

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
HARRISBURG, PA 17120**

Public Meeting held June 4, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman  
Kimberly Barrow, Vice Chair  
Kathryn L. Zerfuss  
John F. Coleman, Jr.  
Ralph V. Yanora

Petition of Bakey Enterprises LLC d/b/a Bakey  
Energy Consulting for Waiver of Publication  
Requirement

Docket Number:  
A-2026-3059622

**ORDER**

**BY THE COMMISSION:**

On December 18, 2025, Bakey Enterprises LLC d/b/a Bakey Energy Consulting (Bakey Energy Consulting), Utility Code 1226424, filed with the Pennsylvania Public Commission (Commission) a Natural Gas Supplier (NGS) application amendment to add additional service territories to its NGS license. On March 13, 2026, Bakey Enterprises Consulting filed a Petition for Waiver of Publication Requirement (Petition) for its amendment. The Petition was filed pursuant to the Commission's regulations at 52 Pa. Code §§ 5.41-5.43. For the reasons expressed in this Order, the Commission denies the Petition consistent with this Order.

Bakey Energy Consulting was licensed by the Commission on October 19, 2023, at Docket No. A-2023-3042056, to operate as a broker/marketer to residential, small commercial (under 6,000 MCF annually), large commercial (6,000 MCF or more annually), industrial, and governmental customers in the natural gas distribution company (NGDC) service territories of PECO Energy Company and Philadelphia Gas Works within the Commonwealth of Pennsylvania.

On December 18, 2025, Bakey Energy Consulting filed an NGS application amendment, as required by 52 Pa. Code § 62.105, to add the additional service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, Peoples Natural Gas Company, LLC – Peoples Natural Gas Division, Peoples Natural Gas Company, LLC – Peoples Gas Division, UGI Utilities, Inc. (UGI), and Valley Energy, Inc. to its existing license.

As a licensed NGS in the Commonwealth of Pennsylvania, Bakey Energy Consulting is required to abide by all Commission regulations, procedures, and orders. *See* 66 Pa. C.S. § 2208(e). One of the requirements for an NGS license application service territory amendment, based on 52 Pa. Code § 62.107, is the publication of the application in certain newspapers of general circulation (outlined in Section 12 of the Commission’s NGS License Application Form).<sup>1</sup>

52 Pa. Code § 62.107(b) provides:

The notice shall be written in plain language and include the name, address and telephone number of the applicant, a description of the proposed services to be provided and the geographic area to be served.

---

<sup>1</sup> See the Commission’s NGS License Application Form at: <https://www.puc.pa.gov/natural-gas/natural-gas-companies-suppliers/licensed-suppliers/>.

Upon review of Bakey Energy Consulting's NGS application amendment, Commission staff sent Bakey Energy Consulting data requests on January 14, 2026. The data requests informed the company that they were required to provide notarized proof of publication for the Erie Times-News, the Harrisburg Patriot-News, the Pittsburgh Post-Gazette, the Scranton Times-Tribune, the Williamsport Sun-Gazette, the Johnstown Tribune-Democrat and either the Philadelphia Daily News or the Philadelphia Inquirer. On January 27, 2026, Bakey Energy Consulting provided six of the seven required notarized proofs of publication. The company did not submit a notarized proof of publication for either the Philadelphia Daily News or the Philadelphia Inquirer. On March 13, 2026, Bakey Energy Consulting filed the instant petition requesting a waiver of the publication requirements related to those newspapers.

In the Petition, Bakey Energy Consulting stated that it had previously run the required publications for its NGS application, including the Philadelphia Inquirer on August 25, 2023. Bakey Energy Consulting stated that no protests were filed challenging the applicant's technical or financial fitness at that time. Bakey Energy Consulting also stated that the purpose of the Commission's publication requirements is to provide notice to affected parties and the public within the relevant service territory. As such, requiring another publication in the same newspaper does not further the underlying regulatory objective of providing meaningful notice to affected parties since stakeholders already had an opportunity to protest its application but did not.

We agree with Bakey Energy Consulting's comments that the purpose of the Commission's publication requirements is to provide notice to affected parties and the public within the relevant service territory. We disagree with Bakey Energy Consulting's assertion that its previous publications provided proper notice to affected parties in the UGI service territory. In their previous Philadelphia Inquirer publication, Bakey Energy Consulting did not list the UGI gas service territory in its publication. The Commission's NGS License Application Form clearly states that the applicable service territories must

be listed in the publications. Since the UGI gas service territory was not listed in Bakey Energy Consulting's original NGS license publication as a territory it planned to serve, stakeholders of the UGI gas service territory did not have an opportunity to file protests to the application.

We are not persuaded by Bakey Energy Consulting's assertion that a lack of protests following its previous publication in the Philadelphia Inquirer as a reason to waive the requirement to provide proper notice to stakeholders in UGI Utilities, Inc. – Gas Division's service territory, therefore, the Petition of Bakey Energy Consulting for Waiver of Publication Requirement is denied; **THEREFORE,**

**IT IS ORDERED:**

1. That the Petition of Bakey Enterprises LLC d/b/a Bakey Energy Consulting for Waiver of Publication Requirement is hereby denied, consistent with this Order.
2. That this proceeding, at Docket No. A-2026-3059622, be closed.

**BY THE COMMISSION,**



Matthew L. Homsher  
Secretary

(SEAL)

ORDER ADOPTED: June 4, 2026

ORDER ENTERED: June 4, 2026