

NuEnergen: Revision to PA Energy Broker Applications for EGS and NGS Marketer

Date: 6/26/2024

EGS Application - Docket # A- 2024 - 3047877

NGS Application - Docket # A- 2024 – 3047896

Pursuant to the deficiency letter received by NuEnergen dated May 29, 2024, NuEnergen has sought to address these requests for additional information in this document revision. The deficiency letter outlined the following Sections of the Applications as having insufficient data:

NuEnergen, LLC

Data Request(s)

1. Reference Application, Section 4.a, Present Operations – Applicant indicated that it currently operates within the Commonwealth of Pennsylvania as a broker/marketer engaged in the business of supplying natural gas services. Please provide details of all natural gas broker/marketer operations which occurred within Pennsylvania, including the types of brokering services provided, the number of customers serviced, and the list of NGS suppliers for which applicant has arranged contracts.

NuEnergen has provided broker services involving a solicitation of natural gas pricing, review of contracts, and product recommendation for 2 customers in Pennsylvania, both of which were originally served as an extension of a relationship with those customers in other NuEnergen core markets (NY and NJ). One of those customers was served for gas and electric, and the other for gas only.

One customer has 2 gas contracts arranged for furniture stores: one which covers 4 PECO accounts/locations and 1 which covers 1 PGW account / location. NuEnergen began working on these contracts for supply in 2021 and the accounts are served by Sprague Operating Resources, LLC, and have been served by Constellation New Energy – Gas Division, LLC in the past.

The second customer has a single contract for a gas account for a soda bottling facility arranged with Constellation New Energy – Gas Division, LLC with supply starting in 2023. This client does not have an electricity supply contract arranged by NuEnergen.

2. Reference Application, Section 7.a, Financial Fitness – Applicant failed to provide a natural gas distribution company bonding letter for each utility in whose service territory it wishes to operate. Please provide the missing documentation.

<See Bonding Letters from the following Utilities in the following pages>

- [PECO](#)
- [PGW](#)
- [UGI](#)
- [Peoples Gas](#)
- [Columbia Gas \(NiSource\)](#)
- [Valley Energy](#)

NuEnergen has reached out to NatFuel PA via the provided email address (czechowiczd@natfuel.com) but has not received a response at the time of this submission.



pecoSM

AN EXELON COMPANY

May 30, 2024

Sudhir Sarma, General Manager
NuEnergen, LLC
10 Bank Street, Suite 600
White Plains, NY 10606

Re: Bonding Requirements

Dear NuEnergen, LLC:

PECO is aware that NuEnergen, LLC has applied for a license to provide brokering and consulting services to commercial and industrial customers on the distribution system of PECO.

In making such an application NuEnergen, LLC could be required to provide to PECO a bond or other acceptable financial security in an amount that PECO determines to be appropriate. NuEnergen, LLC has indicated that it intends to provide only brokering and/or consulting services to commercial and industrial customers; will not take title to any delivered natural gas; nor will accept any customer payments or deposits.

Therefore, PECO has determined at this time that NuEnergen, LLC does not need a bond or other financial security requirement, since they are not directly engaging in business with PECO and only providing brokering or consulting services to PECO customers. However, if the services provided by NuEnergen, LLC or the creditworthiness requirement for PECO's exposure to NuEnergen, LLC changes in the future, PECO reserves the right to require NuEnergen, LLC to provide a bond or other financial security instrument.

If you should have any questions regarding this matter, please contact Wanda Rucker at Wanda.Rucker@exeloncorp.com.

Respectfully submitted,

Suzette Adams

Suzette Adams
Sr Manager, Gas Supply and Transportation
2301 Market Street
Philadelphia, PA 19103



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

6/5/2024

Kevin Hamilton, President and CEO
NuEnergen, LLC
10 Bank Street, Suite 600
White Plains, NY 10606

khamilton@nuenergen.com

RE: Security Requirement Bond for NuEnergen, LLC

Dear Kevin Hamilton,

Philadelphia Gas Works ("PGW") is aware that NuEnergen, LLC has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the services territory of Philadelphia Gas Works.

As you know, in making such an application, NuEnergen, LLC must furnish acceptable security to each utility where NuEnergen, LLC will do business. As such, under its tariff, Philadelphia Gas Works could require NuEnergen, LLC, to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate.

However, you have indicated, and it is Philadelphia Gas Works' understanding, that NuEnergen, LLC, intends only to provide natural gas aggregating, brokering, and consulting services at this time. You have stated that in performing these services NuEnergen, LLC will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, NuEnergen, LLC, does not need to post a bond or other form of security to operate in its service territory. If the services provided by NuEnergen, LLC, should change, Philadelphia Gas Works reserves the right to require security from NuEnergen, LLC as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at 215-684-6725.

Sincerely,

JOHN C ZUK

JOHN C. ZUK
Sr. Vice President, Gas Management

/dls

Signature: John Zuk
John Zuk (Jun 5, 2024 09:58 EDT)

Email: john.zuk@pgworks.com



UGI Utilities, Inc.
1 UGI Drive
Denver, PA 17517

610-796-3400

VIA E-MAIL

June 5, 2023

NuEnergen, LLC
10 Bank Street
Suite 600
White Plains, NY 10606

ATTENTION: **Kevin Hamilton, President**
khamilton@nuenergen.com

RE: Application to Serve as a Natural Gas Broker

Dear Mr. Hamilton,

Based on your assertion that NuEnergen, LLC (“NuEnergen”) is applying with the State of Pennsylvania to operate as a natural gas broker/marketer, UGI Utilities, Inc.-Gas Division (“UGIU”) has concluded that NuEnergen will not need to post security with UGIU. This is based on the declaration that NuEnergen will be acting in conjunction with a licensed natural gas supplier who has been approved by the Pennsylvania Public Utility Commission to serve in the applicable UGIU service territories and who has posted the required financial security as specified in the UGIU Tariff. If NuEnergen wishes to directly serve Choice customers in the service territories of UGIU in the future as a natural gas supplier, it will have to post security as specified in the UGIU Tariff prior to the commencement of the service.

Please feel free to contact me with any additional questions you may have.

Sincerely,

Sherry Epler
Senior Manager
Tariff & Supplier Administration

SE/rks

cc auditing@nuenergen.com



375 North Shore Drive
Pittsburgh, Pennsylvania 15212

www.peoples-gas.com

Carol Scanlon
Manager, Rates

Peoples Natural Gas Company LLC
Phone: 412-208-6931
Email: Carol.Scanlon@peoples-gas.com

June 12, 2024

Kevin Hamilton
President and CEO
NuEnergen, LLC
10 Bank St, Suite 600
White Plains, NY 10606

Dear Mr. Hamilton:

We are pleased that NuEnergen, LLC has applied for a license to provide natural gas services on Peoples Natural Gas Company LLC. Specifically you have requested to be licensed as a supplier on the distribution systems of Peoples Natural Gas Division and Peoples Gas Division (formerly Peoples TWP).

Since NuEnergen, LLC is not currently serving customers on the Peoples systems, we have determined at this time that NuEnergen, LLC does not need a bond or other financial security requirement to provide these services to the Company's customers.

If a Pool is established, and customers are enrolled which alters the creditworthiness requirement or the Company's exposure to NuEnergen, LLC provision of services on the Peoples' system changes in the future, the Company may deem it appropriate to require a bond or other financial instrument.

If you have any questions feel free to contact me at 412-208-6931 or by email at Carol.Scanlon@peoples-gas.com.

Sincerely,

Carol Scanlon
Manager, Rates
Peoples Natural Gas Company LLC

Cc: Stephen Kelly
Mina Speicher



June 5, 2024

Kevin Hamilton
President and CEO
NuEnergien, LLC
10 Bank St, Suite 600
White Plains, NY 10606

Dear Kevin Hamilton:

We are pleased that NuEnergien, LLC has applied for a license to provide Natural Gas Supply Services on the distribution system of Columbia Gas of Pennsylvania, Inc. ("Columbia Gas").

Under Paragraph 2.4.1 of the Rules Applicable to Distribution Service section of the Tariff of Columbia Gas, it is required that the Natural Gas Supplier provide financial information for the Company to establish the Natural Gas Supplier's creditworthiness. After approval of your application to Columbia Gas, but before the enrollment of customers, NuEnergien, LLC will be required to provide financial security.

Since NuEnergien, LLC is not currently serving customers on the Columbia Gas System, we have determined NuEnergien, LLC does not need a bond or other financial security requirement at this time.

If the creditworthiness requirement or Columbia Gas' exposure to NuEnergien, LLC changes in the future, Columbia Gas might deem it appropriate to require NuEnergien, LLC to provide a bond or other financial security instrument.

Please feel free to contact me at 614-460-4217 should you have any questions regarding a bond or other financial security instrument requirements of Columbia Gas.

Sincerely,

Kylia Davis

Kylia Davis
Manager of Choice and Transportation Support Services



VALLEY ENERGY

523 S. Keystone Avenue, P.O. Box 340, Sayre, PA 18840
800/998-4427 • 570/888-9664 • FAX 570/888-6199

May 29, 2024

VIA EMAIL

Sudhir Sarma,
General Manager-Sourcing, Auditing, Consulting
10 Bank Street, Suite 600
White Plains, NY 10606
ssarma@nuenergen.com

RE: NuEnergen, LLC

Dear Mr. Sarma:

We understand that NuEnergen, LLC has applied with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania, including our company's service area.

Pursuant to 66 Pa.C.S. § 2208(c), an applicant for a natural gas supplier license must furnish security to each utility where it will do business to ensure the supplier's financial responsibility. To this end, Valley Energy periodically will perform a credit review and analysis of NuEnergen when it begins to serve customers on Valley Energy's system. Valley Energy will determine whether NuEnergen must post a security based on the credit review, the types of customers served, the volumes expected to be delivered for those customers and the other rules in Valley Energy's Supplier Tariff. At this time, no security is being requested; however, if the services provided change in the future, we reserve the right to require security from NuEnergen, LLC as deemed appropriate.

If you have any questions, please contact Jamie Beale at 570-888-9664 (Ext. 5232).

Sincerely,

Edward E. Rogers
President & CEO

EER/km

cc: J. Beale, Valley Energy

3. Reference Application, Section 7.b, Financial Fitness – Please provide three recent consecutive months of the applicant’s bank statements.

Kindly note that requested statements have been mailed in to the address below as hard copies, as these are CONFIDENTIAL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

4. Reference Application, Section 7.f, Taxation – Applicant failed to submit a Tax Certification Form. Applicant must submit a fully completed Tax Certification Form.

Submitted as CONFIDENTIAL docs separately via hard copy

EGS Application

Data Request(s)

1. Reference Application, Section 4.a, Present Operations – Applicant indicated that it currently operates within the Commonwealth of Pennsylvania as a broker/marketer engaged in the business of supplying electric services. Please provide details of all electric broker/marketer operations which occurred within Pennsylvania, including the types of brokering services provided, the number of customers serviced, and the list of EGS suppliers for which applicant has arranged contracts.

NuEnergen has provided broker services involving a solicitation of electric pricing, review of contracts, and product recommendation for 1 customer in Pennsylvania, originally served as an extension of a relationship with this customer in other NuEnergen core markets (NY and NJ).

Said customer has 1 electric contract arranged for furniture stores across 4 accounts/locations in PECO. These accounts are served by Aggressive Energy, LLC but were also served by Constellation NewEnergy, Inc. in the past. NuEnergen also began working on this contract for supply in 2021 originally.

2. Reference Application, Section 7.a, Financial Fitness – Applicant failed to sign its financial security on the Principal line. Please provide an updated financial security with the appropriate corrections.

Submitted as CONFIDENTIAL docs separately via hard copy

3. Reference Application, Section 7.b, Financial Fitness – Please provide three recent consecutive months of the applicant’s bank statements.

Bank statements have been mailed in as hard copies to the below address, as these are CONFIDENTIAL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

I, Sudhir Sarma, 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 statements herein are made subject to the penalties of 18 Pa. C.S. 4904 (relating to unsworn falsification to authorities)

Signature	<u><i>Sudhir Sarma</i></u>
Title	<u>General Manager - Sourcing, Auditing, Consulting</u>
Date	<u>06/26/2024</u>