To Electric Generation Suppliers:

In response to the COVID-19 pandemic, the Commission has implemented telework for its staff. This means that the physical locations of the Commission, including the Keystone Building in Harrisburg, are not in use until further direction from the Commission. Obviously, this presents many challenges for the Commission, the regulated community, and the public. For example, the receipt and sending of all mail from the United States Postal Service and other couriers has been interrupted while the Commission has limited, or no, access to its physical facilities. Under these circumstances, it has become necessary to take additional measures to ensure continued operations during this period.

The Pennsylvania Code at 52 PA Code § 54.40(a) states that an electric generation supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. The Commission’s practice has been that original financial securities are hard copy filed with the Commission’s Secretary’s Bureau and reviewed for sufficiency by both the Secretary’s Bureau and the Bureau of Technical Utility Services. Since the Commission is unable to receive mail and courier packages, the Commission is unable to verify the receipt of original financial securities from EGSs.

In Order that the Commission and EGSs might fulfil the obligation set forth in Section 54.40(a) of the Code, but recognize the difficulties presented by the COVID-19 pandemic, the Secretary’s Bureau and the Bureau of Technical Utility Services provide the following guidance regarding EGS financial securities:

* Where practical, EGSs should file an **original** bond, letter of credit, continuation certificate, amendment, or other financial instrument. These original financial instruments should display “wet” signatures or digital signatures, preferably in blue ink, and display a “raised seal” or original notary stamp.
* EGSs should email a copy of the original financial instrument directly to Secretary Chiavetta at [**rchiavetta@pa.gov**](mailto:rchiavetta@pa.gov). Secretary Chiavetta has waived the restriction on emailed filings that contain confidential and proprietary material. As such, financial security instruments will be permitted to be filed by email for the duration of the Commission’s work from home order.
* If an EGS is unable to acquire a “raised seal” or original notary stamp on the financial security during the pendency of the COVID-19 emergency, the Secretary’s Bureau will not reject the financial security.
* If an EGS has been granted a reduction in its financial security, and it is time to renew the annual reduction, please file an original annual compliance filing with the Secretary’s Bureau and a copy via email at [**rchiavetta@pa.gov**](mailto:rchiavetta@pa.gov).

Please note that the requirement that EGSs maintain a valid financial security on file with the Commission, remains in effect.

Be advised that emailed financial security instruments—after review and acceptance of the Secretary’s Bureau and the Bureau of Technical Utility Services—will be *provisionally* approved by the Commission until Commission staff resume working in the Keystone Building. EGSs must still mail the original bond with original signatures and notary stamp as per the Commission’s normal practice. After staff return to working in the office, they will review the original security instrument pursuant to the Commission’s standard operating procedures.

Please email questions regarding EGS financial security requirements to Darren Gill, Manager, Technical Utility Services ([dgill@pa.gov](mailto:dgill@pa.gov)) or Rosemary Chiavetta, Secretary of Commission ([**rchiavetta@pa.gov**](mailto:rchiavetta@pa.gov)).