

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Enel X Advisory Services USA, LLC, d/b/a _____, for approval to offer, render, furnish, or supply natural gas supply services as a(n) broker 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:

Enel X Advisory Services USA, LLC
100 Brickstone Square
3rd Floor
Andover, MA 01810
617 224 9900
www.enelx.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.

Cogency Global Inc.
600 North 2nd Street. Harrisburg, PA 17101
T: 1-800-221-0102
F: 1-800-944-6607

- 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.

Adam Taranto, Sr Manager
100 Brickstone Square
Suite 300
Andover, MA 01810
adam.taranto@enel.com
T: +1978-502-3236
F: N/A

- 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.

Shaw Kaneyasu-Speck
100 Brickstone Square
Suite 300
Andover, MA 01810
T: 1-646-983-5900
F: N/A

- 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.

Primary:
Drew Munk
Manager of Customer Support Operations
100 Brickstone Square
Suite 300
Andover, MA 01810
T: 208-863-6369
F: N/A
drew.munk@enel.com

Alternate:
Jamie Carena
Senior Analyst, Customer Operations
100 Brickstone Square
Andover, MA 01810
Suite 300
T: 1 978 729 6934
F: N/A
Jamie.carena@enel.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.
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.
- Give name and address of officers.

Andrew Thomas, CEO, 100 Brickstone Square, Suite 300, Andover MA 01810

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.

Enel SpA

Enel North America, Inc.

Enel X North America, Inc.

Enel X Federal, LLC,

EnTech Utility Service Bureau, Inc.,

NYC Storage (353 Chester) SPE LLC,

Enel X Finance Partner, LLC,

Edgartown Depot Solar 1, LLC,

400 Manley Solar, LLC,

Enel X Wood St. Project, LLC,

Enel X Asputek Ave. Project, LLC,

Enel X Hayden Rowe St Project, LLC,

Enel X Morrissey Blvd. Project, LLC,

Enel X MA Holdings, LLC,

Enel X PR Holdings, LLC,

Enel X Project MP Holdings, LLC,

Enel X Project MP Sponsor, LLC,

Enel X MA PV Portfolio 1, LLC,

Enel X MA PV Portfolio 2, LLC,

Enel X MA PV Portfolio 3, LLC,

Enel X Las Piedras, LLC,

Enel X Arecibo, LLC,

Enel X Charge, LLC,

New York Distributed Storage Projects, LLC,

Enel X College Ave. Project, LLC,

Enel X Advisory Services North America, Inc.,

Enel X Advisory Services USA, LLC,

Enel Green Power North America, Inc.,

Enel Energy North America, LLC, And

Enel X Way USA, LLC.

- 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.

Enel X North America, Inc
100 Brickstone Square
Suite 300
Andover, MA 01810
Enelx.com
T: 617 224 9900

- 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.

Docket A-2015-2484489

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.

- X 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
- X Other. (Identify the nature of service being rendered)

Enel X Advisory Services USA acts as an energy consultant

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
- X Broker/Marketer engaged in the business of supplying natural gas services
 - X 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):

Enel X Advisory Services plans to serve as a Natural Gas Broker/Energy Consultant for Commercial and Industrial Customers in the state of Pennsylvania. Enel X Advisory Services will educate customers about the deregulated

electric markets in the state of Pennsylvania and explain to customers the options currently available to them regarding natural gas choice.

C. PROPOSED SERVICES: Describe in detail the natural gas supply services which the Applicant proposes to offer.

As an Energy Consultant in deregulated markets, our energy procurement solution helps businesses and institutions navigate complex energy markets and buy energy more cost-effectively. Enel X Advisory Services also enables businesses and institutions to procure the right mix of renewable energy for their facilities.

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 type="checkbox"/> Philadelphia Gas Works |
| <input type="checkbox"/> National Fuel Gas | <input type="checkbox"/> UGI Utilities – Gas Division |
| <input 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 | |

X All of the above

e. CUSTOMERS: Applicant proposes to provide services to:

- Residential Customers
- X Small Commercial Customers - (Less than 6,000 Mcf annually)
- X Large Commercial Customers - (6,000 Mcf or more annually)
- X 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.

The Applicant proposes to begin delivering services **immediately**.

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.

The applicant has no proceedings to list.

- 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.

The applicant has no actions or complaints to list.

- 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.

Not applicable

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.

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Columbia Gas of PA, Inc. Transport Support Services 290 W. Nationwide Blvd. Columbus, OH 43215 PH: 614.460.4980 e-mail: transportevaluations@nisource.com</p> | <p>National Fuel Gas Distribution Corp. Daniel Czechowicz, Director – Gas Supply Administration 6363 Main Street Williamsville, NY 14221 PH: 716.857.6917 e-mail: czechowiczd@natfuel.com</p> |
| <p>Peoples Natural Gas Company LLC – Peoples Natural Gas Division Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com</p> | <p>Peoples Natural Gas Company LLC – Peoples Gas Division Carol Scanlon 375 North Shore Drive Pittsburgh, PA 15212 PH: 412.208.6931 FAX: 412.208.6577 e-mail: Carol.Scanlon@peoples-gas.com</p> |
| <p>PECO Suzette Adams, Sr. Manager, Gas Supply and Transportation 2301 Market Street, S-18 Philadelphia, PA 19103 PH: 215.841.6467 Email: Suzette.Adams@exeloncorp.com</p> | <p>Philadelphia Gas Works Ryan Reeves, Director Supply Transportation & Control 800 West Montgomery Avenue Philadelphia, PA 19122 PH: 215.787.5103 email: pgwchoicesupply@pgworks.com</p> |
| <p>UGI Utilities, Inc. – Gas Division Sherry Epler 1 UGI Drive Denver, PA 17517 PH: 610.796.3447 Email: sepler@ugi.com</p> | <p>Valley Energy Inc. Ed Rogers 523 South Keystone Avenue Sayre, PA 18840-0340 PH: 570.888-9664 FAX: 570.888.6199 email: erogers@ctenterprises.org</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.

Enel X Advisory Services USA LLC will serve as a broker in the PA and not as a Natural gas supplier and therefore will not take title to Natural Gas. As such, there would be no applicable bonding requirements and Enel X Advisory Services USA LLC does not currently have a surety bond in place.

- 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.

Not applicable

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

Broker fees can be paid either directly via a monthly retainer fee structure, or via a per KWh/per DTh adder fee which would be paid by an awarded supplier. The fee structure will be stated clearly in customer agreements.

- 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.

Adam Taranto, Sr Manager
100 Brickstone Square
Suite 300
Andover, MA 01810
adam.taranto@enel.com
T: +1978-502-3236
F: N/A

- 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.

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

Enel X North America, Inc. (f.k.a. EnerNOC, Inc.) was founded as a New Hampshire Limited Liability Company (LLC) in December 2001 and subsequently incorporated as a Delaware corporation in June 2003. In August 2017, Enel X North America, Inc. was acquired by Enel Green Power North America, Inc., a subsidiary of Enel SpA, an Italian company. In January 2018, the ownership of Enel X North America, Inc. was transferred to Enel X International SrL, an Italian subsidiary of Enel SpA. In May of 2020, Enel X NA was transferred to Enel North America, Inc., a US subsidiary of Enel SpA. In November of 2022, Enel X North America's Advisory and UBM product lines were transferred to Enel X Advisory Services USA, LLC. Enel X Advisory Services USA LLC is a leading provider of energy procurement, utility bill management, and energy advisory services to commercial, industrial, and institutional customers.

Enel X Advisory Services is engaged in providing consulting services to commercial, industrial, and institutional customers to help them select the most appropriate natural gas and electricity purchasing strategy for their organization. In addition, Enel X Advisory Services provides its customers with a variety of analyses to inform their traditional and renewable procurement strategies as well as their management of utility bill services.

Enel X Advisory Services' agreement with its customers clearly states Enel X Advisory Services' Scope of Work for the customer, Enel X Advisory Services fees, and required notice, procedures, and fees associated with early termination. Enel X Advisory Services assigns each customer an account manager who is responsible for delivering services to the customer in accordance with the customer's contract. All customers will have full communication access to their Enel X Advisory Services account manager as well as Enel X Advisory Services' toll free 1-800 number if they need to speak with a manager regarding a complaint. All dually executed contracts are entered into Enel X Advisory Services Customer Relationship Management (CRM) system where key pieces of

information are entered to allow Enel X Advisory Services' accounting group to accurately bill customers. Enel X Advisory Services may bill customers' retainer or consulting fees on a monthly, quarterly, or annual basis. A fraction of Enel X Advisory Services' customers request that Enel X Advisory Services' consulting fees are loaded into the bids of competitive energy suppliers. In these situations, Enel X Advisory Services' fees are spelled out clearly in the Enel X Advisory Services' contract in a \$/Dth basis and Enel X Advisory Services relies on the competitive retail energy supplier to provide billing to the customer and remittances to Enel X Advisory Services of the Enel X Advisory Services' fee.

Enel X Advisory Services maintains internal controls regarding all customer complaints which are elevated to management. Enel X Advisory Services makes commercially reasonable efforts to address all customer complaints and disputes within the framework of contracts that are in place between Enel X Advisory Services and the customer.

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):

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.

The CEO and counsel of the Applicant will review all marketing materials prior to use and ensure employee compliance.

- 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.

Andrew Thomas, President and CEO

As Head of Customer Insights, Andrew is responsible for managing the day to day operational aspects of the advisory business in North America, including the P&L. In that capacity, he sets the strategic direction in North America in coordination with the leadership team, overseeing the implementation of the strategy and the delivery of advisory solutions, which span energy demand management, supply management, and time of use management.

Prior to joining the Enel X team through its acquisition of Enernoc in 2017, Andrew has held various leadership positions spanning market development, partnership development, operations, and product strategy roles. He was a key leader in World Energy's (acquired by Enernoc in 2015) growth from five employees through to its IPO, and in leading the evaluation and integration of several acquisitions, including its own by Enernoc. He has over twenty years of experience in the energy industry, across both demand-side and supply-side areas. Prior to his tenure at World Energy, Andrew worked at Xenergy Inc. (now DNV GL), helping to shape the competitive environment at the forefront of the retail electricity industry's deregulation.

Andrew graduated from Union College with a B.S. in Mechanical Engineering and received an MBA from Cornell University.

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.

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.

X 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 30th following the end of the calendar year per 52 Pa. Code § 62.110.

X 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.

X 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.

X 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.

X 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.

X 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.

X 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.

X 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.**

X 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: 
 By: Encl X Advisory Services, USA LLC
 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 is complete.

Applicant: Encl X Advisory Services USA, LLC

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

PUC Secretary's Bureau Use

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of Essex Massachusetts :

: ss.

County of Essex :

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

[He/she is the CEO (Office of Affiant) of Enel X Advisory Services USA, LLC]

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

That the Applicant herein Enel X Advisory Services USA, 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 Enel X Advisory Services USA, LLC has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein Enel X Advisory Services USA, 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 Enel X Advisory Services USA, 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.

CJT

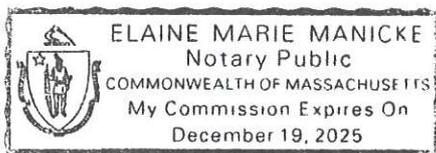
Signature of Affiant

Sworn and subscribed before me this 27 day of March, 2025.

[Signature]

Signature of official administering oath

My commission expires _____.



Appendix B

OPERATIONS AFFIDAVIT

[Commonwealth/State] of Massachusetts :

: ss.

County of Essex :

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

[He/she is the CEO (Office of Affiant) of Enel X Advisory Services USA, LLC (Name of Applicant);]

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

That Enel X Advisory Services USA, 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 Enel X Advisory Services USA, 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 Enel X Advisory Services USA, 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 Enel X Advisory Services USA, 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.



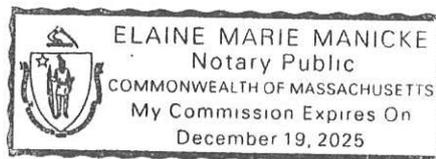
Signature of Affiant

Sworn and subscribed before me this 27 day of March, 2025.



Signature of official administering oath

My commission expires _____.



Appendix C

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

CERTIFICATE OF SERVICE TEMPLATE

On this the 27 day of March 2025, I 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:

Office of Consumer Advocate

5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

Office of Small Business Advocate

Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101

**Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement**

Commonwealth Keystone Building
400 North Street, 2 West
Harrisburg, PA 17120

National Fuel Gas Distribution Corp.

Daniel Czechowicz, Director – Gas Supply Administration
6363 Main Street
Williamsville, NY 14221
PH: 716.857.6917
e-mail: czechowiczd@natfuel.com

**Peoples Natural Gas Company LLC - Peoples Natural Gas
Division**

Carol Scanlon
375 North Shore Drive
Pittsburgh, PA 15212
PH: 412.208.6931
e-mail: Carol.Scanlon@peoples-gas.com

Philadelphia Gas Works

Ryan Reeves, Director Supply Transportation & Control
800 West Montgomery Avenue
Philadelphia, PA 19122
PH: 215.787.5103
email: pgwchoicesupply@pgworks.com

Valley Energy Inc.

Ed Rogers
523 South Keystone Avenue
Sayre, PA 18840-0340
PH: 570.888-9664
email: erogers@ctenterprises.org

**Office of the Attorney General
Bureau of Consumer Protection**

Strawberry Square, 14th Floor
Harrisburg, PA 17120

**Department of Revenue
Bureau of Compliance**

PO Box 281230
Harrisburg, PA 17128-1230

Columbia Gas of PA, Inc.

Transport Support Services
290 W. Nationwide Blvd.
Columbus, OH 43215
PH: 614.460.4980
e-mail: transportevaluations@nisource.com

PECO

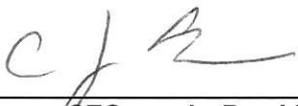
Suzette Adams, Sr. Manager, Gas Supply and
Transportation
2301 Market Street, S-18
Philadelphia, PA 19103
PH: 215.841.6467
Email: Suzette.Adams@exeloncorp.com

**Peoples Natural Gas Company LLC - Peoples Gas
Division**

Carol Scanlon
375 North Shore Drive
Pittsburgh, PA 15212
PH: 412.208.6931
e-mail: Carol.Scanlon@peoples-gas.com

UGI Utilities, Inc. – Gas Division

Sherry Epler
1 UGI Drive
Denver, PA 17517
PH: 610.796.3447
Email: sepler@ugi.com



Andrew Thomas, CEO and President Enel X
Advisory Services USA, LLC