutions to targeted multi-location prospects with domestic and international footprints
- Experienced in delivering sales and business development strategies and building markets from ground up, identifying key opportunities, and securing and growing strategic relationships with direct and indirect channels.
- Established channel partner networks and delivered end-user programs with various models to deliver and deploy technology solutions and services to multi-location portfolios and domestic and international customers
- Effective customer service, operational and leadership skills gained through progressive roles within high-paced, demanding environments that required balancing of numerous accountabilities with varying degrees of priority
- Influential approach to presentations, demonstrations, and meetings and talent for cultivating long term and trusted customer relationships; fluent in Spanish
- Social entrepreneur, self-motivated, independent, team player, contributor to company plans, goals and growth.
- Commitment to delivering lasting social, economic and environmental impact to improve planet and lives.

CORE COMPETENCIES

Team Management
Relationship Building
International Markets
Channel Partner Development

Communication Skills
Building Teams & Organizations
Clean Tech Technologies
Account Management

Social Impact Presentations
Sales & Business Development
Entrepreneurial Management
Program Development

ACCOMPLISHMENTS

- Founded a non-profit as a result of crisis of consciousness. As a world traveler, participated in several initiatives in developing countries and driven to educate and motivate our youth to balance purpose with profit.
- Strong track record in business development and securing long term relationships for enterprise solutions.
- Innovated Outsourced Monitoring Service Program (BPO), to support energy management strategy, consumption reduction goals, and client energy conservation initiatives.
- Ability to develop and maintain strategic relationships and deliver complex solutions and execution of business development strategies to increase market share and revenue.
- Strong communication and interpersonal skills to build long term relationships and engage with various stakeholders in energy and water sectors including end-users, industry trade groups, utility and service providers, channel partner networks and advocacy groups.
- Experienced with development and management of channel partner networks both in domestic and international markets including training programs, technical support and capacity building strategies.
- Strategic development of domestic and global territories for energy and water sectors, consulting services and SaaS technology and services. Researched, monitored and analyzed KPI's to determine successful seeding and market penetration strategy.
- Developed a company from idea to startup to market solution to positive revenue to building a team to successfully executing an exit strategy via acquisition.

PROFESSIONAL EXPERIENCE

FOUNDER

Bridges 2030 International – Global

2021 – Present

Non-profit with focus on support of disadvantaged communities and forcibly displaced people. Developing global projects and collaborating with private sector, national statistics offices and academia on SGDs and intersection of technology solutions in energy/water to drive impact and make a difference.

FOUNDER & MANAGING DIRECTOR

ClearPath Energy International – Bridgewater, NJ

2012 - Present

Energy advisory and portfolio strategy development and implementation services to national accounts with focus on energy management and budget impact. Business development consultant to domestic and international organizations seeking to develop, implement or expand domestic and/or global footprint. Provided value and expertise in market and competitive analysis, development of strategic plans for market penetration, and prospecting qualified direct and indirect business development opportunities.

MANAGING DIRECTOR - USA

Hydraloop, Inc.

2021 – 2023

Netherlands based company and developers of greywater recycling system for homes and business. Responsible for US market entry and expansion of clean tech innovation. Implemented partner strategy and recruited initial customers while establishing US office, entity and operations. Developed market strategy, budget and staffing plan with strategic focus on market segments in water stressed states.

VP – INTERNATIONAL BUSINESS DEVELOPMENT

SClenergy, Inc. – San Francisco, CA

2010 – 2012

Focused on plan and initiatives to identify and qualify international markets suitable for predictive and automated fault detection & diagnostics technology. Market research completed to qualify market drivers in different regions of the world for energy efficiency, technology and SaaS models. Developed projects and resources in North America, Asia Pacific and Europe.

SENIOR BUSINESS DEVELOPMENT MANAGER

EnerNOC, Inc. – Boston, MA

2009 to 2010

Develop strategic accounts for energy efficiency technology and offering, SiteSMART. Accountable for prospecting and developing projects in specific high value verticals in key markets. Led product's support and collaboration with international staff and channel partner network.

FOUNDER & MANAGING DIRECTOR

Phoenix Energy Technologies, Inc.-Somerset, NJ

2004 to 2009

Steer strategic, operational and revenue direction of national energy information management Technology Company with accountability and oversight of team-delivery for over \$500 Million in annual energy spend. Implement business plan to capitalize on resources and secure market position in Enterprise Energy Management technology and services for national multi-site customers.

VICE PRESIDENT OF SALES, EAST REGION

Silicon Energy - Alameda, CA

2001 to 2003

Oversaw market development of industry leading SaaS energy technology that enabled commercial enterprises and energy services to efficiently manage consumption, procurement, and energy assets. Supported sourcing and development of new client relationships while organizing and implementing key programs and strategies.

FOUNDER & PRESIDENT

Energy Concepts, Inc.-Somerset, NJ

1990 to 2001

Catalyzed market presence and sustainable revenues for energy consulting firm that provide objective and independent strategic energy and consulting services; through calculated positioning, secured recognition by Strategic Channel Partners resulting in being acquired and a successfully exit strategy.

Susquehanna University-Selinsgrove, PA – Bachelor of Science Business Administration
Volunteer for various organizations supporting disadvantaged youth via sports and education

ORIGIN ID:PSGA (215) 627-6215
FERNANDO RAMIREZ

632 N 2ND ST

PHILADELPHIA, PA 19123
UNITED STATES US

SHIP DATE: 03OCT23
ACTWGT: 0.44 LB
CAO: 255492333/WSXI3600
DIMS: 12x8x1 IN

BILL SENDER

TO SECRETARY'S BUREAU
PA PUBLIC UTILITY COMMISSION
400 NORTH ST
KEYSTONE BLDG
HARRISBURG PA 17120

RECEIVED

OCT 5 2023

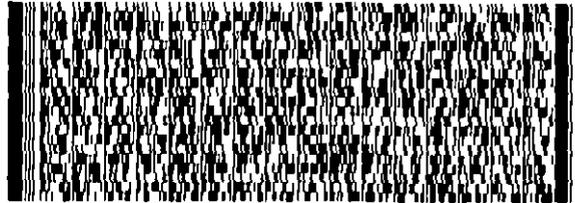
(215) 589-2658
INV: PKG ID: 11662
PO:

REF: FERNANDO RAMIREZ

PA PUBLIC UTILITY COMMISSION

SECRETARY'S BUREAU

SECRETARY'S BUREAU



FedEx
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THU - 05 OCT 5:00P

** 2DAY **

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