



August 26, 2025

**VIA ELECTRONIC FILING**

Secretary Matthew L. Homsher, Esq.  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**Re: Application of Provision Power and Gas, LLC for Approval to Offer, Render, Furnish or Supply Electricity or Electric Generation Services as a Supplier in the Commonwealth of Pennsylvania; Docket No. A-2025-\_\_\_\_\_**

Dear Secretary Homsher:

On behalf of Provision Power and Gas, LLC, enclosed for electronic filing please find the Application for approval to provide service as a Supplier of Electricity or Electric Generation Services throughout the Commonwealth of Pennsylvania. This filing is submitted in accordance with the Commission's regulations governing natural gas suppliers, 52 Pa. Code § 54.31 et seq.

In accordance with the filing requirements:

- The completed and verified application is being e-filed with the Commission through the e-filing system.
- Confidential materials have been clearly labeled and will be submitted in a separate envelope via overnight delivery for filing under seal. **Provision Power and Gas, LLC respectfully requests that the Commission treat these materials as confidential and not subject to public disclosure.**
- A check in the amount of \$350.00, made payable to the Commonwealth of Pennsylvania, will be delivered via overnight mail as the required application filing fee.
- The signed Certificate of Service confirming service of the application and non-confidential attachments on all statutory agencies will also be submitted after docket number issuance and completion of service.

Please direct any questions or correspondence related to this application to the undersigned.

Sincerely,  
Laura Alter

Retail Energy Division GM  
Provision Power and Gas, LLC  
512-796-4927  
[laura@getprovision.com](mailto:laura@getprovision.com)

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of [Provision Power and Gas, LLC](#) for approval to offer, render, furnish, or supply electricity or electric generation 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 fictitious name or d/b/a*), primary address, web address, and telephone number of Applicant:

[Provision Power and Gas, LLC, 2305 E Cesar Chavez St, Austin, TX 78702.](#)

<https://www.getprovision.com> | 800-930-5427

- 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](#)

[Phone: 866-621-3524 | Fax: 866-621-3526](#)

- 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.

[Laura Alter](#)

[Retail Energy Division GM \(Interim\)](#)

[2305 E Cesar Chavez St](#)

[Austin, TX 78702](#)

[512-796-4927](#)

[866-593-9771](#)

[laura@carbonbetter.com](mailto:laura@carbonbetter.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.

[David M. DeSalle | Partner | Potomac Law Group, PLLC](#)

[1717 Pennsylvania Avenue, NW, Suite 1025](#)

[Washington, D.C. 20006](#)

[Tel: \(240\) 994-8830 | Fax: \(202\) 318-7707](#)

[ddealle@potomaclaw.com](mailto:ddealle@potomaclaw.com) | [www.potomaclaw.com](http://www.potomaclaw.com)

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS: (Required of ALL Applicants)** Provide the name, title, address, telephone number, FAX number, and e-mail OF THE PERSON AND AN ALTERNATE

**PERSON (2 REQUIRED)** responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

**Primary Contact:**

Yesterdae Sedwick  
Customer Operations Manager  
2305 E. Cesar Chavez St.  
Austin, TX 78702  
512-846-7097  
[compliance@carbonbetter.com](mailto:compliance@carbonbetter.com)  
Fax: 1-866-593-9771

**Secondary Contact:**

Scott Butler  
Retail Operations Manager  
2305 E. Cesar Chavez St.  
Austin, TX 78702  
512-846-7097  
[compliance@carbonbetter.com](mailto:compliance@carbonbetter.com)  
Fax: 1-866-593-9771

## 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**

**X** 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.

A copy of the Pennsylvania Foreign Registration Statement is attached as Exhibit A.

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

Applicant is organized in the State of Delaware. A copy of Delaware Certificate of Good Standing is attached as Exhibit B and charter documents are attached as CONFIDENTIAL Exhibit C.

- Give name and address of officers.

See CONFIDENTIAL Exhibit D.

### 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.

Provision Power and Gas, LLC is not affiliated with any jurisdictional public utilities. Applicant is wholly owned and operated by CarbonBetter, LLC, a wholesale energy trader and marketer located at 2305 E Cesar Chavez St., Austin, TX 78702, and does business in Pennsylvania.

In addition to Applicant, CarbonBetter, LLC wholly owns and operates the following subsidiaries and all operate from the same location noted above. None of these entities operate in Pennsylvania.

Energy 95, LLC  
CarbonBetter NA, LLC  
Tri Bought a Church, 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.

Provision Power and Gas, LLC  
2305 E Cesar Chavez St  
Austin, TX 78702  
<https://www.getprovision.com>  
512-846-7097

- 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 Number	Case Status	Date Filed
A-2018-2647604	Active	1/31/2018
A-2022-3037413	Closed	12/29/2022

### 4. OPERATIONS

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

Definitions

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

The Applicant is presently doing business in Pennsylvania as a

- municipal electric corporation
- electric cooperative
- local gas distribution company
- provider of electric generation, transmission or distribution services
- broker/marketer engaged in the business of supplying electricity services
- 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 (*may check multiple*):

- Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- Broker/Marketer engaged in the business of supplying electricity services
- Check here to verify that your organization will not be taking title to the electricity nor will you be making payments for customers.
- Electric Cooperative and supplier of electric power
- Other (Describe): [Concurrently by separate filing, Applicant is applying for a Natural Gas Supplier license in the Commonwealth of PA.](#)

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

[Applicant plans to offer electric generation supply services to residential customers throughout the Commonwealth, utilizing the jurisdictional facilities of electric distribution companies as detailed herein. Concurrent with this filing and in a separate docket, Applicant is also applying to provide natural gas supply services.](#)

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

- |                                             |                                        |
|---------------------------------------------|----------------------------------------|
| <input type="checkbox"/> Citizens' Electric | <input type="checkbox"/> Pike          |
| <input type="checkbox"/> Duquesne Light     | <input type="checkbox"/> PPL           |
| <input type="checkbox"/> Met-Ed             | <input type="checkbox"/> UGI Utilities |
| <input type="checkbox"/> PECO               | <input type="checkbox"/> Wellsboro     |
| <input type="checkbox"/> Penelec            | <input type="checkbox"/> West Penn     |
| <input type="checkbox"/> Penn Power         |                                        |

Entire Commonwealth of PA

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

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



Governmental Customers

All of above

Other (Describe):

Residential and Small Commercial Customers in a Mixed Meter Capacity -

This customer class reflects situations in which a large commercial, industrial, and/or governmental customer account also contains features of residential and/or small commercial customers. In this instance, the residential and/or small commercial portion must be an incidental portion of the larger account. **This customer class alone does not allow marketing targeted directly to residential and/or small commercial customers.** Further information may be found in the Requirements Applicable to Mixed Meter Scenarios Secretarial Letter served March 25, 2011, at Docket No. M-2009-2082042.

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

Applicant plans to actively market within the Commonwealth upon licensure by the PaPUC.

## 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.

Neither the applicant nor any people named in the Application have any criminal or civil proceedings to list for the past five years.

Note that Applicant previously conducted business in the Commonwealth pursuant to the license indicated in Section 3(c) above and remedied an incidence of late filing of the NGS Annual Revenue Report in 2021 per the Commission's Order entered June 17, 2021 in Docket No. M-2021-3023833.

In addition, Applicant appropriately sought and received Commission approval of its application to abandon its NGS License at Docket No. A-2018-2647604 per Secretarial Letter issued on February 1, 2023.

- b. **CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints, in the Commonwealth of Pennsylvania or any state, filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. **Applicant should also include if it had a Pennsylvania PUC EGS or NGS license previously cancelled by the Commission.** If the Applicant has no actions or complaints to list, explicitly state such.

Neither the applicant nor any people named in the Application have any formal or escalated actions or complaints to report.

- c. **SUMMARY:** Provide a statement as to the resolution or present status of any proceedings or actions listed above. Additionally, provide details of any actions the applicant has undertaken that will prevent the items listed above from occurring if licensed in Pennsylvania.

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 54.32(d) of the Commission's Regulations, 52 Pa. Code §§ 1.57, 1.58, and 54.32(d), provide proof of service of a signed and verified Application with attachments on the following:

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

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

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

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

Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1st Floor  
Harrisburg, PA 17101

- b. **EDCs:** Pursuant to Sections 1.57, 1.58, and 54.32(d) of the Commission's Regulations, 52 Pa. Code §§ 1.57, 1.58, and 54.32(d), provide Proof of Service of the Application and attachments upon each Electric Distribution Company the Applicant proposes to provide service in. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code § 5.14. Contact information for each EDC is as follows.

<p><b>Citizens' Electric Company:</b> Citizens' Electric Company Attn: EGS Coordination 1775 Industrial Boulevard Lewisburg, PA 17837</p>	<p><b>Duquesne Light Company:</b> Regulatory Affairs Duquesne Light Company 411 Seventh Street, MD 16-4 Pittsburgh, PA 15219</p>
<p><b>Met-Ed, Penelec, and Penn Power:</b> Legal Department First Energy 2800 Pottsville Pike Reading PA, 19612</p>	<p><b>PECO:</b> Manager Energy Acquisition PECO Energy Company 2301 Market Street Philadelphia, PA 19101-8699</p>

<p><b>Pike County Light &amp; Power Company:</b> Vice President – Energy Supply Corning Natural Gas Holding Corporation 330 West William Street Corning, NY 14830</p>	<p><b>PPL:</b> Office of General Counsel Attn: Kimberly A. Klock PPL Two North Ninth Street (GENTW3) Allentown, PA 18101-1179</p>
<p><b>UGI:</b> UGI Utilities, Inc. Attn: Rates Dept. – Choice Coordinator 1 UGI Drive Denver, PA 17517</p>	<p><b>Wellsboro Electric Company:</b> Wellsboro Electric Company Attn: EGS Coordination 33 Austin Street P. O. Box 138 Wellsboro, PA 16901</p>
<p><b>West Penn Power:</b> Legal Department West Penn Power d/b/a Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15601-1689</p>	

[See Exhibit E.](#)

## 7. FINANCIAL FITNESS

a. **FINANCIAL SECURITY:** In accordance with 66 Pa.C.S. § 2809(c)(1)(i) and 52 Pa. Code § 54.40(a), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

Furnishing the **ORIGINAL** of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.

Furnishing the **ORIGINAL** of another initial security for Commission approval, to ensure financial responsibility, such as a parental guarantee, in the amount of \$250,000.

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

See [CONFIDENTIAL Exhibit F](#).

### **CRITICAL BONDING NOTES:**

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

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

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

**b. FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published Applicant or parent company financial and credit information (i.e. 10Q or 10K) (SEC/EDGAR web addresses are sufficient)
- Applicant's accounting statements, including balance sheet and income statements for the past two years.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form, evidence of Moody's, S&P, or Fitch ratings, and/or other independent financial service reports.
- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements exhibiting accounts over a minimum two-year period.
- Bank account statements (3-12 recent consecutive months), tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

See CONFIDENTIAL Exhibit G.

**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.

As a well-established supplier operating for over ten years, the Applicant funds its operations from working capital and revenue from operations. In addition, per the separately provided Credit Agreement, which has been provided in CONFIDENTIAL Exhibit H, Applicant has access in its sole and absolute discretion the credit amount listed in the Confidential exhibit.

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

Not applicable.

**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.

Tri Vo, President  
2305 E Cesar Chavez St.  
Austin, TX 78702  
Phone: 915-867-5109  
Fax: 866-593-9771  
tri@carbonbetter.com

**f. TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix I to this application.

All sections of the Tax Certification Statement must be completed. Submitting N/A on either the Sales Tax License Number or the Employer ID Number (items 7A and 7B) shall be accompanied by supporting documentation or an explanation validating the absence of such information.

Item 7A on the Tax Certification Statement is designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.

See CONFIDENTIAL Exhibit I.

## 8. TECHNICAL FITNESS:

To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

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

- Applicant's previous experience in the electricity industry.
- Summary and proof of licenses as a supplier of electric services in other states or jurisdictions.
- Type of customers and number of customers Applicant currently serves in other jurisdictions.
- Staffing structure and numbers as well as employee training commitments.
- Business plans for operations within the Commonwealth.
- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.
- Any other information appropriate to ensure the technical capabilities of the Applicant.

See Exhibits J and K.

b. **PROPOSED MARKETING METHOD** (check all that apply)

- Internal – Applicant will use its own internal resources/employees for marketing
- External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- Other (Describe):

c. **DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes
- No

If yes, will the Applicant be using verification procedures?

- Yes

No

If yes, describe the Applicant's verification procedures.

[See Exhibit L.](#)

- 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.

[See Exhibit M.](#)

- 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.

[See Exhibit N.](#)

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

Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.

Received approval from FERC to be a Power Marketer at Docket or Case Number ER17-21-000.

Not applicable

## 9. **DISCLOSURE STATEMENTS:**

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

- Electricity should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

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

[See Exhibit O.](#)

## 10. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

- a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:
- proof of registration as a PJM Load Serving Entity (LSE), or
  - proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

See Exhibit P.

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

*(Select only one of the following)*

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

- b. **STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43, as well as any future amendments.

**AGREED**

- c. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:
- **Retail Electricity Choice Activity Reports:** The regulations at 52 Pa. Code §§ 54.201--54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be downloaded from the PUC's internet web site.
  - **Reports of Gross Receipts:** Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
  - The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.

- Net Metering Reports: Applicant shall be responsible to report any Net Metering per the Standards on [http://www.puc.pa.gov/consumer\\_info/electricity/alternative\\_energy.aspx](http://www.puc.pa.gov/consumer_info/electricity/alternative_energy.aspx). Scroll down to the Net Metering Standards Section.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis per 52 Pa. Code § 54.39(b)(4).
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 of the Public Utility Code, 66 Pa.C.S. Chapt. 28, pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

**X**      AGREED

- d. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa.C.S. § 2809(D) and 52 Pa. Code § 54.41(a). Transferee will be required to file the appropriate licensing application.

**X**      AGREED

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

**X**      ACKNOWLEDGED

- f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

**X**      AGREED

- g. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa.C.S. §§ 4902, 4903, and 4904, relating to perjury and falsification in official matters.

**X**      AGREED

- h. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within 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 § 54.34.

**X**      AGREED

- i. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

AGREED

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

AGREED

- k. **FILING FEE:** The Applicant has enclosed or paid the required, non-refundable filing fee by **CERTIFIED CHECK OR MONEY ORDER** in the amount of **\$350.00** payable to the Commonwealth of Pennsylvania. The Commission does not accept corporate or personal checks for filing fees.

Sent via overnight mail with a hard copy of the application.

## 11. AFFIDAVITS

**Must be notarized before filing.**

- a. **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

[See Exhibit Q.](#)

- b. **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

[See Exhibit R.](#)

## 12. NEWSPAPER PUBLICATIONS

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

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

[See Exhibit S.](#)

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. The newspapers in which proof of publication are required is dependent on the service territories the applicant is proposing to serve.

The chart below dictates which newspapers are necessary for each EDC. For example, an applicant that wants to operate in Penn Power would need to run ads in both The Erie Times-News and the Pittsburgh Post-Gazette. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

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

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

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

13. SIGNATURE

Applicant: PROVISION POWER AND GAS, LLC

By:  \_\_\_\_\_

Title: RETAIL ENERGY DIVISION GM

## 14. CHECKLIST

For the applicant's convenience, please use the following checklist to ensure all relevant sections are complete. The Commission Secretary's Bureau will not accept an application unless each of the following sections are complete.

### Applicant: Provision Power and Gas, LLC

	<b>Signature</b>	
<i>Overnight Mail</i>	<b>Filing Fee (CERTIFIED CHECK OR MONEY ORDER ONLY)</b>	
<i>Included</i>	<b>Application Affidavit</b>	
<i>Included</i>	<b>Operations Affidavit</b>	
<i>Overnight Mail</i>	<b>Bond, Letter of Credit, or Parental/Affiliate Guarantee</b>	
<i>Overnight Mail</i>	<b>Tax Certification Statement</b>	
<i>Included</i>	<b>Commonwealth Department of State Verification</b>	
<i>To be eFiled Upon Completion</i>	<b>Certificate of Service</b>	

Applicant's Use

PUC Secretary's Bureau Use

# Exhibit A

## 2.b. PENNSYLVANIA FOREIGN REGISTRATION STATEMENT

# 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](http://dos.pa.gov/BusinessCharities)

Regarding: PROVISION POWER AND GAS, LLC  
Request Type: Certificate of Registration Issuance Date: April 24, 2025  
Request No.: 055396731 File No: 0006602819  
Receipt No.: 1624581  
Filing Type: Foreign Limited Liability Company  
Filing Subtype: Limited Liability Company  
Initial Filing Date: September 07, 2017  
Status: Active

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT

PROVISION POWER AND GAS, LLC

is a foreign association duly registered to do business in this Commonwealth as of the issuance date herein.

I DO FURTHER CERTIFY THAT this Certificate of Registration shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of my office to be affixed, the day and year above written.

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)

PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

<input type="checkbox"/> Return document by mail to:  <b>PENNCORP</b> 56144 <b>SERVICEGROUP</b> <b>COUNTER PICK-UP</b>  de	Foreign Registration Statement DSCB:15-412  TCO170908JD0102
<input type="checkbox"/> Return document by email to: _____	

Read all instructions prior to completing. This form may be submitted online at <https://www.corporations.pa.gov/>.

Fee: \$250  I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. § 412 (relating to foreign registration statement), the undersigned foreign association hereby states that:

1. The type of association is (check only one):

- |                                                               |                                                                  |                                                   |
|---------------------------------------------------------------|------------------------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> Business Corporation                 | <input type="checkbox"/> Limited Partnership                     | <input type="checkbox"/> Business Trust           |
| <input type="checkbox"/> Nonprofit Corporation                | <input type="checkbox"/> Limited Liability (General) Partnership | <input type="checkbox"/> Professional Association |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Liability Limited Partnership   |                                                   |

2. The full and proper name of the foreign association as registered in its jurisdiction of formation is:

PROVISION POWER AND GAS, LLC

2A. If the name in 2 does not contain a required designator or if the name in 2 is not available for use in the Commonwealth, the alternate name under which the association is registering in this Commonwealth is:

3. The jurisdiction of formation is: Delaware

4. The street and mailing address of the association's principal office.

813 Springdale Rd, Austin, TX 78702

Number and street City State Zip

4A. The street and mailing address of the office, if any, required to be maintained by the law of the association's jurisdiction of formation in that jurisdiction:

850 NEW BURTON ROAD SUITE 201 DOVER, DE 19904

Number and street City State Zip

2017 SEP -7 PM 3: 45

PA. DEPT. OF STATE

5. The (a) address of the association's proposed registered office in this Commonwealth or (b) name of its Commercial Registered Office Provider and the county of venue is:

Complete part (a) OR (b) – not both:

(a) \_\_\_\_\_  
 Number and street City State Zip County

OR

(b) c/o: COGENCY GLOBAL INC. Dauphin  
 Name of Commercial Registered Office Provider County

6. Check one of the following:

- The association may not have series.
- The association may have one or more series.

7. Effective date of registration of foreign association (check, and if appropriate complete, one of the following):

- The Foreign Registration Statement shall be effective upon filing in the Department of State.
- The Foreign Registration Statement shall be effective on: \_\_\_\_\_ at \_\_\_\_\_  
 Date (MM/DD/YYYY) Hour (if any)

8. To be completed by Limited Liability Companies only. Check, and if appropriate complete, one of the following:

- The association is a limited liability company which is not organized to render any of the below professional service(s).
- The association is a restricted professional limited liability company organized to render one or more of the following professional service(s): (If this box is checked, one or more of the fields below must be checked.)

- |                                       |                                                           |                                             |                                               |
|---------------------------------------|-----------------------------------------------------------|---------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> Chiropractic | <input type="checkbox"/> Dentistry                        | <input type="checkbox"/> Law                | <input type="checkbox"/> Medicine and surgery |
| <input type="checkbox"/> Optometry    | <input type="checkbox"/> Osteopathic medicine and surgery | <input type="checkbox"/> Podiatric medicine | <input type="checkbox"/> Public accounting    |
| <input type="checkbox"/> Psychology   | <input type="checkbox"/> Veterinary medicine              |                                             |                                               |

IN TESTIMONY WHEREOF, the undersigned association has caused this Foreign Registration Statement to be signed by a duly authorized representative thereof this 6 day of September, 2017.

PROVISION POWER AND GAS, LLC

Name of Association



Signature

Tri Vo, President

Title

# Exhibit B

## 2.b. DELAWARE CERTIFICATE OF GOOD STANDING

# Delaware

Page 1

The First State

I, CHARUNI PATIBANDA-SANCHEZ, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "PROVISION POWER AND GAS, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FOURTH DAY OF APRIL, A.D. 2025.



*C. P. Sanchez*

Charuni Patibanda-Sanchez, Secretary of State

Authentication: 203529010

Date: 04-24-25

5586217 8300

SR# 20251754093

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

**CONFIDENTIAL**

## Exhibit C

2.b. FORMATION DOCUMENTS

**CONFIDENTIAL**

## Exhibit D

2.b. NAME & ADDRESS OF OFFICERS

# Exhibit E

## 6. PROOF OF SERVICE

*A signed Certificate of Service will be filed with the Commission upon completion of service to the required agencies.*

*Service will be completed following issuance of the docket number associated with this application.*

# CONFIDENTIAL

## Exhibit F

### 7.a. FINANCIAL SECURITY

*The original financial security instrument has been submitted to the Commission via overnight delivery under separate cover.*

*In accordance with Commission procedures, this document is not included in the e-filed application, and no copies are attached here.*

**CONFIDENTIAL**

## Exhibit G

7.b. FINANCIAL RECORDS,  
STATEMENTS, AND RATINGS

**CONFIDENTIAL**

# Exhibit H

7.c. CREDIT AGREEMENT

**CONFIDENTIAL**

**Exhibit I**

**7.f. TAX CERTIFICATION STATEMENT**

# Exhibit J

## 8.a. EXPERIENCE, PLAN, STRUCTURE

Provision Power and Gas, LLC submits the following detailed information demonstrating our technical capability, operational readiness, and proven industry experience to reliably supply electricity generation services within the Commonwealth of Pennsylvania.

## Previous Experience in the Electricity Industry

Provision Power and Gas, LLC has provided electricity supply and related energy services continuously for approximately nine years. Our relevant industry experience includes:

- Serving as an electric generation supplier (EGS) in Ohio since 2016.
- Managing an annual electric load averaging 65 GWh/year.
- Successful participation in energy markets and wholesale procurement through PJM Interconnection.

### **Additional highlights of Provision Power and Gas, LLC's electric industry experience include:**

- Serving power to tens of thousands of retail and small commercial customers over the last nine years across Ohio.
- Proven track record in reliable electricity procurement and risk management.
- Demonstrated consistent regulatory compliance in existing retail markets over more than a decade of retail operations.
- Since 2020, all electricity supplied by Provision Power and Gas, LLC to direct retail customers is 100% offset by Renewable Energy Certificates (RECs) in addition to planting trees, demonstrating our commitment to sustainability and environmental stewardship.
- Regularly featuring stories on our blog highlighting the renewable energy projects supported by our REC purchases.

## Summary and Proof of Licenses in Other Jurisdictions

Provision Power and Gas, LLC currently holds active supplier licenses in the following jurisdictions. See Exhibit H for copies of licenses.

<b>State</b>	<b>Entity</b>	<b>Commodity</b>	<b>Docket or Case</b>	<b>Status</b>
OH	Provision Power & Gas LLC	Gas	16-1513-GA-CRS	Active
OH	Provision Power & Gas LLC	Electric	16-1038-EL-CRS	Active
MI	Provision Power & Gas, LLC	Gas	U-17733	Active

## Type and Number of Customers Served in Other Jurisdictions

Currently, Provision Power and Gas, LLC provides electricity supply services to over 10,000 residential and small commercial customers in Ohio.

---

## Staffing Structure and Employee Training Commitments

Provision Power and Gas, LLC has an experienced team with expertise in retail energy operations, compliance, and customer management. Our team includes:

- Executive and management professionals overseeing operations, compliance, and strategy.
- Customer service and quality control representatives to address consumer inquiries and issues.
- Sales and marketing representatives who receive training on regulatory compliance and consumer protection.
- Regulatory compliance specialists ensure ongoing adherence to local and federal regulations.

**Training commitments include:**

- Comprehensive training programs emphasizing compliance with applicable Pennsylvania Public Utility Commission (PAPUC) regulations relevant to Electric Generation Suppliers (EGS), including but not limited to:
  - **52 Pa. Code Chapter 54** (*Electricity Generation Customer Choice*)
  - **52 Pa. Code Chapter 111** (*Marketing and Sales Practices for the Retail Residential Energy Market*)
- Routine compliance audits and internal training refreshers to reinforce regulatory adherence.
- New employee onboarding processes include initial regulatory training and periodic assessments to ensure ongoing employee understanding and compliance.

*See the resumes of key officers and employees in Exhibit M.*

---

## Business Plans for Operations Within the Commonwealth

Provision Power and Gas, LLC plans to enter the Pennsylvania electricity market with a structured, phased approach that prioritizes compliance, reliability, and customer satisfaction.

### Initial Market Entry

Provision Power and Gas, LLC will initially enter the market by focusing on the southeastern region of Pennsylvania, marketing to residential and small commercial customer segments. The densely populated areas of this region provide opportunities to efficiently establish operations, build brand presence, and refine processes before gradually expanding statewide.

### Supply Strategy

Provision Power and Gas, LLC utilizes an experienced energy logistics team within its parent company, CarbonBetter, which is responsible for all procurement, management, and scheduling of electricity supply. Through this team, we participate in the PJM wholesale markets, maintain relationships with established market counterparties, and apply rigorous market analysis and risk management practices to secure competitive and stable pricing for customers.

### Marketing and Customer Acquisition

Provision Power and Gas, LLC employs a multi-channel marketing and customer acquisition approach compliant with PAPUC, state, and federal regulations. Channels include door-to-door sales, telemarketing campaigns, and digital marketing initiatives (such as targeted online advertising and email outreach).

All customer enrollments are independently verified through a third-party verification (TPV) service provided by TPV360, ensuring clear, compliant customer consent.

Our quality assurance (QA) processes include:

- Reviewing every customer enrollment for compliance and accuracy.
- Conducting welcome calls to all new customers to verify satisfaction and resolve any immediate questions.
- Rapid feedback loops for issue resolution, continuously communicating with sales teams to promptly address customer concerns and improve performance through targeted retraining and corrective feedback.

## **Growth and Expansion Plan**

Provision Power and Gas, LLC's strategic growth plan begins in southeastern Pennsylvania, targeting residential and small commercial customer segments. Following successful establishment in initial markets, operations will systematically expand statewide, prioritizing densely populated regions first.

Expansion will be structured in quarterly or semi-annual waves, with each wave focusing on specific utility territories. The timing and sequencing of each new market territory will be flexible, guided by operational readiness assessments, market analysis, and ongoing performance evaluations.

## **Customer Service and Compliance**

Provision Power and Gas, LLC ensures consistent compliance and customer satisfaction through a skilled and experienced Customer Care team dedicated to direct customer support and rigorous quality assurance oversight.

Our customer care and compliance programs include:

- Systematic monitoring of sales team performance across all marketing channels, emphasizing customer satisfaction, regulatory compliance, and ethical practices.
- Continuous quality assurance processes, including routine audits, team and agent feedback mechanisms, retraining programs, and clearly defined corrective actions to promptly address identified performance issues.
- Structured, proactive customer communications to foster transparency, responsiveness, and trust, ensuring high customer retention and satisfaction.

## **Membership Documentation in Reliability Councils and Certifications**

Provision Power and Gas, LLC maintains active membership in PJM Interconnection as a Load Serving entity (LSE). See Exhibit O for proof of registration.

# Exhibit K

## 8.a. PROOF OF LICENSES

## **Competitive Retail Natural Gas Service Provider or Governmental Aggregator Certificate**

Certified Entity:

Provision Power & Gas LLC

DBA: Provision

2305 E Cesar Chavez Street

Austin, TX 78702

Certificate Number: **16-539G**

**Effective Date: September 30, 2024**

**Expiration Date: September 30, 2026**

Issued Pursuant to Case Number(s):

**16-1513-GA-CRS**

The above-referenced entity is hereby certified to provide competitive retail natural gas Retail Natural Gas Marketer services within the State of Ohio.

The certification of competitive retail natural gas service providers is governed by Chapters 4901:1-27, 4901:1-28, and 4901:1-29 of the Ohio Administrative Code, and Section 4929.20 of the Ohio Revised Code. This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met.

The certified entity is subject to all rules and regulations of the Public Utilities Commission of Ohio now existing or hereafter promulgated.

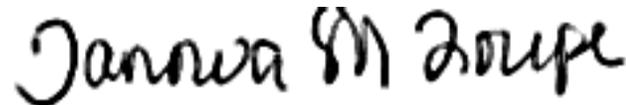
Witness the seal of the Commission affixed at Columbus, Ohio.

Dated: **30 day of September, 2024.**



By Order of

The Public Utilities Commission of Ohio

A handwritten signature in black ink that reads "Tanowa M Troupe".

Tanowa M. Troupe, Secretary

Michelle Green, Acting Secretary

Brian James, Acting Secretary

Susan Patterson, Acting Secretary

### **Commissioners**

Daniel R. Conway

Dennis P. Deters

Lawrence K. Friedeman

John D. Williams

180 East Broad Street

Columbus, OH 43215 U.S.A.

800 | 686 7826

PUCO.Ohio.gov

## Competitive Retail Electric Service Provider Certificate

Certified Entity:  
Provision Power & Gas LLC  
DBA: Provision  
2305 E Cesar Chavez Street  
Austin, TX 78702

Certificate Number: **16-1085E**

**Effective Date: July 28, 2024**

**Expiration Date: July 28, 2026**

Issued Pursuant to Case Number(s):

**16-1038-EL-CRS**

The above referenced entity is hereby certified to provide competitive retail electric **Power Marketer** services within the State of Ohio.

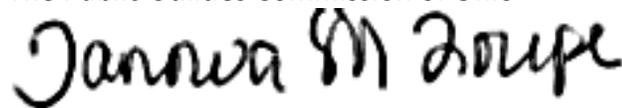
The certification of competitive retail electric service providers is governed by Chapters 4901:1-24 and 4901:1-21 of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code. This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met. The certified entity is subject to all rules and regulations of the Public Utilities Commission of Ohio now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio.

Dated: **28 day of July, 2024.**



By Order of  
The Public Utilities Commission of Ohio

A handwritten signature in black ink that reads "Tanowa M. Troupe".

Tanowa M. Troupe, Secretary  
Michelle Green, Acting Secretary  
Susan Patterson, Acting Secretary



*Michigan Public Service Commission*

**Rick Snyder, Governor**

**Mike Zimmer, LARA Director**

**John D. Quackenbush, Chairman**

**Greg R. White, Commissioner**

**Sally Talberg, Commissioner**

**Contact: Judy Palnau**

**517.284-8300**

[www.michigan.gov/lara](http://www.michigan.gov/lara)

[www.michigan.gov/mpsc](http://www.michigan.gov/mpsc)

**Email: [mediainfo@michigan.gov](mailto:mediainfo@michigan.gov)**

## **MPSC Grants Alternative Gas Supplier License to Provision Power & Gas, LLC**

**February 12, 2015** – The Michigan Public Service Commission (MPSC) today granted a license to Provision Power & Gas, LLC as an alternative gas supplier (AGS).

The company, which applied for the license on Oct. 16, 2014, is a start-up retail entity and is a privately-held, wholly-owned subsidiary of Elevation Energy Group, LLC, which is headquartered in Austin, Texas. It has established an office in Lansing, Mich.

The MPSC determined that the company's application is in the public interest and that by granting this request for a license, opportunities for competition may expand. The Commission conditioned the license on compliance with all applicable provisions of Public Act 634 of 2002, the Commission's orders and administrative rules, and each of the delivering natural gas utilities' tariffs. Failure to comply with any of these provisions may result in revocation of the license or other penalties.

The MPSC is an agency within the Department of Licensing and Regulatory Affairs.

Case No. U-17733

For more information about LARA, please visit [www.michigan.gov/lara](http://www.michigan.gov/lara). Follow us on Twitter [www.twitter.com/michiganLARA](http://www.twitter.com/michiganLARA), "Like" us on Facebook or find us on YouTube [www.youtube.com/michiganLARA](http://www.youtube.com/michiganLARA).

###

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\*\*\*\*\*

In the matter of the application of	)	
<b>PROVISON POWER &amp; GAS, LLC,</b>	)	Case No. U-17733
for a license as an alternative gas supplier.	)	
_____	)	

At the February 12, 2015 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman  
Hon. Greg R. White, Commissioner  
Hon. Sally A. Talberg, Commissioner

**ORDER GRANTING LICENSE**

On October 16, 2014, Provision Power & Gas, LLC (Provision), applied for a license to operate as an alternative gas supplier (AGS) within Michigan pursuant to 2002 PA 634, MCL 460.9 *et seq.* (Act 634). As part of its application, Provision provided information to demonstrate compliance with the AGS license requirements under Act 634 and under the Commission's March 12, 2003 order in Case No. U-13694 (March 12 order). That order established the AGS licensing procedure.

Act 634 requires an AGS to have the necessary financial, managerial, and technical capabilities to serve customers within the state of Michigan. The act also requires an AGS to maintain an office within the state. In accordance with the March 12 order, the Commission Staff (Staff) must review the application of the AGS for conformance with Act 634 and with the

Commission's orders. The Staff then must recommend appropriate action regarding the application to the Commission.

The Staff reviewed Provision's license application, as well as the information the company submitted, and has recommended this company be granted a license to operate as an AGS in Michigan.

The application shows that Provision is a start-up retail entity and is a privately held wholly-owned subsidiary of Elevation Energy Group, LLC. Provision was organized in Delaware on August 29, 2014, is headquartered in Austin, Texas, and was registered with the Michigan Corporations Division on September 9, 2014, ID Number E9019U.

The Staff reviewed Provision's personnel descriptions and histories, and observes that their key personnel have 15 combined years of experience in the energy industry including experience managing and overseeing operations, marketing, sales, and customer service. Provision will respond to customer inquiries and complaints during regular business hours in a timely manner. Based on its review, the Staff has determined that Provision is well qualified with sufficient experience and ability to serve customers in Michigan's Gas Customer Choice Program.

Based upon the information provided by Provision and the recommendation of the Staff, the Commission finds that Provision possesses the appropriate managerial and technical capabilities to serve customers within the state of Michigan.

Provision has provided the Staff with a letter of credit in the amount of \$100,000. Based on its review of the confidential financial documents and the satisfied letter of credit requirement, the Staff determined that Provision's financial capabilities and availability meet Act 634 requirements. The Commission agrees.

Act 634 requires Provision to maintain an office within the state of Michigan. Provision has an established office in Lansing, Michigan. The Staff determined that Provision has met the office requirements for licensing. The Commission agrees.

Based upon the submissions by Provision and the Staff's review, the Commission finds that Provision's request to be licensed as an AGS is reasonable and in the public interest, and that it should be approved. However, the grant of the license is conditioned upon compliance with all of the applicable provisions of Act 634, the Commission's orders and administrative rules, and each of the delivering natural gas utilities' tariffs. Failure to comply with any of these provisions may result in revocation of the license or other penalties.

THEREFORE, IT IS ORDERED that:

- A. Provision Power & Gas, LLC, is granted a license as an alternative gas supplier.
- B. Provision Power & Gas, LLC, shall comply with the regulatory requirements specified in 2002 PA 634, MCL 460.9 *et seq.*, the Commission's orders and administrative rules approved by the Commission, and each of the delivering natural gas utilities' tariffs.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26.

MICHIGAN PUBLIC SERVICE COMMISSION

---

John D. Quackenbush, Chairman

---

Greg R. White, Commissioner

---

Sally A. Talberg, Commissioner

By its action of February 12, 2015.

---

Mary Jo Kunkle, Executive Secretary

# Exhibit L

## 8.c. VERIFICATION PROCEDURES

## Applicant's Verification Procedures

Provision Power and Gas, LLC utilizes TPV360, an established third-party verification (TPV) provider, to independently confirm customer enrollment decisions and ensure compliance with all applicable regulations, including the standards set forth by the PAPUC.

Our verification procedures using TPV360 are as follows:

**1. Independent Verification:**

- Immediately following customer agreement to enroll in face-to-face and telephonic interactions, TPV360 independently contacts the customer to confirm their intent clearly and explicitly.

**2. Compliance with PAPUC Regulations:**

- All verification interactions strictly adhere to PAPUC regulatory requirements as outlined in 52 Pa. Code §§ 54.5, 111.7, and 111.11, ensuring clarity, consumer protection, transparency, and proper verification of customer enrollments.

**3. Script and Disclosure Requirements:**

- The verification scripts, developed in coordination with TPV360, include clear, standardized disclosures that ensure customers fully understand key enrollment terms, such as product pricing, the length of the agreement, cancellation rights, and their right to rescind.

**4. Recording and Auditability:**

- All verification interactions are digitally and securely stored and made readily available for auditing and regulatory inspection as required by PAPUC guidelines.

**5. Quality Control and Auditing:**

- Provision Power and Gas, LLC regularly reviews stored TPV interactions on a random sampling basis to proactively identify, address, and rectify any compliance issues promptly.
- Additionally, TPV360 provides comprehensive reporting and analysis of verification outcomes, allowing continuous improvement of marketing and enrollment processes.

**6. Corrective Action Procedures:**

- Should any deficiencies or compliance violations be identified, Provision Power and Gas, LLC immediately initiates corrective actions including retraining, disciplinary measures, or termination of agents or subcontractors as appropriate, maintaining adherence to strict ethical and regulatory standards.

By partnering with TPV360, Provision Power and Gas, LLC ensures consistent, compliant, and transparent verification of customer enrollments, reinforcing consumer protection and confidence in our services.

# Exhibit M

## 8.d. OVERSIGHT OF MARKETING

Provision Power and Gas, LLC is committed to ensuring that all marketing activities—whether conducted by employees, affiliates, agents, brokers, or subcontractors—are performed ethically, transparently, and in full compliance with applicable Pennsylvania Public Utility Commission (PAPUC) regulations and internal standards.

## Regulatory Compliance and Training

All individuals involved in marketing activities will receive comprehensive, mandatory training covering:

- PAPUC regulations governing marketing and solicitation (52 Pa. Code §§ 54.5, 111.5–111.12).
- Ethical business practices, consumer protections, and transparency standards.
- Accurate representation of Provision Power and Gas, LLC's products, services, rates, terms, and conditions.

Specifically emphasized in training:

- Display and identification requirements (presentation of photo ID identifying the representative's affiliation with Provision Power and Gas, LLC).
- Providing written disclosure documents (including Terms & Conditions and Disclosure Statements).
- Clear communication about the representative's identity as an independent marketer and the continuing role of the local utility (including emergency response and billing).
- Immediate availability of written product/service information and clear contact information for customer inquiries and complaints.
- Language and accessibility procedures to ensure understanding by non-English-speaking customers or customers requiring assistance.

## Supervision and Initial Field Oversight

Provision Power and Gas, LLC implements direct, structured oversight mechanisms:

- **Initial Supervision:** New sales representatives are required to conduct initial marketing activities under direct supervision to ensure adherence to company standards and PAPUC regulations.
- **Field Supervision:** All marketing teams are overseen by designated Team Supervisors readily available to address any immediate concerns or compliance questions in real-time.

## Third-Party Verification (TPV)

Provision Power and Gas, LLC employs rigorous third-party verification processes to independently confirm and document customer enrollment decisions:

- TPV processes (e.g., through TPV360 or equivalent systems) will independently verify customer intent in strict adherence to 52 Pa. Code §§ 111.7 and 111.11.
- All verification interactions are digitally and securely stored, and regularly audited for compliance purposes.
- Scripts used during TPV are reviewed, revised, and approved internally to ensure clarity, compliance, and consumer protection.

## Quality Control, Auditing, and Corrective Actions

To proactively enforce ethical marketing standards, Provision Power and Gas, LLC conducts ongoing quality-control initiatives in strict compliance with 52 Pa. Code §§ 111.5 and 111.6:

- **Random In-field Audits:** Conducted to ensure representative adherence to training standards, with immediate feedback and documented corrective actions if deficiencies are identified.
- **Verification Sample Audits:** Regular random reviews of TPV interactions to ensure regulatory compliance, accuracy, and transparency.
- **Immediate Corrective Measures:** Representatives identified as non-compliant will undergo immediate corrective training or disciplinary actions up to termination as dictated by the severity or recurrence of infractions.

#### Employee and Subcontractor Screening

- Mandatory background checks for all resources engaged in in-person marketing activities, ensuring suitability, credibility, and trustworthiness.

#### Marketing Materials Review and Approval

- All marketing materials (scripts, written collateral, advertisements) require formal internal compliance review and management approval prior to distribution, ensuring accurate representation, regulatory adherence, and ethical standards.

# Exhibit N

## 8.e. OFFICERS' RESUMES

## Summary

---

Tri's career in energy and commodity trading spans over 15 years, where he worked his way up from entry-level analyst to later founding Energy 95, the precursor to CarbonBetter. During his career Tri has led teams trading natural gas, power, natural gas liquids, crude oil, renewable energy credits, and carbon credits. CarbonBetter is the largest minority-owned business in Austin, Texas.

## Professional Experience

---

### CarbonBetter

Austin, Texas

**Founder & President** | March 2012 - Present

#### Company Leadership

- Defines the company's vision, strategy, and financial direction, ensuring long-term growth and stability.
- Establishes governance, compliance, and risk management frameworks across all business divisions.
- Represents the company with banking partners, credit counterparties, and other financial and strategic stakeholders.
- Leads and mentors the executive leadership team, providing guidance and direction across all business divisions.

#### Wholesale Energy

- Directs natural gas, power, natural gas liquids, and crude oil trading activities.
- Negotiates supply, storage, and transportation agreements to ensure reliable delivery.
- Develops and executes hedging strategies to manage commodity price risk and market volatility.
- Builds and maintains relationships with counterparties, brokers, and trading partners to secure market access and liquidity.

#### Retail Energy

- Provides executive oversight of the retail division, which supplies electricity and natural gas to residential and commercial customers.
- Reviews and approves business plans developed by retail leadership, including product offerings, pricing models, and growth strategies.
- Ensures the division operates in full compliance with state licensing requirements, consumer protection rules, and all applicable regulatory standards.
- Holds leadership accountable for maintaining strong customer service practices, including accurate billing, transparent marketing, and effective dispute resolution.
- Oversees the division's approach to balancing wholesale procurement with retail demand through appropriate hedging and supply planning.
- Monitors financial and operational performance to ensure the retail business meets all customer and regulatory obligations.

#### Energy Services

- Guides the strategic direction of the Energy Services division, providing executive oversight of its leadership team.
- Oversees the development of energy and sustainability solutions, including renewable energy credits, carbon offsets, and related services, to ensure alignment with customer priorities and evolving energy markets.

## Education

---

Parsons School of Design, The New School — Master of Fine Arts (MFA), Industrial Design

University of Texas at Austin, McCombs School of Business — Bachelor of Business Administration (BBA), Finance

## **BERNARD L. HUFF III**

### **EDUCATION**

- Butler University, College of Business Administration**, Indianapolis, IN 2010  
Master of Business Administration  
Finance
- Indiana University, Kelley School of Business**, Bloomington, IN 2007  
Bachelor of Science in Business  
Majors: Operations Management and Business Information Systems

### **EXPERIENCE**

- CarbonBetter, LLC** Cincinnati, OH 2016-Present  
Vice President, Trading and Origination
- Launched a new business segment consisting of wholesale gas trading in addition to commercial and industrial end use gas customers.
  - Oversee the entire company portfolio from a risk perspective and ensure we are in compliance with bank covenants.
  - Oversee the trading group comprised of traders and analysts and understand each trading position that our trade group is exposed to.
  - Extract additional value from transportation and storage assets by utilizing embedded optionality and flowing transport.
  - Evaluate and execute short and long-term transportation and storage acquisitions to add value to our books.
  - Trade all facets of transportation and storage asset exposure for the Retail, Wholesale and C&I books.
  - Hedge Nymex, physical and financial basis risk with the intent of ensuring physical obligations are met and optimal value is captured while managing risk.
  - Grow the presence of CarbonBetter across North America by expanding our transport, storage and physical asset base.
- BP Canada Energy Marketing Corp.** Indianapolis, IN 2011-2016  
Manager, Gas Marketing and Origination
- Managed Midwest book position through cash trading and forward market modeling.
  - Traded physical positions and utilized financial swaps to hedge our entire Midwest book.
  - Provided financial options to customers and developed strategies to limit customer exposures to various market conditions.
  - Monitored and reported MtM exposures and traded within leadership defined position limits.
  - Grew and maintained a customer book of business behind a variety of citygates and states.
  - Trained new members of the Marketing and Origination team. Groomed new members of the team for future marketing roles within the organization.
  - Managed my direct reports development in support of the marketing and origination effort.
  - Cultivated sales skills and taught attributes essential for successful gas origination such as supply procurement, asset optimization, position management, and financial trading.
- BP Canada Energy Marketing Corp.** Indianapolis, IN 2009-2011  
Account Manager – Asset Optimization and Origination
- Focused on asset optimization opportunities in the cash market as well as forward market via different supply opportunities from our asset web of pipelines.
  - Closely monitored our citygate supply allocations to pinpoint what optimization opportunities existed within the market.
  - Traded cash positions daily to balance our book positions and optimize our asset base.
  - Provided pricing to the marketing group for new and renewed customer business. This included modeling out forward supply and providing swing pricing behind all our market areas.

- Evaluated and bid on strategic assets that aligned with our business which included capacity release opportunities, long term capacity commitments and storage opportunities.
- Ensured all strategic assets were utilized in a manner to generate the maximum value possible, both intrinsic and extrinsic.
- Focused on establishing a larger market presence for BP behind targeted citygates by developing direct customer relationships and through fostering relationships with brokers.
- Developed a model which captured key performance metrics for our entire origination team and allowed us to annually perform a SWOT analysis of our business.

**BP Canada Energy Marketing Corp.** Indianapolis, IN

2007-2009

Market Analyst

- Interacted with customers in support of the marketing group with any requests or concerns regarding Nymex pricing, invoicing, scheduling, hedging, physical supply, gas storage, or pipeline transportation.
- Served as backup for all market originators. This required an in depth understanding of all market areas as each utility and pipeline had different tariffs/balancing requirements.
- Identified asset optimization opportunities within the daily cash markets and forward markets.
- Participated in the development and implementation of strategies for the Indianapolis and North Gas team specifically related to growth, continuous improvement, customer service, and expansion opportunities in the Midwest market.
- Tracked and provided industry statistical analysis and maintained relevant fundamental data for distribution.
- Attended meetings with originators to obtain RFP's for supply and transportation as well as attended customer relationship meetings.
- Interacted with all BP entities to ensure correct FERC guidelines and standards were being met.
- Served as a link to trade control through the monitoring of Indianapolis MtM position.
- Entered daily and monthly gas deals along with financial hedges and options for customers.

**United States Army National Guard** Madison, IN

2001-2007

Sergeant, 1<sup>st</sup> Battalion, 151<sup>st</sup> Infantry - Team Leader/Reconnaissance Scout

- Led an elite team of soldiers on key reconnaissance missions resulting in critical intelligence for higher command.
- Obtained teamwork skills required to complete many tasks essential to team survival and mission accomplishment.
- Conducted hundreds of training and drill ceremonies to provide soldiers with the necessary skillsets to successfully perform required tasks and ensure the best possible outcomes to mission requests from leadership.
- Awarded Army Achievement Medal (07/05).
- Competed against soldiers in Indiana on a variety of military platforms to earn the title, Soldier of the Year (2004).

**United States Army** Various Posts

2003-2004

Corporal, 1<sup>st</sup> Battalion, 151<sup>st</sup> Infantry – Team Leader/Reconnaissance Scout

- Trained thousands of soldiers on military strategies and tactics in preparation for deployment to Iraq and Afghanistan.
- Served Active Duty during Operation Enduring Freedom and Operation Iraqi Freedom.
- Awarded Army Commendation Medal (02/04).
- Awarded Army Achievement Medal (03/03).

## Summary

---

Proven executive with comprehensive leadership experience in sales, operations, customer support, and compliance within the retail energy sector, specifically in natural gas and electric power markets. Proven ability to build, manage, and optimize operational frameworks, ensuring regulatory compliance, customer satisfaction, and revenue growth.

## Professional Experience

---

### CarbonBetter

Austin, Texas

*Retail Energy GM (Interim)* | March 2023 - Present

- Oversee comprehensive retail operations, directing sales initiatives, telephonic and field-based acquisition channels, and operational management to grow customer base in alignment with regulatory standards.
- Direct customer support teams, ensuring prompt resolution, retention, and exceptional customer satisfaction.
- Ensure strict adherence to regulatory requirements, including licensing, reporting, and operational compliance.
- Manage integrated technology systems facilitating transactions, EDI processes, billing, CRM, and operational automation.
- Direct budgeting, forecasting, cost control, and profitability analyses to maintain financial health and drive sustainable growth.
- Continuously refine processes and systems to increase efficiency, reduce operational costs, and enhance customer experience.

*VP, Marketing* | June 2019 - Present

- Manage digital marketing strategies, optimizing online acquisition channels for maximum retail growth and efficiency.
- Lead development and execution of comprehensive brand marketing strategies to elevate company visibility and market positioning.
- Direct content creation and distribution strategies, effectively supporting B2B climate solutions teams with high-quality, targeted marketing materials.
- Collaborate with cross-functional teams to deliver integrated marketing campaigns and drive thought leadership in sustainability and climate initiatives.

### Wondercide Natural Products

Austin, Texas

*CMO* | March 2014 - August 2016

- Drove 10x revenue growth within 2.5 years by scaling diverse distribution channels, including direct-to-consumer and B2B retail, in a regulated product sector.
- Optimized acquisition costs through strategic paid media initiatives; implemented agile team processes to enhance productivity and alignment significantly.
- Established strategic planning processes, performance KPIs, and business intelligence tools, effectively supporting data-driven decision-making for market expansion and profitability.

## Additional Experience

- Previous leadership and entrepreneurial roles across marketing, e-commerce, and technology sectors (2002–2014).

## Awards & Recognition

---

**Shark Tank Contestant:** Secured the largest deal for a female-led team, driving brand exposure and revenue growth.

**PetAge Women of Influence Winner:** Recognized for leadership and impact in the pet industry.

## Education

---

East Texas A&M University — Bachelor of Applied Arts and Sciences, Organizational Leadership

## Summary

---

Experienced operations leader with over a decade of service overseeing the retail business functions of a licensed competitive energy supplier. Responsible for the integrity and accuracy of all utility-facing transactions, oversight of internal operations processes, and coordination across sales, compliance, and customer service teams. Skilled in implementing systems and automations that enhance efficiency, data quality, and operational transparency. Proven ability to interpret complex transaction histories and serve as an internal subject matter expert for utility coordination and customer account operations.

## Professional Experience

---

### CarbonBetter

Austin, Texas

**Retail Operations Manager** | April 2021 - Present

- Direct day-to-day operations of the retail division, including the full lifecycle of utility transactions (e.g., 810, 814, 824, 867, and 997 files), ensuring timeliness, completeness, and data integrity across all utilities.
- Supervise internal teams responsible for customer support and compliance, ensuring alignment with regulatory program rules and timely execution of customer-facing changes.
- Maintain and manage system integrations and workflows with third-party verification (TPV) providers, including responsibility for internal TPV program administration and technical liaison with TPV360.
- Oversee the setup and version control of customer Terms and Conditions, ensuring they are properly implemented in coordination with internal stakeholders.
- Serve as the central point of contact for internal teams regarding customer account statuses, transaction timing, and historical activity, particularly in cases involving complex account workflows.
- Lead process design and automation for recurring retail tasks, including sales vendor onboarding, sales team engagement, and quality control review processes.

**Customer Operations Lead** | April 2015 - April 2021

- Managed customer operations, leading support teams to maintain regulatory compliance and deliver exceptional customer experiences.
- Designed and implemented a comprehensive Quality Control (QC) program to ensure accuracy, consistency, and compliance in customer communications, billing, and service delivery.
- Streamlined customer issue resolution processes, reducing response times and improving customer retention in a regulated energy market environment.

## Education

---

**Texas State University** — College of Fine Arts and Communications

Bachelor of Arts in Communication Studies

# Exhibit O

## 9. DISCLOSURE STATEMENT



## Provision | Energy Choice Electric Plan Summary

Thank you for choosing Provision! We're proud to be your local competitive electricity supplier. Your utility will always deliver your electricity, and we'll always work hard on your behalf to ensure you're on the best rate and plan for your personal usage. Please retain these documents for your records.

### About Your Plan

Supply Type	Utility	Rate Type	Rate	Entire Term	Cancel Fee	Green
#{commodity}	#{utility}	#{rate_type}	#{price}	#{term}	#{etf}	#{green}

### About Your Electric Service Providers

Your Competitive Electric Supplier		Your Electric Distribution Utility	
Provision 2305 E. Cesar Chavez St. Austin, Texas 78702 <a href="mailto:hello@getprovision.com">hello@getprovision.com</a>	<b>Customer Service:</b> 800-930-5427 9:00 a.m. - 7:30 p.m. EST, M-F  <b>To Report an Electric Outage:</b> #{outage_phone}	<b>Mailing Address:</b> #{address}	<b>Customer Service:</b> #{utility_phone} #{cs_hours}  <b>To Report an Electric Outage:</b> #{outage_phone}

### Common Questions

When will my new electric plan start?	For new enrollments, your service will begin in 1-2 billing cycles after your utility has accepted your enrollment with Provision. If you are an existing customer renewing into a new plan, these terms will be reflected on your bill after the first available billing cycle once your utility confirms your new rate.
How will I be billed?	You will continue to receive a single bill from your utility, which will include Provision's supply charges and your utility's delivery charges. The Provision supply charges will reflect your new rate plan.
What happens when my term is over?	Your entire term is #{term}. Once your term is over, if you have not already selected a new rate plan, you will automatically be placed on our monthly variable rate plan. If you have a fixed duration contract approaching the expiration date, or whenever we propose to change the terms of service, you will receive two separate written notifications, the first approximately 60 to 75 days in advance and the second 45 days in advance of either the expiration date or the effective date of the proposed changes. These notifications will explain your options going forward.
What's the difference between a supplier and utility?	Your utility takes care of everything related to the distribution of electricity to your home, as well as infrastructure maintenance and emergencies. In Pennsylvania, you have the right to choose a competitive electric supplier, like Provision, to manage your electricity supply. Suppliers can offer different rates and plan options that are not available from your local utility, to best suit your usage and budget.
What if I'm not happy with my plan?	Your happiness is our only goal. If you are not totally satisfied, please reach out so we can find a way to make it right. Call 800-930-5427 between 9 a.m. and 7:30 p.m. EST, Monday through Friday, or at <a href="mailto:hello@getprovision.com">hello@getprovision.com</a> .
How do I cancel my service?	If you'd like to cancel your service, or learn about other rate plan options, please contact us at 800-930-5427, between 9 a.m. and 7:30 p.m. EST, Monday through Friday, or at <a href="mailto:hello@getprovision.com">hello@getprovision.com</a> .

Version: #{tc}



## Provision | Energy Choice Electric Terms & Conditions

Residential and Small Commercial

Customer Care: 800-930-5427 | Monday through Friday, 9:00 a.m. to 7:30 p.m. EST

**1. Purchase Agreement:** Provision Power & Gas, LLC (“Provision”) is certified by the Pennsylvania Public Utilities Commission (“PAPUC”) to provide electricity to utility customers through the Energy Choice Program, license # \_\_\_\_\_. This document outlines Provision’s Terms of Service (“Agreement”) and is effective as of the customer’s enrollment date. By enrolling with Provision, the customer consents to this Agreement.

**2. Rate and Entire Term:** Provision agrees to provide the utility listed on your Plan Summary page, hereby referred to as “Utility,” with electricity which will be distributed to the customer at the registered service address(es) on a month-to-month basis as demarcated by the customer’s meter reading dates and until cancelled by notice as provided by this Agreement. The customer will be billed at the rate listed on their Plan Summary document during their Initial Term.

At the end of the Initial Term, the customer will default to Provision’s variable rate plan on a month-to-month basis and can cancel at any time without a fee. The monthly variable rate varies based on weather, supply, demand and profit. The monthly rate will vary based on the wholesale price of electricity as furnished by PJM Interconnection, LLC, and other relevant market factors, including Provision’s assessment of applicable market conditions, capacity, ancillary costs of Renewable Energy Credits, administrative, balancing, transportation, line loss and credit costs, and a profit margin that may vary from month to month. The Provision rate excludes taxes and delivery fees. No special services, such as time-of-use pricing or advanced metering, are offered under this plan. If an Early Termination Fee is in effect for this plan, it is noted in the Plan Summary page. The customer may also contact Provision to enroll in another available rate plan. Provision service is estimated to begin with the next available meter reading after processing the request by the electric distribution utility. There are no other recurring or non-recurring service or delivery charges. Your plan includes all the basic charges necessary for generation service, including energy costs, credit, line loss, and administrative costs. There are no nonbasic or additional charges.

**3. Cancellation and Changes:** This Agreement may be cancelled by the customer at any time by contacting Provision at 1-800-930-5427 or emailing [hello@getprovision.com](mailto:hello@getprovision.com). The customer may also cancel by written notice to Provision, 2305 E. Cesar Chavez St. Austin, TX 78702. An Early Termination Fee may apply if noted in the “Plan Summary” document. The customer has a 3-day right of rescission period following receipt of the disclosure statement from Provision. The 3-day right of rescission begins when the customer receives the disclosure statement from Provision.

Provision agrees to submit the customer’s cancellation to the Utility within three (3) business days of receipt of notice, after which time the customer’s account will be re-assigned according to the Utility’s policies. Provision may also cancel this Agreement with seven (7) days written notice or immediately upon the customer’s violation of a Provision or Utility policy. Unless required by governing law (including but not limited to a Utility service change, change in law, or other regulatory order), Provision may make changes to this Agreement with thirty (30) days written notice before such changes. If, due to a change in market conditions, Provision wishes to lower the rate, it may do so without consent provided there are no other changes to the terms and conditions of the contract.

**4. Billing:** The Utility will continue to read your meter, provide emergency service, transmit the electricity, and send a monthly bill. This bill will include applicable fees and charges from Utility and the Commodity (Provision) Charge. The customer is responsible for providing Provision with accurate account information, including telephone numbers and billing addresses. Provision may also cancel this Agreement with fourteen (14) days written notice or immediately upon the customer’s violation of Provision’s policy or should the customer fail to pay the bill or fail to meet any agreed-upon payment arrangements. Transmission billing and metering issues should be addressed with Utility using the information on the customer’s bill. The customer will incur additional service and delivery charges from the Utility. All billing terms and conditions set forth by the Utility and the Utility Tariff apply.

**5. Voluntary Green Power Product:** To promote increased usage of renewable energy and the development of alternative energy resources, many states have adopted Renewable Resource Portfolios Standards, or Alternative Energy Portfolio Standards (collectively known as “RPS”). These RPS standards are statewide benchmarks for the percentage of electricity that must come from renewable or alternative energy sources, including but not limited to wind, hydro, solar and other sources. Continued development of renewable and alternative resources is largely driven by the adoption of these standards. As many states continue to work toward clean energy solutions and higher renewable or alternative standards, Provision is proud to lead the way with our commitment to exceeding the applicable RPS benchmarks



in all of our markets. Our voluntary renewable power offerings come from regional renewable or alternative sources which have all been registered and qualified by a regional or state RPS administrator.

When you purchase Provision's voluntary Renewable Power Product you can be assured that electricity sold under this product is matched with renewable energy credits generated from renewable or alternative energy sources in the United States which have been qualified as such by a regional or state RPS administrator. The renewable energy credits are generated within five years of a customer's usage.

**6. Moving and Termination:** This Agreement will automatically terminate without an Early Termination Fee if the customer relocates outside the Utility service territory, if the new service location is not served by Provision, or if Provision does not offer the same rate plan in the new service location. In the event the customer relocates within the Utility service territory, the customer agrees to provide Provision with new account information to continue Provision service. If the customer switches back to Utility, they may or may not be served under the same rates, terms, and conditions that apply to other customers by the Utility.

The contract allows Provision to terminate the contract for any reason other than the customer's failure to pay or the occurrence of a force majeure event, including but not limited to, a change in any governing law or regulation that physically prevents or legally prohibits the CRES provider from performing under the terms of the contract.

**7. Limitation of Liability/Eligibility/Jurisdiction:** The customer acknowledges that this Agreement is for residential and small commercial customers in the Utility territory. By entering this Agreement, the customer guarantees that the enrolled accounts are residential or small commercial. Provision is not responsible for any decision arising out of Utility regarding the termination of customers from any Utility service. In the event of a Force Majeure as defined by Utility or any transmitting or transporting entity, Provision is not responsible for providing electricity.

**8. Entire Agreement:** This document represents the entire agreement between Provision and the customer and supersedes all other agreements that have come before it.

**9. Privacy Policy:** Provision will not disclose the customer's personal information, including account number, contact information, or any customer information to any third party without the customer's affirmative written or electronic consent. By enrolling, you authorize Provision to obtain your usage history and other relevant account information from your electric distribution utility solely for the purpose of providing electric generation service.

**10. Disclosures, Contacts, and Dispute Resolution:** Billing and metering issues should be addressed with the Utility using the information on the customer's bill. For other inquiries, the Provision Customer Care representatives are available during normal business hours from 9:00 A.M. – 7:30 P.M. (EST), Monday through Friday at: 1-800-930-5427 or [hello@getprovision.com](mailto:hello@getprovision.com). Mailing address: 2305 E. Cesar Chavez St. Austin, TX 78702

The customer has the right to request, twice within a twelve-month period, up to twenty-four months of the customer's payment history from Provision. The Utility may charge switching fees to the customer. Provision is not responsible for any fees from the Utility or other electric providers. Provision is not responsible for any late charges, cancellation fees, or billing disputes between the customer and Utility or another supplier. Provision does not offer budget billing for the generation portion of the bill. Any budget billing arrangements must be made with the customer's Utility. Failure to pay Utility charges may result in the customer being disconnected in accordance with the Utility tariff.

**11. Environmental Disclosure:** The environmental disclosure information is shown at our website: [provisionpg.com](http://provisionpg.com). Customer agrees that Provision may make its required environmental quarterly updates electronically at its website and will provide this information in hard copy form upon customer request.

**12. Pricing Statements:** There is no limit on how much the price may change from one billing cycle to the next. For customers on a monthly variable rate, the price can change each billing period. The customer will be notified of price changes on their bill. Additionally, historical pricing is not indicative of present or future pricing. You may obtain the average monthly billed prices for the past 24 months for your rate class and EDC service territory by contacting us at 1-800-930-5427 or on the web at [www.getprovision.com](http://www.getprovision.com). If fewer than 24 months of price history are available, we will provide the prices for the months available. If no representative pricing information is available for your product, we will inform you of that.



**13. Electricity Supplier Shopping Statements:** Information about shopping for a electric supplier is available at [www.PaPowerSwitch.com](http://www.PaPowerSwitch.com) or other successor media platform as determined by the Commission, by calling the Commission at (800) 692-7380 and the Office of Consumer Advocate at (800) 684-6560 or at [www.oca.state.pa.us](http://www.oca.state.pa.us).

**14. Assignment:** This Agreement is assignable by Provision without the customer’s consent, subject only to required regulatory approvals. Provision will provide notice to the customer, the utility and the PAPUC in the unlikely event assignment is necessary. The notice provided shall include the name of the new EGS to whom this contract is assigned, the contract information for the new NGS, and language informing the customer that the contract terms and conditions remain unchanged.

**Definitions – Required by PAPUC**

- **Generation / Supply Charges:** Charges for the production of electricity. Generation supply costs make up most of an average electric bill and are dependent on your choice of supplier.
- **Transmission Charges:** Charges for moving high voltage electricity from a generation facility to the distribution lines of an electric distribution company. If using a competitive supplier, Transmission is rolled into generation. Based on federally regulated charges.
- **Distribution Charges:** Charges for the use of local wires, transformers, substations, and other equipment used to deliver electricity to end-use consumers from the high voltage transmission lines. Remains regulated by the PUC.
- **Basic Charges:** Charges that are necessary and directly related to providing electric generation service. These include per kilowatt-hour (kWh) charges, fixed monthly rates, and any bundled costs required to deliver electricity.
- **Non-Basic Charges:** Charges for optional services or products that are not required for electric generation service. Examples include fees for paper billing, early termination, or separately sold value-added services.

Electric Supplier Contract Summary	
Electric Generation Supplier Information	Provision, 2305 E. Cesar Chavez St. Austin, TX 78702 Phone: 1-800-930-5427 Email: <a href="mailto:hello@getprovision.com">hello@getprovision.com</a> PUC License #: _____
Electric Generation Price Structure	You have chosen a $\${rate\_type}$ rate. The length of this rate term is $\${term}$ . At the end of the initial term, the customer will default to Provision’s variable rate plan on a month-to-month basis and can cancel at any time without a fee. The monthly variable rate varies based on weather, supply, demand and profit. The monthly rate will vary based on the wholesale price of electricity as furnished by PJM Interconnection, LLC, and other relevant market factors, including Provision’s assessment of applicable market conditions, capacity, ancillary costs of Renewable Energy Credits, administrative, balancing, transportation, line loss and credit costs, and a profit margin that may vary from month to month. The Provision rate excludes taxes and delivery fees.
Electric Generation Supply Price	Your price during the initial term is $\${price}$ per kWh. If the “Rate Type” listed on the Plan Summary page is “First Month Variable,” this is an introductory price. The Initial Contract Term equals the duration of the introductory rate.
Statement Regarding Savings	Provision’s supply price may not always provide savings to the customer.
Deposit Requirement	No deposit is required.
Incentives	Enrollment with Provision is entirely voluntary. No additional incentives are provided with this plan.
Contract Start Date	For new enrollments, service begins in 1–2 billing cycles after your utility accepts the enrollment with Provision. If you are an existing customer renewing into a new plan, the updated terms will appear on your bill following utility confirmation.
Contract Duration / Length	Your entire term is $\${term}$ .
Cancellation / Early Termination Fees	There are no Early Termination Fees (\$0.00) on any residential or small commercial plans. Please see the section labeled “About your Plan.”
End of Contract	Once your term ends, if you have not selected a new plan, you will automatically be placed on Provision’s monthly variable rate plan. If you have a fixed-duration contract approaching expiration, or whenever Provision proposes to change the terms, you will receive two written notifications: The first 45 to 60 days before the change or expiration, and the second 30 days before the change or expiration. These notifications will explain your options going forward.



# Exhibit P

## 10.a. PJM REGISTRATION



David Rios &lt;rios@carbonbetter.com&gt;

---

**New Comment Added to PJM Case# 00277684 ."LSE Certification Request - Provision Power and Gas, LLC" [ ref:\_00Dd0hPwm.\_500TSOmgDe:ref ]**

---

PJM Member Support Cases &lt;e2cpremium@gvfp9yfu99Vlyp6lstsmezducbudlx2pi1croktpvunlzb97o.d-hpwmeae.na14.apex.salesforce.com&gt;

Mon, Apr 28, 2025  
at 9:11 AM

To: "rios@carbonbetter.com" &lt;rios@carbonbetter.com&gt;

Cc: "regulatory@carbonbetter.com" &lt;regulatory@carbonbetter.com&gt;



Case #00277684: "LSE Certification Request - Provision Power and Gas, LLC"

**Reply to this email to add a comment to the Case.**

Your Case has been updated with the following comment.

David,

As requested, PJM Interconnection, L.L.C. ("PJM") is writing to confirm that, according to PJM's records, Provision Power and Gas, LLC is a PJM Member as of April 28, 2025. As of this date, Provision Power and Gas, LLC is active in PJM's billing and settlements system and, under PJM's governing documents, has met the applicable minimum credit and collateral requirements and is not in default under PJM's credit policy.

Please note that this statement is provided for informational purposes only and reflects PJM's records as of the date set forth above. It should not be construed as a representation regarding Provision Power and Gas, LLC financial condition or creditworthiness, or as a guarantee of future eligibility. PJM's requirements are designed to protect PJM and its markets, and they may change over time. No third party should rely on this statement for any financial or commercial decision.

Thank you,  
Credit Queue  
Credit Queue  
[How am I doing?](#)

Client Management  
Hotline 866-400-8980 or 610-666-8980  
PJM Interconnection | 2750 Monroe Blvd. | Audubon, PA 19403  
PJM © 2025 All rights reserved.

PJM Members only - Member Community: [Sign In](#) [Request Access](#)  
[ ref:\_00Dd0hPwm.\_500TSOmgDe:ref ]

[Case Comment Notification - General]

# Exhibit Q

## 11.a. APPLICATION AFFIDAVIT

# APPLICATION AFFIDAVIT

State of Texas :  
 :  
 : ss.  
County of Travis :

**Laura Alter**, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

She is the **Retail Energy Division GM** (Office of Affiant) of **Provision Power and Gas, LLC** (Name of Applicant);

That the Applicant herein **Provision Power and Gas, LLC** has the burden of information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa.C.S. § 2809 (b) and 52 Pa. Code § 54.37.

That the Applicant herein **Provision Power and Gas, LLC** has answered the questions on application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein **Provision Power and Gas, LLC** acknowledges that it is under a duty to information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein **Provision Power and Gas, LLC** acknowledges that it is under a duty supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

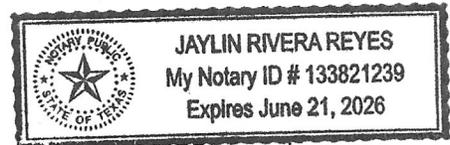
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 21 day of August, 2023.

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

My commission expires June 21, 2026.



# Exhibit R

## 11.b. OPERATIONS AFFIDAVIT

# OPERATIONS AFFIDAVIT

State of **Texas** :  
 : ss.  
County of **Travis** :

**Laura Alter**, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

She is the **Retail Energy Division GM** (Office of Affiant) of **Provision Power and Gas, LLC** (Name of Applicant);

That **Provision Power and Gas, 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 **Provision Power and Gas, LLC**, the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That **Provision Power and Gas, LLC**, the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Code of 1971, 72 P.S. §§ 7101 et seq., and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa.C.S. § 506 (relating to the inspection of facilities and records).

As provided by 66 Pa.C.S. § 2810 (C)(6)(iv), 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.

(Continued)

That **Provision Power and Gas, LLC**, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa.C.S. § 506, § 2807(c), § 2807(d)(2), § 2809(b) and the standards and billing practices of 52 Pa. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.



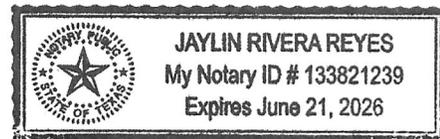
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 21 day of August, 2025.



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

My commission expires June 21, 2026.



# Exhibit S

## 12. NEWSPAPER PUBLICATIONS

*The required legal notices will be published after a docket number is assigned by the Pennsylvania Public Utility Commission.*

*Once publication is complete and affidavits of publication are received from the newspapers, they will be filed with the Commission under the assigned docket number.*