

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of U.S. POWER TRADE LLC, d/b/a U.S. POWER TRADE LLC, for approval to offer, render, furnish, or supply natural gas supply services as a(n) [as specified in item #4b below] 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 d/b/a fictitious name), primary address, web address, and telephone number of Applicant:

U.S. POWER TRADE LLC  
1636 North Cedar Crest Blvd, Suite 210  
Allentown, PA 18104  
724-328-3300  
www.uspowertrade.com

- 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.

Not applicable, located in Allentown, PA

- 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.

Robert Rizzitano  
1636 North Cedar Crest Blvd, Suite 210  
Allentown, PA 18104  
724-328-3300  
rrizzitano@uspowertrade.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.

The applicant is not using an attorney

- 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.

#1 Contact: Robert Rizzitano - President & CEO  
1636 North Cedar Crest Blvd, Suite 210  
Allentown, PA 18104  
P: 724-328-3300  
F: 866-594-4677  
rizzitano@uspowertrade.com

Michael Lutte - Administrator  
1636 North Cedar Crest Blvd, Suite 210  
Allentown, PA 18104  
P: 724-328-3300  
F: 866-594-4677  
customer@uspowertrade.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 DSCB: 54-311.

**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. § 412 relating to Department of State filing requirements.

**or**

The Applicant is a:

- domestic general partnership (\*)
- domestic limited partnership (15 Pa.C.S. § 8621)
- foreign general or limited partnership (15 Pa.C.S. §§ 411 and 412)
- domestic limited liability partnership (15 Pa.C.S. §§ 8201 and 8221)
- foreign limited liability general partnership (15 Pa.C.S. §§ 411 and 412)
- foreign limited liability limited partnership (15 Pa.C.S. §§ 411 and 412)

- 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. §§ 411 and 412.

**or**

The Applicant is a:

- domestic corporation (15 Pa.C.S. § 1308)
- foreign corporation (15 Pa.C.S. §§ 411 and 412)
- domestic limited liability company (15 Pa.C.S. § 8821)
- foreign limited liability company (15 Pa.C.S. §§ 411 and 412)
- Other (Describe):

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Exhibit 1
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation. Exhibit 2 Pennsylvania - see attached
- Give name and address of officers. Robert Rizzitano  
1636 North Cedar Crest Blvd, Suite 210  
Allentown, PA 18104

### 3. AFFILIATES AND PREDECESSORS

*(both in state and out of state)*

a. **AFFILIATES:** Give name and address of any affiliates currently doing business and state whether the affiliates 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.

U.S. POWER TRADE LLC does not have any affiliates

b. **PREDECESSORS:** Identify any predecessors of the Applicant and provide the names under which the Applicant has operated, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

U.S. POWER TRADE LLC does not have any predecessors

c. **RELATED DOCKET NUMBERS:** Provide the Docket Numbers for any previous Pennsylvania PUC licenses for the Applicant, all affiliates, and any predecessors. If the Applicant does not have any related Docket Numbers, explicitly state so.

License number for Electric Broker: A-2018-300760

#### 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)

**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.  
Provide third party supplies through a reverse auction platform by giving customer complete transparency of what they are getting and paying for.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Columbia   | <input checked="" type="checkbox"/> Philadelphia Gas Works |
| <input type="checkbox"/> National Fuel Gas  | <input type="checkbox"/> UGI Utilities – Gas Division      |
| <input checked="" type="checkbox"/> PECO  | <input type="checkbox"/> Valley Energy                     |
| <input type="checkbox"/> Peoples Natural Gas Company - Peoples Natural Gas Division |  |
| <input type="checkbox"/> Peoples Natural Gas Company - Peoples Gas Division         |  |
| <input type="checkbox"/> All of the above   |  |

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 Licensing Requirements Applicable to Mixed Meter Scenarios Secretarial Letters served March 25, 2011, and July 3, 2013, at Docket No. M-2009-2082042.

f. **START DATE:** Provide the approximate date the Applicant proposes to actively market within the Commonwealth.

Upon being licensed.

## 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.

None

- b. **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.

None

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

## 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 Sections 1.57, 1.58, and 62.103(c) of the Commission's Regulations, 52 Pa. Code §§ 1.57, 1.58, and 62.103(c), 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 Small Business Advocate**  
Forum Place  
555 Walnut Street, 1st Floor  
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

b.) **NGDCs:** Pursuant to Sections 1.57, 1.58, and 62.103(c) of the Commission's Regulations, 52 Pa. Code §§ 1.57, 1.58, and 62.103(c), 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.

Exhibit 3

<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  1 UGI Drive  Denver, PA 17517  PH: 610.796.3447  Email: <a href="mailto:sepler@ugi.com">sepler@ugi.com</a></p>	<p><b>Valley Energy Inc.</b>  Ed Rogers  523 South Keystone Avenue  Sayre, PA 18840-0340  PH: 570.888-9664  FAX: 570.888.6199  email: <a href="mailto:erogers@ctenterprises.org">erogers@ctenterprises.org</a></p>

## 7. FINANCIAL FITNESS

- a. **BONDING:** In accordance with 66 Pa.C.S. § 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.

Attached letters from PGW and PECO

See attached letters from PECO and PGW

- 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: Exhibit 6
- 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.

N/A - broker only

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

- 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.

Robert Rizzitano - President & CEO  
1636 North Cedar Crest Blvd, Suite 210  
Allentown, PA 18104  
P: 724-328-3300  
F: 866-594-4677  
rizzitano@uspowertrade.com

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

Exhibits 4 and 5

- a. **EXPERIENCE, PLAN, STRUCTURE:** such information may include:

- 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): Applicant will NOT be marketing

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.

Applicant will not be marketing

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.

Exhibit 5

## 9. DISCLOSURE STATEMENT:

*(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.

Not applicable; broker only

## 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) and 52 Pa. Code § 62.112(a). 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. §§ 4902, 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 was made in e-file portal 09/30/2024

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.
- 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.

## 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 § 62.107.

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.

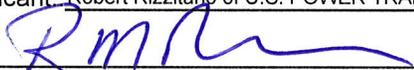
The only acceptable verification of this requirement is with Notarized Proofs of Publication, which may be requested from each newspaper and **must be supplied to the Commission before the applicant is licensed.**

	Erie Times-News	Harrisburg Patriot-News	Philadelphia Daily News or Philadelphia Inquirer	Pittsburgh Post-Gazette	Scranton Times-Tribune	Williamsport Sun-Gazette	Johnstown Tribune-Democrat
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**

Applicant: Robert Rizzitano of U.S. POWER TRADE LLC

By: 

Title: President & 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 is complete.

**Applicant:** U.S. POWER TRADE LLC

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

PUC Secretary's Bureau Use

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of PENNSYLVANIA :

ss.

County of ALLEGHENY :

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

[He/she is the President & COE (Office of Affiant) of U.S. POWER TRADE LLC (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein U.S. POWER TRADE 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) and 52 Pa. Code § 62.109(a).

That the Applicant herein U.S. POWER TRADE LLC has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein U.S. POWER TRADE 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 U.S. POWER TRADE 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.

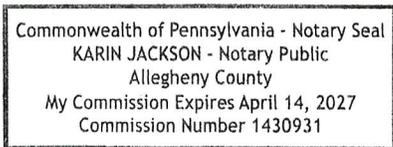
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

Signature of Affiant

Sworn and subscribed before me this 04 day of OCTOBER, 2024.

Signature of official administering oath

My commission expires 04/14/2027.



Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of  Pennsylvania  :

: ss.

County of  ALLEGHENY  :

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

[He/she is the  President & CEO  (Office of Affiant) of  U.S. POWER TRADE LLC  (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That  U.S. POWER TRADE 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  U.S. POWER TRADE 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  U.S. POWER TRADE LLC , the Applicant herein, acknowledges that failure to comply with any provision of Chapter 22 of the Public Utility Code or the rules, regulations, orders or directives of the Department of Revenue or of the Commission, including, but not limited to, engaging in anticompetitive behavior, shall be cause for the Commission to revoke the Applicant's license. See 66 Pa.C.S. § 2208(c)(2). 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.

**Appendix B (Continued)**

That U.S. POWER TRADE 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 04 day of OCTOBER, 2024.



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

My commission expires 04/14/2027.

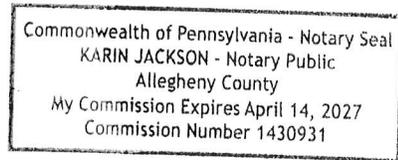


Exhibit 1

**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: U.S. Power Trade LLC  
Request Type: Subsistence Certificate Issuance Date: August 27, 2024  
Request No.: 041745019 File No.: 0004111903  
Receipt No.: 001192649  
Filing Type: Domestic Limited Liability Company  
Filing Subtype: Limited Liability Company  
Initial Filing Date: May 29, 2012  
Status: Active

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT

U.S. Power Trade LLC

is currently subsisting on the records of the Department of State as of the issuance date herein.

I DO FURTHER CERTIFY THAT this Subsistence Certificate 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

A handwritten signature in cursive script, appearing to read "Albert Schmidt".

Albert Schmidt  
Secretary of the Commonwealth

Verify this certificate online at [www.file.dos.pa.gov](http://www.file.dos.pa.gov)

Exhibit 2

Entity #: 4111903  
Date Filed: 06/29/2012  
Effective Date: 06/01/2012  
Carol Alchele  
Secretary of the Commonwealth

**PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU**

**Certificate of Organization  
Domestic Limited Liability Company  
(15 Pa.C.S. § 8913)**

Name <b>Robert Rizzitano</b>		
Address <b>7535 Windsor Dr. STE 201</b>		
City <b>Allentown</b>	State <b>PA</b>	Zip Code <b>18195</b>

Document will be returned to the name and address you enter to the left.

Commonwealth of Pennsylvania  
CERTIFICATE OF ORGANIZATION 3 Page(s)



Fee: \$125

In compliance with the requirements of 15 Pa.C.S. § 8913 (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 (*designator is required, i.e., "company", "limited" or "limited liability company" or abbreviation*):  
**U.S. Power Trade LLC**

2. The (a) address of the limited liability company's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and Street <b>7535 Windsor Dr. STE 201</b>	City <b>Allentown</b>	State <b>PA</b>	Zip <b>18195</b>	County <b>Lehigh</b>
(b) Name of Commercial Registered Office Provider c/o:				County

3. The name and address, including street and number, if any, of each organizer is (*all organizers must sign on page 2*):

Name <b>Robert Rizzitano</b>	Address <b>2454 Lakmont Dr. Gibsonia, PA 15044</b>	
<b>Samuel M. Puleo, Jr.</b>	<b>604 Penllyn Pk. Penllyn, PA 19422</b>	
<b>Michael A. Mateja</b>	<b>1607 Salem Street North Andover, MA 01845</b>	

PA DEPT. OF STATE  
MAY 29 2012

Exhibit 3

## Appendix C

Required of ALL Applicants regardless of operating as a supplier, broker, marketer, or aggregator.

### CERTIFICATE OF SERVICE TEMPLATE

On this the 04 day of OCTOBER, 2024 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:

- |  |   |
|--|---|
| <p>X <b>Office of Consumer Advocate</b><br/>5th Floor, Forum Place<br/>555 Walnut Street<br/>Harrisburg, PA 17120</p> <p>X <b>Office of Small Business Advocate</b><br/>Forum Place<br/>555 Walnut Street, 1st Floor<br/>Harrisburg, PA 17101</p> <p>X <b>Pennsylvania Public Utility Commission<br/>Bureau of Investigation &amp; Enforcement</b><br/>Commonwealth Keystone Building<br/>400 North Street, 2 West<br/>Harrisburg, PA 17120</p> <p><b>National Fuel Gas Distribution Corp.</b><br/>Daniel Czechowicz, Director – Gas Supply Administration<br/>6363 Main Street<br/>Williamsville, NY 14221<br/>PH: 716.857.6917<br/>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><br/>Carol Scanlon<br/>375 North Shore Drive<br/>Pittsburgh, PA 15212<br/>PH: 412.208.6931<br/>e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p> <p>X <b>Philadelphia Gas Works</b><br/>Ryan Reeves, Director Supply Transportation &amp; Control<br/>800 West Montgomery Avenue<br/>Philadelphia, PA 19122<br/>PH: 215.787.5103<br/>email: <a href="mailto:pgwchoicesupply@pgworks.com">pgwchoicesupply@pgworks.com</a></p> <p><b>Valley Energy Inc.</b><br/>Ed Rogers<br/>523 South Keystone Avenue<br/>Sayre, PA 18840-0340<br/>PH: 570.888-9664<br/>email: <a href="mailto:erogers@ctenterprises.org">erogers@ctenterprises.org</a></p> | <p>X <b>Office of the Attorney General<br/>Bureau of Consumer Protection</b><br/>Strawberry Square, 14th Floor<br/>Harrisburg, PA 17120</p> <p>X <b>Department of Revenue<br/>Bureau of Compliance</b><br/>PO Box 281230<br/>Harrisburg, PA 17128-1230</p> <p><b>Columbia Gas of PA, Inc.</b><br/>Transport Support Services<br/>290 W. Nationwide Blvd.<br/>Columbus, OH 43215<br/>PH: 614.460.4980<br/>e-mail: <a href="mailto:transportevaluations@nisource.com">transportevaluations@nisource.com</a></p> <p>X <b>PECO</b><br/>Suzette Adams, Sr. Manager, Gas Supply and Transportation<br/>2301 Market Street, S-18<br/>Philadelphia, PA 19103<br/>PH: 215.841.6467<br/>Email: <a href="mailto:Suzette.Adams@exeloncorp.com">Suzette.Adams@exeloncorp.com</a></p> <p><b>Peoples Natural Gas Company LLC - Peoples Gas Division</b><br/>Carol Scanlon<br/>375 North Shore Drive<br/>Pittsburgh, PA 15212<br/>PH: 412.208.6931<br/>e-mail: <a href="mailto:Carol.Scanlon@peoples-gas.com">Carol.Scanlon@peoples-gas.com</a></p> <p><b>UGI Utilities, Inc. – Gas Division</b><br/>Sherry Epler<br/>1 UGI Drive<br/>Denver, PA 17517<br/>PH: 610.796.3447<br/>Email: <a href="mailto:sepler@uqi.com">sepler@uqi.com</a></p> |
|--|---|
-   
Robert Rizzitano, CEO of U.S. POWER TRADE LLC

Exhibit 4

## **Technical Fitness**

CEO Robert Rizzitano has experience working at two prior energy broker companies. At Coastal Energy he was the Channel Partner Director where he managed agents, and oversaw auditing and utilities accounts. At Glacial Energy, Inc. he was a business development manager where he recruited agents for electricity sales, managed customer relations and was responsible for the growth of the company. U.S. Power Trade, LLC has an electronic platform where business entities can enter a electronic, reverse auction for their third-party electricity contracts. They have engaged multiple supplies who have formal relationships with the Board of Public Utilities and are properly licensed in the areas they would like to service. The platform allows a client to put in a reserve price (the maximum they are willing to pay), and the suppliers can bid at that number or below. Each supplier will have at least a week to do their due diligence in regards to credit and usage information. They have quality control plans in place where they can send letters to all service addresses that register for a reverse auction to ensure the person representing the business entity is the authorized person to engage in such an action.

Exhibit 5

# Robert Rizzitano

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## Experience

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March 2012 to present                      US Power Trade LLC                      Allentown Pa

Oct 2011 to Apr 2012                      Coastal Energy                      Fogelsville, PA

### Channel Partner Director

- Managed Agents
- Responsibilities of Auditing
- Oversaw Utilities Accounts

---

Mar 2007 to Oct 2011                      Glacial Energy Inc.                      Pittsburg, PA

### Business Development Manager

- Recruited agents for Electricity Sales
- Manage Customer Relations
- Responsible for growth development.

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Jan 2004 to Mar 2007                      Penn Mortgage Group, LLC                      Bethel Park, PA

### Owner

- Lincoln Mortgage Senior Loan Officer
- Interfaced with Clients and Lenders
- Filing and Competition of Accurate Paperwork

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Feb 1996 to Oct 1999                      Clyde and Company                      Bethel Park, PA

### Land Management

- Responsible for Negotiations
- Purchasing and Leasing of Commercial and Private Properties

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Mar 1993 to Feb 1996                      ATI Communication

### Communication Consultant

- Located over 150 retail locations throughout the Mid-Atlantic Region
- Securing Multi-year leases, overseeing construction and build outs to specifications

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## References

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Barry Smoker	CEO of Clyde & Company	954.868.6740
Jim Sessor	President of Alpha II Mortgage	215.295.7300
Brian Pfister	Personal Reference	412.719.6200

## Financial Statements

10:14 AM

02/22/24

Cash Basis

**US Power Trade LLC**  
**Balance Sheet**  
As of December 31, 2023

	Dec 31, 23	Dec 31, 22	\$ Change
<b>ASSETS</b>			
Current Assets			
Checking/Savings			
Current Assets			
Checking/Savings			
Bank of America - Chkg #2658	201,127.07	113,835.69	87,291.38
Bank of America - Tax Account	40,000.00	18,100.00	21,900.00
<b>Total Checking/Savings</b>	<b>241,127.07</b>	<b>131,935.69</b>	<b>109,191.38</b>
<b>Total Current Assets</b>	<b>241,127.07</b>	<b>131,935.69</b>	<b>109,191.38</b>
<b>Total Checking/Savings</b>	<b>241,127.07</b>	<b>131,935.69</b>	<b>109,191.38</b>
<b>Total Current Assets</b>	<b>241,127.07</b>	<b>131,935.69</b>	<b>109,191.38</b>
Fixed Assets			
Fixed Assets			
Accumulated Depreciation	-26,463.60	-44,628.00	18,164.40
AUTOMOBILE	36,196.00	82,306.00	-46,110.00
Furniture & Equipment	485.00	485.00	0.00
<b>Total Fixed Assets</b>	<b>10,217.40</b>	<b>38,163.00</b>	<b>-27,945.60</b>
<b>Total Fixed Assets</b>	<b>10,217.40</b>	<b>38,163.00</b>	<b>-27,945.60</b>
Other Assets			
Other Assets			
Deferred Start-Up Costs	0.00	28,084.00	-28,084.00
Less Accumulated Amortization	0.00	-28,084.00	28,084.00
<b>Total Other Assets</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Other Assets</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL ASSETS</b>	<b>251,344.47</b>	<b>170,098.69</b>	<b>81,245.78</b>
<b>LIABILITIES &amp; EQUITY</b>			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Liabilities			
Current Liabilities			
Other Current Liabilities			
LOAN RIZZITANO	19,498.99	19,498.99	0.00
LOAN ROTHROCK	9,500.00	9,500.00	0.00
<b>Total Other Current Liabilities</b>	<b>28,998.99</b>	<b>28,998.99</b>	<b>0.00</b>
<b>Total Current Liabilities</b>	<b>28,998.99</b>	<b>28,998.99</b>	<b>0.00</b>
<b>Total Liabilities</b>	<b>28,998.99</b>	<b>28,998.99</b>	<b>0.00</b>
<b>Total Other Current Liabilities</b>	<b>28,998.99</b>	<b>28,998.99</b>	<b>0.00</b>
<b>Total Current Liabilities</b>	<b>28,998.99</b>	<b>28,998.99</b>	<b>0.00</b>
<b>Total Liabilities</b>	<b>28,998.99</b>	<b>28,998.99</b>	<b>0.00</b>
Equity			
DRAW RIZZITANO	-69,675.82	-59,461.00	-10,214.82
Equity			
Member's Equity - RIZZITANO	500.00	500.00	0.00
Member's Equity - Rothrock	500.00	500.00	0.00
<b>Total Equity</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>0.00</b>
Retained Earnings	140,099.70	142,683.83	-2,584.13
Net Income	150,921.60	56,876.87	94,044.73
<b>Total Equity</b>	<b>222,345.48</b>	<b>141,099.70</b>	<b>81,245.78</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>251,344.47</b>	<b>170,098.69</b>	<b>81,245.78</b>

**US Power Trade LLC**  
**Profit & Loss**  
January through December 2023

	Jan - Dec 23	Jan - Dec 22	\$ Change
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Income</b>			
Commission Income	303,842.41	188,162.16	115,680.25
<b>Total Income</b>	303,842.41	188,162.16	115,680.25
<b>Total Income</b>	303,842.41	188,162.16	115,680.25
<b>Expense</b>			
<b>Expenses</b>			
Advertising & Promotion	6,404.97	4,596.50	1,808.47
Automobile Expense	5,595.91	9,708.13	-4,112.22
Commissions Paid	57,075.57	24,768.48	32,307.09
Computer & Internet	4,491.90	1,175.35	3,316.55
Depreciation	6,811.60	12,645.00	-5,833.40
Guaranteed Payments - RR	50,000.00	36,000.00	14,000.00
Insurance	0.00	3,730.00	-3,730.00
Licensing & Permits	11,269.62	5,432.96	5,836.66
Meals & Entertainment	397.49	3,416.63	-3,019.14
Office Supplies	1,835.39	7,711.11	-5,875.72
Postage & Delivery	356.52	355.00	1.52
Professional Fees	7,848.00	5,264.50	2,583.50
Rent Expense	13,854.92	14,576.94	-722.02
Telephone	759.90	757.00	2.90
Travel Expenses	6,044.22	583.00	5,461.22
Utilities	740.80	564.69	176.11
<b>Total Expenses</b>	173,486.81	131,285.29	42,201.52
<b>Total Expense</b>	173,486.81	131,285.29	42,201.52
<b>Net Ordinary Income</b>	130,355.60	56,876.87	73,478.73
<b>Other Income/Expense</b>			
<b>Other Income</b>			
Gain on sale of asset	20,566.00	0.00	20,566.00
<b>Total Other Income</b>	20,566.00	0.00	20,566.00
<b>Net Other Income</b>	20,566.00	0.00	20,566.00
<b>Net Income</b>	<b>150,921.60</b>	<b>56,876.87</b>	<b>94,044.73</b>



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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8/6/2024

Robert Rizzitano  
U.S. Power Trade LLC  
1636 North Cedar Crest Blvd, Suite 210  
Allentown Pa, 18104

[rrizzitano@uspowertrade.com](mailto:rrizzitano@uspowertrade.com)

RE: Security Requirement Bond for U.S. Power Trade LLC.

Dear Mr. Rizzitano,

Philadelphia Gas Works (“PGW”) is aware that U.S. Power Trade 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, U.S. Power Trade LLC must furnish acceptable security to each utility where U.S. Power Trade LLC will do business. As such, under its tariff, Philadelphia Gas Works could require U.S. Power Trade 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 U.S. Power Trade LLC, intends only to provide natural gas aggregating, brokering, and consulting services at this time. You have stated that in performing these services U.S. Power Trade LLC will never take title to any delivered natural gas.

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

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

Sincerely,

A handwritten signature in black ink that reads 'John C. Zuk'.

John Zuk (Aug 6, 2024 13:41 EDT)

JOHN C. ZUK  
Sr. Vice President, Gas Management

/dls



**peco**<sup>SM</sup>

AN EXELON COMPANY

August 20, 2024

Robert Rizzitano  
U.S. Power Trade, LLC  
1636 North Cedar Crest Boulevard  
Suite 210  
Allentown, PA 18104

Re: Bonding Requirements

Dear Robert Rizzitano:

PECO is aware that U.S. Power Trade, 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 U.S. Power Trade, LLC could be required to provide to PECO a bond or other acceptable financial security in an amount that PECO determines to be appropriate. U.S. Power Trade, 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 U.S. Power Trade, 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 U.S. Power Trade, LLC or the creditworthiness requirement for PECO's exposure to U.S. Power Trade, LLC changes in the future, PECO reserves the right to require U.S. Power Trade, 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](mailto:Wanda.Rucker@exeloncorp.com).

Respectfully submitted,

*Suzette Adams*

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