



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120

October 24, 2024

Docket No. A-2024-3051664
Utility Code: 1227486

CERTIFIED

ROBERT RIZZITANO
US POWER TRADE LLC
1636 N CEDAR CREST BLVD SUITE 210
ALLENTOWN PA 18104

RE: Natural Gas Supplier License Application

Dear Mr. Rizzitano:

On October 1, 2024, the Pennsylvania Public Utility Commission (Commission) received U.S. Power Trade LLC's Application for a Natural Gas Supplier (NGS) license. In order for us to complete our analysis of U.S. Power Trade LLC's NGS Application, the Commission's Energy Industry Group requires answers to the attached questions.

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

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

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

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

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

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

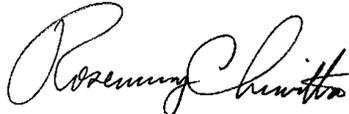
Signature _____
Title _____
Date _____

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

If U.S. Power Trade LLC has decided to withdraw its Application, please reply notifying the Commission of such a decision.

Finally, in order to expedite the Application review process, please send a copy of your response to Lee Yalcin at lyalcin@pa.gov. If any problems arise that prevent a full timely response or if any clarification of these data requests is needed, please contact Lee Yalcin of the Bureau of Technical Utility Services via e-mail at lyalcin@pa.gov (preferred) or (717) 787-6723.

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure

Docket No. A-2024-3051664
U.S. Power Trade LLC
Data Requests

1. Reference Application, Section 2.b, Formation Documents – Applicant failed to provide limited liability company formation documentation. Please provide the missing documentation. [Exhibit 1](#)
2. Reference Application, Section 3.c, - Please provide a valid Docket Number for the response. The Docket Number provided appears to be missing a digit.
[Exhibit 2](#)
3. Reference Application, Section 4.a – Applicant has indicated it currently operates in Pennsylvania as an EGS. Please indicate such as “other” in this section.
[Exhibit 3](#)
4. Reference Application, Section 7.b, Financial Fitness – Applicant provided minimal documentation to demonstrate financial fitness. Please provide additional financial fitness documentation that may include, two recent consecutive years of income tax filings, and three recent consecutive months of bank statements. [Coming via mail](#)
5. Reference Application, Section 7.d, Financial Fitness – Applicant failed to answer this question. Please provide an updated Application page with Section 7.d completed. [Exhibit 5](#)
6. Reference Application, Section 8.a, Technical Fitness – In Exhibit 4, the Applicant stated: “*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...*”

Please explain this statement. In particular, what is meant by “engaged multiple supplies” and what types of formal relationships, with what Board of Public Utilities. [Exhibit 6](#)

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Please explain this statement. In particular, what is meant by “engaged multiple supplies” and what types of formal relationships, with what Board of Public Utilities.

[Exhibit 6](#)

Exhibit 1 - Articles of Organization



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

NOVEMBER 16, 2012

0409029-2

INCorp SERVICES INC
901 S 2ND ST STE 201
SPRINGFIELD, IL 62704-0000

RE U.S. POWER TRADE LLC

DEAR SIR OR MADAM:

IT HAS BEEN OUR PLEASURE TO APPROVE YOUR REQUEST TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS. ENCLOSED PLEASE FIND THE APPROVED APPLICATION FOR ADMISSION.

PLEASE NOTE! THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF THIS MONTH OF QUALIFICATION NEXT YEAR. FAILURE TO TIMELY FILE WILL RESULT IN A \$300 PENALTY AND/OR REVOCATION. A PRE-PRINTED ANNUAL REPORT WILL BE MAILED TO THE REGISTERED AGENT AT THE ADDRESS ON OUR RECORDS APPROXIMATELY 45 DAYS BEFORE THE DUE DATE.

MANY OF OUR SERVICES ARE AVAILABLE AT OUR CONTINUOUSLY UPDATED WEBSITE. VISIT WWW.CYBERDRIVEILLINOIS.COM TO VIEW THE STATUS OF THIS COMPANY, PURCHASE A CERTIFICATE OF GOOD STANDING, OR EVEN FILE THE ANNUAL REPORT REFERRED TO IN THE EARLIER PARAGRAPH.

SINCERELY YOURS,

JESSE WHITE
SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY DIVISION
(217) 524-8008

Form **LLC-45.5**

May 2012

Secretary of State
 Department of Business Services
 Limited Liability Division
 501 S. Second St., Rm. 351
 Springfield, IL 62756
 217-524-8008
 www.cyberdriveillinois.com

Payment must be made by certified check, cashier's check, Illinois attorney's check, C.P.A.'s check or money order payable to Secretary of State.

Illinois
 Limited Liability Company Act
**Application for Admission to
 Transact Business**

SUBMIT IN DUPLICATE

Type or Print Clearly.

This space for use by Secretary of State.

Filing Fee: \$500

Penalty: \$

Approved: *JB*

FILE #

This space for use by Secretary of State.

FILED

NOV 16 2012

JESSE WHITE
SECRETARY OF STATE

1. Limited Liability Company Name: U.S. Power Trade LLC
2. Assumed Name: _____
 (This item is only applicable if the company name in Item 1 is not available for use in Illinois, in which case form LLC 1.20 must be completed and submitted with this application.)
3. Jurisdiction of Organization: Pennsylvania
4. Date of Organization: 05/29/2012
5. Period of Duration: perpetual
 (Enter Perpetual unless there is a Date of Dissolution provided in the agreement, in which case enter that date.)
6. Address of the Office required to be maintained in the jurisdiction of its organization or, if not required, of the Principal Place of Business: (P.O. Box alone or c/o is unacceptable.)
- 2454 Lakemont Dr
 Number Street Suite #
- Gibsonia PA 15044
 City, State ZIP Code
7. Registered Agent: Incorp Services Inc.
 First Name Middle Name Last Name
- Registered Office: 901 S. 2nd St. Ste 201
 (P.O. Box alone or c/o is unacceptable.) Number Street Suite #
- Springfield Illinois 62704
 City Zip Code
8. If applicable, Date on which Company first conducted business in Illinois: _____

(continued on back)

LLC-45.5

9. Purpose(s) for which the Company is Organized and Proposes to Conduct Business in Illinois: Energy Broker

10. The Limited Liability Company: (check one)

a. is managed by the **manager(s)** (List names and addresses.)

Robert Rizzitano, 2454 Lakemont Dr. Gibsonia PA 15044

Geno E. Jacobson, 384 Nolf Rd. Nazareth PA 18064

b. has management vested in the **members(s)** (List names and addresses.)

11. The Illinois Secretary of State is hereby appointed the agent of the Limited Liability Company for service of process under circumstances set forth in subsection (b) of Section 1-50 of the Illinois Limited Liability Company Act.

12. **This application is accompanied by a Certificate of Good Standing or Existence, duly authenticated within the last 60 days, by the officer of the state or county wherein the LLC is formed.**

13. The undersigned affirms, under penalties of perjury, having authority to sign hereto, that this application for admission to transact business is to the best of my knowledge and belief, true, correct and complete.

Dated: 11/6/12
Month, Day, Year

R. M. Rizzitano
Signature

Robert M. Rizzitano MGR
Name and Title (type or print)

If applicant is signing for a Company or other Entity, state Name of Company and indicate whether it is a member or manager of the LLC.

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 Robert Rizzitano		
Address 7535 Windsor Dr. STE 201		
City Allentown	State PA	Zip Code 18195

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	City	State	Zip	County
7535 Windsor Dr. STE 201	Allentown	PA	18195	Lehigh

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

PA DEPT. OF STATE
 MAY 29 2012

Exhibit 2

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-2018-3000760

Exhibit 3

U.S. Power Trade LLC is not presently doing business in Pennsylvania as a natural gas broker, but is presenting doing business in Pennsylvania as an electric broker. See below amended document.

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)
currently operating as an electric broker in Pennsylvania

RM
10-29-2024

OR

The Applicant is not presently doing business in Pennsylvania.

RM
10-29-24

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):

RM 10-29-2024

Exhibit 5

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.

We will be paid by the suppliers of natural gas to bring them customers.

RMR

10-29-2024

Exhibit 6

Reference Application, Section 8.a, Technical Fitness – In Exhibit 4, the Applicant stated: "They have engaged multiple suppliers who have formal relationships with the Board of Public Utilities and are properly licensed in the areas they would like to service..."

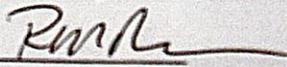
Please explain this statement. In particular, what is meant by "engaged multiple suppliers" and what types of formal relationships, with what Board of Public Utilities.

Answer: We (U.S. Power Trade, LLC) have engaged the supplier NRG who has a formal relationship with the Board of Public Utilities who is properly licensed in the areas U.S. Power Trade would like to service in.

Rm R

10-29-2024

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

Signature 

Title CEO

Date 10/29/2024