

Constellation Energy®

NewEnergy Gas
9960 Corporate Campus Drive
Suite 2000
Louisville, KY 40223
Phone: 502-426-4500
Fax: 502-426-8800
www.newenergy.com

January 14, 2011

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RECEIVED
2011 JAN 19 AM 10:39
PA.P.U.C.
SECRETARY'S BUREAU

RE: Constellation NewEnergy-Gas Division, LLC
Natural Gas Supplier License No. A-125095

Dear Secretary Chiavetta:

Constellation NewEnergy-Gas Division, LLC (CNEG) is a licensed Natural Gas Supplier in the Commonwealth of Pennsylvania.¹ CNEG is authorized by the Pennsylvania Public Utility Commission (Commission) to provide natural gas services to the public within the service territories of Columbia Gas of Pennsylvania, Inc., National Fuel Gas Distribution Corporation, UGI Utilities, Inc., Equitable Gas Company, T. W. Phillips Gas and Oil Company, and the Peoples Natural Gas Company. CNEG presently provides natural gas services to commercial and industrial customers located in the service territories of these utilities.

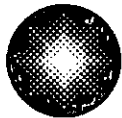
CNEG respectfully requests the Commission amend CNEG's existing license to include the service territory of Philadelphia Gas Works (PGW). If approved, in addition to its present business activities, CNEG intends to solicit natural gas-related business from commercial and industrial customers located in PGW's service territory.

Based upon information from Commission Staff, CNEG understands that the following information is required to support its request:

1. Evidence that CNEG has met the creditworthiness standards of PGW.

Enclosed is a letter from Douglas A. Moser, PGW's Senior Vice President Gas Management stating PGW is satisfied with the qualifications of CNEG and reserves the right to require security from CNEG as it deems appropriate.

¹ The initial license was granted in the name Alliance Energy Services Partnership (Alliance Energy) on April 5, 2001. On April 28, 2004 the Commission approved the request by Alliance Energy to change the name on its license to Constellation NewEnergy-Gas Division, LLC.



Constellation Energy®

NewEnergy Gas
9960 Corporate Campus Drive
Suite 2000
Louisville, KY 40223
Phone: 502-426-4500
Fax: 502-426-8800
www.newenergy.com

2. Proof of publication in the newspapers distributed in the geographic area served by PGW of notice of intent to provide natural gas and related services in its service territory.

Also, enclosed is a copy of CNEG's January 2001 initial newspaper notice in the *Philadelphia Inquirer*. Please note the notice states CNEG's intent to "sell natural gas and related services throughout all of Pennsylvania." CNEG understands that if the initial newspaper notice indicated intent to provide service statewide, then notice at this time to support the request herein is not required.

CNEG respectfully requests that the Commission approve its request to amend CNEG's existing license to include Philadelphia Gas Works as a utility service territory in which CNEG is authorized to provide natural gas supply services.

If there are any questions, please contact me at (502) 214-6313.

Respectfully submitted,

Stephen Baker
Associate, Legal Compliance

XC: James Shurskis (jshurskis@state.pa.us)

RECEIVED
2011 JAN 19 AM 10:39
PA.P.U.C.
SECRETARY'S BUREAU

Philadelphia Gas Works



800 W. Montgomery Ave., Philadelphia, PA 19122
Telephone: 215-236-0500

November 29, 2010

Mr. Stephen Baker
Associate, Legal Compliance
Constellation NewEnergy-Gas Division
LLC 9960 Corporate Campus Drive
Suite 2000
Louisville, KY 40223

Re: Security Requirement Bond for Constellation NewEnergy-Gas

Dear Mr. Baker:

Philadelphia Gas works (PGW[™]) is aware that Constellation NewEnergy-Gas has filed an application with the Pennsylvania Public Utility Commission to supply natural gas services to the public in Pennsylvania and specifically within the services territory of Philadelphia Gas Works.

As you know, in making such an application, Constellation NewEnergy-Gas must furnish acceptable security to each utility where Constellation NewEnergy-Gas will do business. As such, under its tariff, Philadelphia Gas Works could require Constellation NewEnergy-Gas to provide a bond or other financial security instrument in an amount that Philadelphia Gas Works determines to be appropriate.

However, you have indicated, and it is Philadelphia Gas Works' understanding, that Constellation NewEnergy-Gas intends only to provide natural gas aggregating, brokering and consulting services at this time. You have stated that, in performing these services, Constellation NewEnergy-Gas will never take title to any delivered natural gas.

Based upon your representations, Philadelphia Gas Works has determined that, at this time, Constellation NewEnergy-Gas does not need to post a bond or other form of security to operate in its service territory. If the services provided by Constellation NewEnergy-Gas should change, Philadelphia Gas Works reserves the right to require security from Constellation NewEnergy-Gas as it deems appropriate.

If you have any questions concerning the foregoing, please contact me at (215) 684-6899.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas A. Moser".

Douglas A. Moser
Senior Vice President
Gas Management

DAM:b

Proof of Publication in The Philadelphia Inquirer
Under Act. No 160, P.L. 877, July 9, 1976

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Anna Dickerson being duly sworn, deposes and says that **The Philadelphia Inquirer** is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates:

January 19th, 2001.

Affiant further deposes and says that he is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that he is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Anna Dickerson

Sworn to and subscribed before me this 19th day of
January, 2001.

Margaret C. Ruchalski
Notary Public

My Commission Expires:

NOTARIAL SEAL
Margaret C. Ruchalski, Notary Public
City of Philadelphia, Phila. County
My Commission Expires May 27, 2002

Copy of Notice of Publication

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE
Application of Alliance Energy Services (d/b/a Alliance Energy Services) For Approval To Offer, Render, Furnish, Natural Gas Supply Services as a Marketer, Broker or Aggregator engaged in the Business Of Supplying Natural Gas Supply Services To The Public in The Commonwealth of Pennsylvania; Docket No. A-125088.
On October 28, 2000, Alliance Energy Services filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as: (1) a supplier of natural gas; (2) a broker, marketer, engaged in the business of supplying natural gas; and (3) an aggregator engaged in the business of providing natural gas supply services. Alliance Energy Services proposes to sell natural gas and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act. If the PUC may consider this application without a hearing, protests directed to the technical or financial fitness of Alliance Energy Services may be filed within 5 days of the date of this notice with the Secretary of the PUC, P.O. Box 3285, Harrisburg, PA 17105-3285. You should send copies of any protests to Alliance Energy Services attorney at the address listed below. Please include the PUC's docket number on any correspondence, which is A-125088.
By and through Counsel: W. Thomas Heblsch, Jr., Esq.
Stiles & Harbison
400 West Market Street, Suite 1800
Louisville, KY 40202
Phone: (602) 587-3400
Fax: (602) 587-6391


RECEIVED
2011 JAN 19 AM 10:39
P.A.P.U.C.
SECRETARY'S BUREAU

NewEnergy Gas
9960 Corporate Campus Drive, Suite 2000
Louisville, Kentucky 40223



Constellation Energy



UNITED STATES POSTAGE

PITNEY BOWES
02 1P \$ 000.44⁰
0003115008 JAN 14 2011
MAILED FROM ZIP CODE 40223

Rosemary Chavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg PA 17120

17120+0211

