



McNees Wallace & Nurick LLC  
attorneys at law

**ORIGINAL**

SUSAN E. BRUCE  
DIRECT DIAL: (717) 237-5254  
E-MAIL ADDRESS: SBRUCE@MWN.COM

RECEIVED  
OCT 18 PM 2:24  
SECRETARY'S BUREAU

October 18, 2004

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

VIA HAND DELIVERY

**DOCKETED**  
DEC 08 2004

**DOCUMENT  
FOLDER**

**Re: Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania; Docket No. A-110162**

Dear Secretary McNulty:

On October 6, 2004, BOC Energy Services, Inc., filed an Application for an Electric Generation Supplier ("EGS") License as captioned above, seeking to provide service beginning no later than January 1, 2005. By this Filing, BOC Energy Services, Inc., supplements its October 6 Application with an original and eight copies of the following:

- 1) BOC Energy Services, Inc.'s processed and signed Application for Certificate of Authority. Please include this as Exhibit A to the Application.
- 2) A copy of Barclays Bank PLC's ("Barclays") Letter of Credit, issued on behalf of BOC Energy Services, Inc., on October 8, 2004. Barclays sent the original Letter of Credit directly to the Commission. Please include the Letter of Credit as Exhibit E to the Application.

In its EGS Application, BOC Energy Services, Inc., included its Application for a Certificate of Authority as Exhibit A, noting that BOC Energy Services, Inc., was in the process of obtaining its Certificate of Authority to transact business in Pennsylvania and would notify the Commission upon obtaining approval. By this Filing, BOC Energy Services, Inc., supplements its October 6 Application with its processed and signed Application for Certificate of Authority.<sup>1</sup> Please include the attachment as Exhibit A to the Application.

Also in the EGS Application, BOC Energy Services, Inc., included a draft of its Letter of Credit, which was in the process of being issued by Barclays. Barclays issued the Letter of Credit directly to the Commission on October 8, 2004. To ensure its EGS Application is complete, however, BOC Energy Services, Inc., herewith files a copy of the Letter of Credit.

<sup>1</sup> Please note that the Application has been processed and signed by the Secretary of State but has not yet been microfilmed. A copy of the Department of State web printout reflecting the posting of BOC Energy Services, Inc., is also enclosed for the Commission's reference.

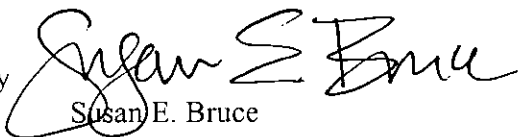
69

James J. McNulty, Secretary  
October 18, 2004  
Page 2

Copies of this filing have been served in the manner indicated on the attached Certificate of Service. Please date stamp the extra copy of this transmittal letter and kindly return it to us for our filing purposes. Please contact the undersigned with any questions regarding this filing or if you require additional information. Thank you for your attention to this matter.

Very truly yours,

McNEES WALLACE & NURICK LLC

By   
Susan E. Bruce

Counsel to BOC Energy Services, Inc.

SEB:mas  
Enclosures  
c: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

VIA FIRST-CLASS MAIL

Irwin A. Popowsky, Esq.  
Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

Thomas P. Hill  
Vice President and Controller  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

William Lloyd, Jr., Esq.  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

John P. Litz, Division Controller  
UGI Utilities, Inc.  
Hanover Industrial Estates  
400 Stewart Road  
P.O. Box 3200  
Wilkes-Barre, PA 18773-3200

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

Paul E. Russell, Esq.  
Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18108-1179

Commonwealth of Pennsylvania  
Department of Revenue  
Bureau of Compliance  
Harrisburg, PA 17128-0946

Stephen L. Feld, Esq.  
Pennsylvania Power Company  
First Energy Corporation  
76 South Main Street  
Akron, OH 44308

Frank M. Nadolny  
General Manager of Regulatory Affairs Unit  
Duquesne Light Company  
411 Seventh Street  
P.O. Box 1930  
Pittsburgh, PA 15230-1930

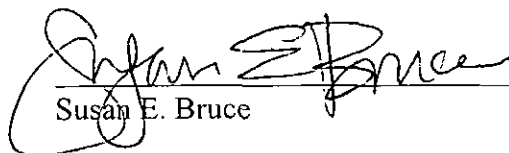
John L. Munsch, Esq.  
Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

Blaine W. Uplinger, Jr.  
Director of Governmental and  
Regulatory Affairs  
GPU Energy  
100 APC Building  
800 North Third Street  
Harrisburg, PA 17102-2025

SECRETARY'S BUREAU

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\_\_\_\_\_  
Susan E. Bruce

Dated this 18<sup>th</sup> day of October, 2004, in Harrisburg, Pennsylvania.

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU

SECRETARY OF STATE  
CORPORATION BUREAU

2004 OCT 18 PM 2:25

RECEIVED

Application for Certificate of Authority  
(15 Pa.C.S.)

Entity Number

3253769

Foreign Business Corporation (§ 4124)  
 Foreign Nonprofit Corporation (§ 6124)

Name

Betsy A. Ruth, McNees Wallace & Nurick LLC

Address

100 Pine Street, P.O. Box 1166

City

Harrisburg

State

PA

Zip Code

17108-1166

Document will be returned to the name and address you enter to the left.



Fee: \$250

Filed in the Department of State on OCT 04 2004

*Peter C. Santos*

Secretary of the Commonwealth

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations), the undersigned, hereby states that:

1. The name of the corporation is:  
BOC Energy Services, Inc.

2. Complete only when the corporation must adopt a corporate designator for use in Pennsylvania.  
The name which the corporation adopts for use in this Commonwealth is:  
N/A

3. If the name set forth in paragraph 1 or 2 is not available for use in this Commonwealth, complete the following:  
The fictitious name which the corporation adopts for use in transacting business in this Commonwealth is:  
N/A

The corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution of the board of directors under the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) and the attached form DSCB:54-311 (Application for Registration of Fictitious Name).

4. The name of the jurisdiction under the laws of which the corporation is incorporated is: Delaware

5. The address of its principal office under the laws of the jurisdiction in which it is incorporated is:  
c/o Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801

Number and street	City	State	Zip
-------------------	------	-------	-----

6. The (a) address of this corporation's proposed registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider c/o: Corporation Trust Company				County Philadelphia

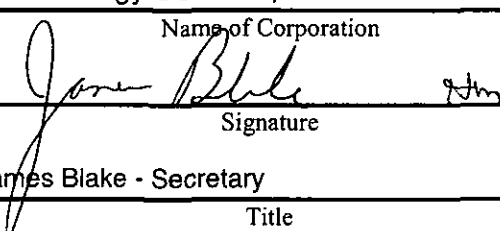
7. Check one of the following:

*Business Corporation*: The corporation is a corporation incorporated for a purpose or purposes involving pecuniary profit, incidental or otherwise.

*Nonprofit Corporation*: The corporation is a corporation incorporated for a purpose or purposes not involving pecuniary profit, incidental or otherwise.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Application for Certificate of Authority to be signed by a duly authorized officer thereof this 30th day of September, 2004.

BOC Energy Services, Inc.  
Name of Corporation

  
Signature

James Blake - Secretary  
Title



PENNSYLVANIA  
Department of State

PA Keyword

Search    
Advanced Search

[DOS Homepage](#)

## Entity Details

### Request

- [New Request](#)
- [Free Search](#)
- [General Name Search](#)
- [Old Name Search](#)
- [Orphan Search](#)

### Basic Entity Information

**Entity Type** FOREIGN BUSINESS CORPORATION  
**Entity Name** BOC ENERGY SERVICES, INC.  
**Entity No.** 3253769  
**Filing Date** 10/04/2004 **Letter of Consent** No  
**Address** % CORPORATION TRUST COMPANY  
 - Pennsylvania USA  
**County** Philadelphia **Jurisdiction** DE  
**Purpose** ENERGY SERVICES  
**Limited Authority** No

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### Instrument History

Doc Type	Microfilm#	Micro# Start	Micro# End	Filing Date	Comments
CERTIFICATE OF AUTHORITY - BUSINESS	-	-	-	10/04/2004	-

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**PA PowerPort**

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[Commonwealth of PA Privacy Statement](#)

Barclays Bank PLC  
200 Park Avenue  
New York NY 10166  
Tel+1 (212) 412-4000

PROCESSING and PRESENTMENT ADDRESS: 222 BROADWAY, 7<sup>TH</sup> FLOOR  
NEW YORK, NY 10038  
Telephone: (212) 412-5142, 2210, 2484  
Fax: (212) 412-5111

DATE: OCTOBER 8, 2004

**BARCLAYS**

IRREVOCABLE STANDBY LETTER OF CREDIT NO. NYSB-1984

**BENEFICIARY:**

PENNSYLVANIA PUBLIC UTILITY COMMISSION,  
COMMONWEALTH OF PENNSYLVANIA  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, 2ND FLOOR NORTH  
P.O. BOX 3265  
HARRISBURG, PA 17105-3265  
TELEPHONE: (717) 772-7777  
FAX: (717) 787-0974

COPY

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2004 OCT 18 PM 2:25  
SECRETARY'S BUREAU

WE DO HEREBY ISSUE AN IRREVOCABLE NON-TRANSFERABLE STANDBY LETTER OF CREDIT BY ORDER OF AND FOR THE ACCOUNT OF BOC LIMITED ON BEHALF OF BOC ENERGY SERVICES, INC. ('ACCOUNT PARTY') IN FAVOR OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION ('PA PUC') IN AN AMOUNT NOT EXCEEDING US\$250,000.00 (UNITED STATES DOLLARS TWO-HUNDRED AND FIFTY THOUSAND AND 00/100) AGAINST PRESENTATION TO US OF A WRITTEN DRAWING CERTIFICATE THAT INCLUDES NOTARIZED SIGNATURES OF A PURPORTED OFFICER OR AUTHORIZED AGENT OF PA PUC DATED THE DATE OF PRESENTATION AND CONTAINS THE FOLLOWING STATEMENT:

'THE UNDERSIGNED HEREBY CERTIFIES TO BARCLAYS BANK PLC ('BANK'), WITH REFERENCE TO IRREVOCABLE NON-TRANSFERABLE STANDBY LETTER OF CREDIT NO. NYSB-1984 ISSUED BY BARCLAYS BANK PLC IN FAVOR OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION ('PA PUC') THAT BOC ENERGY SERVICES, INC. HAS EITHER FAILED TO -

- (1) COMPLY WITH APPLICABLE PROVISIONS OF THE PUBLIC UTILITY CODE, 66 PA. C.S. . . 101, ET SEQ., AND THE RULES AND REGULATION OF THE PA PUC:
- (2) PAY THE GROSS RECEIPTS TAX AS REQUIRED BY SECTION 2810 OF THE PUBLIC UTILITY CODE, 66 PA. C.S. . 2810: OR
- (3) ENSURE THE SUPPLY OF ELECTRICITY AT RETAIL IN ACCORDANCE WITH CONTRACTS, AGREEMENTS OR ARRANGEMENTS, AND THUS THE PA PUC IS DRAWING UPON THE LETTER OF CREDIT IN AN AMOUNT EQUAL TO US\$-----.'

CONTINUATION OF IRREVOCABLE STANDBY LETTER OF CREDIT NO. NYSB-1984

IF PRESENTATION OF ANY DRAWING CERTIFICATE IS MADE ON A BUSINESS DAY AND SUCH PRESENTATION IS MADE AT OUR COUNTERS ON OR BEFORE 10:00 A.M. EASTERN STANDARD TIME, WE SHALL SATISFY SUCH DRAWING REQUEST ON THE SAME BUSINESS DAY. IF THE DRAWING CERTIFICATE IS RECEIVED AT OUR COUNTERS AFTER 10:00 A.M. EASTERN STANDARD TIME, WE WILL SATISFY SUCH DRAWING REQUEST ON THE NEXT BUSINESS DAY, FOR THE PURPOSES OF THIS SECTION, A BUSINESS DAY MEANS A DAY, OTHER THAN A SATURDAY OR SUNDAY, ON WHICH COMMERCIAL BANKS ARE NOT AUTHORIZED OR REQUIRED TO BE CLOSED IN NEW YORK, NEW YORK.

DISBURSEMENTS SHALL BE IN ACCORDANCE WITH THE INSTRUCTIONS OF THE PA PUC. THE FOLLOWING TERMS AND CONDITIONS APPLY:

THIS LETTER OF CREDIT SHALL EXPIRE AT THE CLOSE OF BUSINESS 31ST DECEMBER 2005.

THE AMOUNT WHICH MAY BE DRAWN BY YOU UNDER THIS LETTER OF CREDIT SHALL BE AUTOMATICALLY REDUCED BY THE AMOUNT OF ANY REIMBURSED DRAWINGS HEREUNDER AT OUR COUNTERS. ANY NUMBER OF PARTIAL DRAWINGS IS PERMITTED FROM TIME TO TIME HEREUNDER.

ALL COMMISSIONS AND CHARGES WILL BE BORNE BY THE ACCOUNT PARTY.

THIS LETTER OF CREDIT IS NOT TRANSFERABLE OR ASSIGNABLE.

THIS LETTER OF CREDIT DOES NOT INCORPORATE AND SHALL NOT BE DEEMED MODIFIED, AMENDED OR AMPLIFIED BY REFERENCE TO ANY DOCUMENT, INSTRUMENT OR AGREEMENT (A) THAT IS REFERRED TO HEREIN (EXCEPT FOR THE UCP, AS DEFINED BELOW) OR (B) IN WHICH THIS LETTER OF CREDIT IS REFERRED TO OR TO WHICH THIS LETTER OF CREDIT RELATES.

THIS LETTER OF CREDIT SHALL BE GOVERNED BY THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS, 1993 REVISION, INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500 (THE 'UCP'), EXCEPT TO THE EXTENT THAT TERMS HEREOF ARE INCONSISTENT WITH THE PROVISIONS OF THE UCP, INCLUDING BUT NOT LIMITED TO ARTICLES 13(B) AND 17 OF THE UCP, IN WHICH CASE THE TERMS OF THE LETTER OF CREDIT SHALL GOVERN.

THIS LETTER OF CREDIT MAY NOT BE AMENDED, CHANGED OR MODIFIED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE PA PUC AND US.

WE HEREBY ENGAGE WITH YOU THAT DOCUMENTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT SHALL BE DULY HONORED UPON PRESENTATION AS SPECIFIED.

BARCLAYS



CONTINUATION OF IRREVOCABLE STANDBY LETTER OF CREDIT NO. NYSB-1984

PRESENTATION OF ANY DRAWING CERTIFICATE UNDER THIS STANDBY LETTER OF CREDIT MAY BE SENT TO US BY COURIER, CERTIFIED MAIL, REGISTERED MAIL TO THE ADDRESS SET FORTH BELOW, OR SUCH OTHER ADDRESS AS MAY HEREAFTER BE FURNISHED BY US.

OTHER NOTICES CONCERNING THIS STANDBY LETTER OF CREDIT MAY BE SENT BY FACSIMILE OR SIMILAR COMMUNICATIONS FACILITY TO THE RESPECTIVE ADDRESSES SET FORTH BELOW. ALL SUCH NOTICES AND COMMUNICATIONS SHALL BE EFFECTIVE WHEN ACTUALLY RECEIVED BY THE INTENDED RECIPIENT PARTY.

IF TO THE BENEFICIARY OF THIS LETTER OF CREDIT:

PENNSYLVANIA PUBLIC UTILITY COMMISSION,  
COMMONWEALTH OF PENNSYLVANIA  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, 2ND FLOOR NORTH  
P.O. BOX 3265  
HARRISBURG, PA 17105-3265  
TELEPHONE: (717) 772-7777  
FAX: (717) 787-0974

COPY

IF TO THE ACCOUNT PARTY:

LARRY STALICA  
BOC ENERGY SERVICES, INC.  
575 MOUNTAIN AVENUE  
MURRAY HILL, NJ 07974  
TELEPHONE: (908) 771-1112  
FAX: (908) 771-1194

IF TO US:

BARCLAYS BANK PLC  
PROCESSING AND PRESENTMENT OFFICE  
222 BROADWAY, 7<sup>TH</sup> FLOOR  
NEW YORK, NY 10038  
ATTN: DAWN TOWNSEND  
TELEPHONE: (212) 412-5142  
Fax: (212) 412-5111

BARCLAYS BANK PLC, NEW YORK BRANCH



Dawn Townsend  
Authorized Signature

BARCLAYS



McNees Wallace & Nurick LLC  
attorneys at law

**ORIGINAL**

SECRETARY'S BUREAU

2004 OCT 29 PM 5:07

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SUSAN E. BRUCE  
DIRECT DIAL: (717) 237-5254  
E-MAIL ADDRESS: SBRUCE@MWN.COM

October 29, 2004

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

**VIA HAND DELIVERY**

**DOCUMENT  
FOLDER**

**Re: Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania; Docket No. A-110162**

Dear Secretary McNulty:

Please find enclosed an original and eight (8) copies of the following documents submitted in connection with the EGS License Application of BOC Energy Services, Inc. ("BOC Energy"), which was filed with the Commission on October 6, 2004:

- (1) Affidavit of Susan E. Bruce, counsel for BOC Energy, verifying that notice of BOC Energy's License Application, as referenced above, has been published in newspapers identified by the Commission, in accordance with 52 Pa. Code § 54.35;
- (2) A photostatic copy of BOC Energy's Notice, as published by newspapers identified by the Commission;
- (3) A disk containing BOC Energy's Notice (provided to the Commission only);
- (4) Proofs of Publication from the following newspapers and the dates of publication:
  - The Patriot News, October 27, 2004
  - The Williamsport Sun-Gazette, October 25, 2004
- (5) Photocopies of the Notices as published in the following newspapers and the dates of publication:
  - The Erie Daily Times, October 22, 2004
  - The Philadelphia Inquirer, October 29, 2004
  - The Pittsburgh Post-Gazette, October 28, 2004
  - The Scranton Times, October 26, 2004

Please be advised that we will submit to the Commission the Proofs of Publication for the newspapers listed in paragraph (5), above, as soon as they are available.

GM

James J. McNulty, Secretary  
October 29, 2004  
Page 2

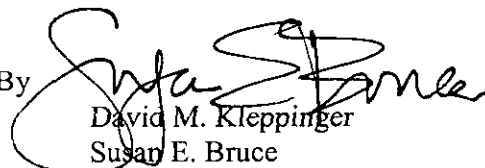
Please contact the undersigned if you have any questions regarding the filing or BOC Energy's EGS License Application. BOC Energy stands ready to answer any Commission questions to facilitate approval no later than January 1, 2005.

Copies of this filing are being served on the parties listed on the attached Certificate of Service. Please date stamp the extra copy of this transmittal letter and kindly return it to us for our filing purposes. Thank you for your attention to this matter.

Very truly yours,

McNEES WALLACE & NURICK LLC

By



David M. Kleppinger  
Susan E. Bruce

Counsel to BOC Energy Services, Inc.

SEB:jnb  
Enclosures  
c: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

**VIA FIRST-CLASS MAIL**

Irwin A. Popowsky, Esq.  
Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

Thomas P. Hill  
Vice President and Controller  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

William Lloyd, Jr., Esq.  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

John P. Litz, Division Controller  
UGI Utilities, Inc.  
Hanover Industrial Estates  
400 Stewart Road  
P.O. Box 3200  
Wilkes-Barre, PA 18773-3200

Office of the Attorney General  
Bureau of Consumer Protection  
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Associate General Counsel  
Pennsylvania Power & Light Company  
Two North Ninth Street  
Allentown, PA 18108-1179

Commonwealth of Pennsylvania  
Department of Revenue  
Bureau of Compliance  
Harrisburg, PA 17128-0946

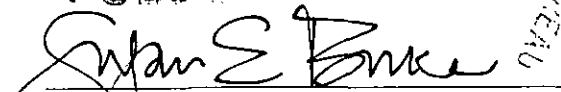
Stephen L. Feld, Esq.  
Pennsylvania Power Company  
First Energy Corporation  
76 South Main Street  
Akron, OH 44308

Richard S. Herskovitz, Esq.  
Assistant General Counsel  
Duquesne Light Company  
411 Seventh Avenue, 8-2  
Pittsburgh, PA 15219

John L. Munsch, Esq.  
Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

Blaine W. Uplinger, Jr.  
Director of Governmental and  
Regulatory Affairs  
GPU Energy  
100 APC Building  
800 North Third Street  
Harrisburg, PA 17102-2025

**DOCUMENT  
FOLDER**

  
Susan E. Bruce

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SECRETARY'S OFFICE

Dated this 29<sup>th</sup> day of October, 2004, in Harrisburg, Pennsylvania.

**AFFIDAVIT**

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2004 OCT 29 PM 4: 08

SECRETARY'S BUREAU

Commonwealth of PENNSYLVANIA

:  
:  
ss.

County of DAUPHIN

SUSAN E. BRUCE, Affiant, being duly sworn according to law, deposes and says that:

She is the COUNSEL for BOC ENERGY SERVICES, INC.;

That she is authorized to and does make this affidavit for said Applicant;

That BOC ENERGY SERVICES, INC., the Applicant herein certifies that it has caused the notice of the filing of its electric generation license application to be published in the following newspapers on:

The Patriot News, October 27, 2004  
The Scranton Times, October 26, 2004  
Pittsburgh Post-Gazette, October 28, 2004

The Philadelphia Inquirer, October 29, 2004  
Erie Times Daily, October 22, 2004  
Williamsport Sun-Gazette, October 25, 2004


A copy of the notice as it appeared in each of the above newspapers is attached. Noted on each copy is the newspaper section (name, number or letter), if applicable, and the page number on which the notice appeared.

That BOC ENERGY SERVICES, INC., the Applicant will submit to the Commission the proof of publication from each newspaper in which notice of the application filing was published as soon as it is available.

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

  
Signature of Affiant

Sworn and subscribed before me this 29<sup>th</sup> day of October, 2004.

  
Signature of official administering oath

My commission expires 7 March 19, 2005

NOTARIAL SEAL  
MARY A. SIPE, Notary Public  
City of Harrisburg, PA Dauphin County  
My Commission Expires March 19, 2005

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE**

*Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.*

On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. BOC Energy Services, Inc., proposes to sell electricity and related services throughout all of Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of BOC Energy Services, Inc., may be filed within 15 days of the date of this notice with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265. You should send copies of any protest to BOC Energy Services, Inc.'s attorney at the address listed below. Please include the PUC's A-docket number on any correspondence, which is A-110162.

BOC ENERGY SERVICES, INC.  
575 Mountain Avenue  
Murray Hill, NJ 07974

By and through Counsel:  
Susan E. Bruce, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone)  
(717) 237-5300 (Fax)

THE PATRIOT NEWS  
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929  
Commonwealth of Pennsylvania, County of Dauphin} ss

Joseph A. Dennison, being duly sworn according to law, deposes and says:

That he is the Assistant Controller of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 812 to 818 Market Street, in the City of Harrisburg, County of Dauphin, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 812 to 818 Market Street, in the City, County and State aforesaid; that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/ Metro editions which appeared on the 27th day(s) of October 2004. That neither he nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

That he has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

*Joseph A. Dennison*

PUBLICATION

COPY

Sworn to and subscribed before me this 27th day of October, 2004 A.D.

NOTARIAL SEAL  
Terry L. Russell, Notary Public  
City of Harrisburg, Dauphin County  
My Commission Expires June 6, 2006  
Member, Pennsylvania Association of Notaries

MCNEES, WALLACE & NURICK, LLC  
ATTN: JIM BOUDER  
100 PINE STREET  
P.O. BOX 1166  
HARRISBURG, PA. 17108-1166

Statement of Advertising Costs

To THE PATRIOT-NEWS CO.  
For publishing the notice or publication attached  
hereto on the above stated dates 191.51

Publisher's Receipt for Advertising Cost

I, the undersigned, Secretary of The Patriot-News and The Sunday Patriot-News, newspapers of general circulation, hereby acknowledge the receipt of the aforesaid notice and publication costs and certifies that the same have been paid in full.

By.....

RECEIVED  
2004 OCT 29 PM 4:08  
SECRETARY'S BUREAU

Miscellaneous Notices  
PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE  
Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.  
On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric general services as a broker/marketer. BOC Energy Services, Inc., proposes to sell electricity and related services throughout Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of BOC Energy Services, Inc., may be filed within 15 days of the date of this notice with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265. You should send copies of any protest to BOC Energy Services, Inc.'s attorney at the address listed below. Please include the PUC's A-docket number on any correspondence, which is A-110162.  
BOC ENERGY SERVICES, INC.  
575 Mountain Avenue  
Murray Hill, NJ 07974  
By and through Counsel:  
Susan E. Bruce, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone)  
(717) 237-5300 (Fax)

DOCKETED  
DEC 13 2004

DOCUMENT FOLDER

PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF LYCOMING

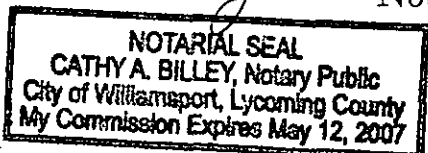
SS:

John Yahner Publisher of the Sun-Gazette Company, publishers of the Williamsport, Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor the Williamsport Sun-Gazette has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions and issues of said Williamsport Sun-Gazette on the following dates, viz:

October 25, 2004

Affiant further deposes that he is an officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all the allegations in the foregoing statement as to time, place and character of publication are true.

J. J. J.  
SUN-GAZETTE COMPANY  
Sworn to and subscribed before me  
the 26<sup>th</sup> day of October 2004  
Cathy A. Billey  
Notary Public  
SECRETARY  
2004 OCT 29 PM 4:08  
RECEIVED



STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr:  
For publishing the notice attached  
hereto on the above state dates ..... \$ 96.25  
Probated same ..... \$ \$ 96.25  
Total ..... \$ \$



**PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION  
NOTICE**

*Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.*

On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. BOC Energy Services, Inc., proposes to sell electricity and related services throughout all of Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act.

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**BOC ENERGY SERVICES,  
INC.  
575 Mountain Avenue  
Murray Hill, NJ 07974**

**By and through Counsel:  
Susan E. Bruce, Esquire  
McNees Wallace & Nurick  
LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone)  
(717) 237-5300 (Fax)**



# Classifieds

## DETAILS OF ADS IN LEGAL NOTICES

---

**Original Ad****PENNSYLVANIA PUBLIC UTILITY COMMISSION  
NOTICE**

Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.

On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer. BOC Energy Services, Inc., proposes to sell electricity and related services throughout Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act.

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BOC ENERGY SERVICES, INC.  
575 Mountain Avenue, Murray Hill, NJ 07974

By and through Counsel:  
Susan E. Bruce, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street, P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone) (717) 237-5300 (Fax)



Pittsburgh, Pa. Thursday, Oct. 28, 2004





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## Other Notices

### PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.

On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer. BOC Energy Services, Inc., proposes to sell electricity and related services throughout Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act.

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### BOC ENERGY SERVICES, INC.

575 Mountain Avenue  
Murray Hill, NJ 07974

By and through Counsel:

Susan E. Bruce, Esquire  
McNees Wallace &  
Nurick LLC

100 Pine Street

P.O. Box 1166

Harrisburg, PA

17108-1166

(717) 237-5254 (Phone)

(717) 237-5300 (Fax)

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October 28, 2004

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1 Ad Found

Public Notices - All

Search 50 miles from Scranton, PA

Ads having the keyword: BOC

Item

LEGAL NOTICE PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/ marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162. On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. BOC Energy Services, Inc., proposes to sell electricity and related services through -out all of Pennsylvania to its affiliated air-separation facilities and potentially other non - affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of BOC Energy Services, Inc., may be filed within 15 days of the date of this notice with the Secretary, Pennsylvania Public Utility Commission, PO Box 3265, Harrisburg, Pennsylvania 17105-3265. You should send copies of any protest to BOC Energy Services, Inc.'s attorney at the address listed below. Please include the PUC's A-docket number on any correspondence, which is A-110162. BOC ENERGY SERVICES, INC. 575 Mountain Avenue Murray Hill, NJ 07974 By and through Counsel: Susan E. Bruce, Esquire McNeas Wallace & Nurick LLC 100 Pine Street PO Box 1166 Harrisburg, PA 17108-1166 (717) 237-5254 (Phone) (717) 237-5300 (Fax)

Scranton Times Tribune

Location:Scranton PA Area Code:570

Highlight

Business Directory

- Accountants
Ad Agencies
Alarm Systems
Appliances
Banks
PENN SECURITY BANK & TRUST CO
Child Care
Dental; Oral Care
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Scoville-Memo
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Expand Your Public Notices Search

Search Now! GO!

Search 75 miles From Scranton, PA

MWN

McNees Wallace & Nurick LLC  
attorneys at law

P.O. Box 1166 • 100 PINE STREET • HARRISBURG, PA 17108-1166

**DOCKED**  
DEC 1 9 2004

**DOCUMENT  
FOLDER**

*disk*

A-110162

**OVER SIZED DOCUMENTS**

3.5" DISK



McNees Wallace & Nurick LLC  
attorneys at law

ORIGINAL

SUSAN E. BRUCE  
DIRECT DIAL: (717) 237-5254  
E-MAIL ADDRESS: SBRUCE@MWN.COM

November 5, 2004

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

VIA HAND DELIVERY

**Re: Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania; Docket No. A-110162**

Dear Secretary McNulty:

Please find enclosed the originals and eight (8) copies of Proofs of Publication in connection with the License Application of BOC Energy Services, Inc. ("BOC Energy"), which was filed with the Commission on October 6, 2004. The Proofs of Publication from the following newspapers and the dates of publication are:

- Erie Times-News, October 22, 2004
- The Scranton Times, October 26, 2004
- Pittsburgh Post-Gazette, October 28, 2004
- The Philadelphia Inquirer, October 29, 2004

Please be advised that we previously submitted to the Commission on October 29, 2004, photocopies of Notices from the above newspapers as well as the Proofs of Publication from The Patriot-News and The Williamsport Sun-Gazette. The instant filing completes BOC Energy's compliance with the Commission's notice requirements pursuant to 52 Pa. Code § 54.35.

Copies of this filing are being served on the parties listed on the attached Certificate of Service. Please date stamp the extra copy of this transmittal letter and kindly return it to us for our filing purposes. Thank you for your attention to this matter.

Very truly yours,

McNEES WALLACE & NURICK LLC

By   
David M. Kleppinger  
Susan E. Bruce

Counsel to BOC Energy Services, Inc.

RECEIVED  
SEB:jab  
NOV -5 PM 2:38  
SECRETARY'S BUREAU

c: Certificate of Service

P.O. Box 1166 • 100 PINE STREET • HARRISBURG, PA 17108-1166 • TEL: 717.232.8000 • FAX: 717.237.5300 • WWW.MWN.COM

HAZLETON, PA • STATE COLLEGE, PA • COLUMBUS, OH • WASHINGTON, DC

46

OATH of PUBLICATION  
In  
THE ERIE TIMES-NEWS  
COMBINATION EDITION

MCNEES WALLACE & NURICK  
PO BOX 1166  
HARRISBURG PA 17108-1166

REFERENCE: L0001101  
0000558631 PENNSYLVANIAPUBLICUT

STATE OF PENNSYLVANIA )  
COUNTY OF ERIE ) SS:

James E. Dible being duly sworn, deposes and says that he is the Publisher of the Times Publishing Company, which publishes: the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, successor, by consolidation, of the Morning News, established January 1957, and the Erie Daily Times, established April 1888, daily newspapers of general circulation, and published at Erie, Erie County, Pennsylvania, and that the notice of which the attached is a copy published, in the regular editions of said newspaper of the dates referred to below. Affiant further deposes that he is duly authorized by the TIMES PUBLISHING COMPANY, publisher of The Erie Times-News to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 10/22

TOTAL COST: 187.25 AD SPACE: 75 LINE  
FILED ON: 10/22/04

Sworn to and subscribed before me this

2nd day of October 2004 Affiant: James E. Dible

NOTARY: Marybeth Swoger

PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION  
NOTICE  
APPLICATION of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162. On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity. BOC Energy Services, Inc., proposes to sell electricity and related services throughout all of Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of BOC Energy Services, Inc., may be filed within 15 days of the date of this notice with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265. You should send copies of any protest to BOC Energy Services, Inc.'s attorney at the address listed below. Please include the PUC's A-docket number on any correspondence, which is A-110162.  
BOC ENERGY SERVICES;  
INC. 575 Mountain Avenue  
Murray Hill, NJ 07974  
By and through Counsel:  
Susan E. Bruce, Esquire  
McNees Wallace & Nurick  
LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone)  
(717) 237-5300 (Fax)  
(10-558631-NT-22)

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
MARYBETH SWOGER, NOTARY PUBLIC  
CITY OF ERIE, ERIE COUNTY  
MY COMMISSION EXPIRES ON OCT. 6, 2007  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

SECRETARY'S BUREAU

2004 NOV -5 PM 2:38

RECEIVED

DOCKETED  
NOV 2 5 2004

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# The Scranton Times

PENN AVENUE AT SPRUCE STREET • P.O. BOX 3311 • SCRANTON, PA 18505-3311

PHONE (570) 348-9100

ADVERTISER CLIENT

7 BILLED/ACCOUNT NO.

160246

2 BILLED ACCOUNT

6 TERMS OF PAYMENT

SEE OTHER SIDE

MCNEES WALLACE & NURICK  
ATTN DERRICK WILLIAMSON ESQ  
100 PINE ST PO BOX 1166  
HARRISBURG PA 17108-1166

## LEGAL BILL

10 DATE	11 REFERENCE NUMBER	12 CHARGES OR CREDITS DESCRIPTION/PRODUCT CODE	13 SAU/ DIMENSIONS	14 TIMES	15 BILLED UNITS	16 RATE	17 GROSS AMOUNT	18 NET AMOUNT
26	3896974	MCNEES WALLACE & NURICK	91	1	91.00	2.73		248.43
26	3896974	AFF CHG 10/26/04		1				5.00

THE SCRANTON TIMES (UNDER ACT P.L. 877 NO. 160, JULY 9, 1976)  
COMMONWEALTH OF PENNSYLVANIA COUNTY OF LACKAWANNA

GINA KRUSHINSKI BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT SHE IS ACCOUNTING CLERK FOR THE SCRANTON TIMES, OWNER AND PUBLISHER OF THE SCRANTON TIMES, A NEWSPAPER OF GENERAL CIRCULATION, ESTABLISHED IN 1870, PUBLISHED IN THE CITY OF SCRANTON, COUNTY AND STATE AFORESAID, AND THAT THE PRINTED NOTICE OR PUBLICATION HERETO ATTACHED IS EXACTLY AS PRINTED IN THE REGULAR EDITIONS OF THE SAID NEWSPAPER ON THE FOLLOWING DATES, VIZ: HG 10/26/04

AFFIANT FURTHER DEPOSES AND SAYS THAT NEITHER THE AFFIANT NOR THE SCRANTON TIMES IS INTERESTED IN THE SUBJECT MATTER OF THE AFORESAID NOTICE OR ADVERTISEMENT AND THAT ALL ALLEGATIONS IN THE FOREGOING STATEMENT AS TIME, PLACE AND CHARACTER OF PUBLICATION ARE TRUE

SWORN AND SUBSCRIBED TO BEFORE ME

THIS 26 DAY OF OCT. 2004.

*Carolyn A. Timlin* (NOTARY PUBLIC)

NOTARIAL SEAL  
CAROLYN A TIMLIN  
Notary Public  
CITY OF SCRANTON  
LACKAWANNA COUNTY  
My Commission Expires Dec 2, 2007

**LEGAL NOTICE PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**

Application of BOC Energy Services, Inc. for approval to offer, render, furnish, or supply electricity or electric generation services as a broker, marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162. On October 6, 2004, BOC Energy Services, Inc. filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or include the PUC's electric services as a broker/marketer engaged in the business of supplying electricity. BOC Energy Services, Inc., proposes to sell electricity and related services through Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of BOC Energy Services, Inc., may be filed within 15 days of the date of this notice with the Secretary, Pennsylvania Public Utility Commission, PO Box 3265, Harrisburg, Pennsylvania 17105-3265. You should send copies of any protest to BOC Energy Services, Inc.'s attorney at the address listed below. Please include the PUC's electric docket number on any correspondence which is A-110162. BOC ENERGY SERVICES, INC. 575 Mountain Avenue, Murray Hill, NJ 07974

By and through  
Counsel:  
Susan E. Bruce,  
Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
PO Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone)  
(717) 237-5300 (Fax)

24 DOCKETED NOV 23 2004

29 CONTRACT PERFORMANCE

EXPIRATION DATE	REQUIREMENT	CURRENT MONTH	CUMULATIVE

SECRETARY'S BUREAU

AMOUNT OF PAYMENT 26 BILLED/ACCOUNT NO. 27

68 2:39 PM 5-NOV-04 160246 MCNEES WALLACE & NURICK

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

**RECEIVED**

**REMITTANCE ADVICE**

PENN AVENUE AT SPRUCE STREET • P. PHONE (570) 348-9100

**The Scranton Times**

105-3311

The PUC may consider this application with-

# TERMS OF PAYMENT

## MONTHLY

PAYABLE LAST DAY OF MONTH FOLLOWING BILLING DATE.  
A 1% PER MONTH FINANCE CHARGE WILL BE ADDED TO PAST  
DUE BALANCES. THIS IS AN ANNUAL PERCENTAGE RATE OF 12%

WEEKLY: PAYABLE ON RECEIPT OF THIS INVOICE

## LEGEND

The 29 elements of the Standard Advertising Invoice (SAI)

- |  |                                     |
|--|-------------------------------------|
| 1. Name and Address of Newspaper, and<br>Phone No. | 15. SAU/Dimensions                  |
| 2. Billed Account Name and Address                 | 16. Times Published                 |
| 3. Invoice/Document Number                         | 17. Billed Units                    |
| 4. Billing Date                                    | 18. Applicable Rate                 |
| 5. Billing Period                                  | 19. Gross Amount                    |
| 6. Terms of Payment                                | 20. Net Amount                      |
| 7. Billed Account Number                           | 21. Current Gross Amount            |
| *8. Advertiser/Client Number                       | 22. Current Net Amount Due          |
| 9. Advertiser/Client Name                          | *23. Cash Discount                  |
| 10. Date of Insertion                              | 24. Aging of Past Due Amounts       |
| 11. Newspaper's Reference Number                   | 25. Total Net Amount Due            |
| 12. Other Charges or Credits                       | 26. Billed Account Number           |
| 13. Description                                    | 27. Billed Account Name             |
| 14. Product/Service Code                           | 28. Name and Address for Remittance |
|  | 29. Contract Performance            |

*The elements shown above appear on the face of the invoice and are identified by number.*

\* NOT APPLICABLE

# Proof of Publication of Notice in Post-Gazette

Under Act No. 587, Approved May 16, 1929, P.L. 1784, as last amended by Act No. 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss: M. Goodwin, being duly sworn, deposes and says that the Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 and the Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Post-Gazette a newspaper of general circulation on the following dates, viz:

October 28, 2004

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Post-Gazette; that, as such agent, affiant is duly authorized to verify the foregoing statement under oath; that affiant is not interested in the subject matter of the aforesaid notice or publication; and that all allegations in the foregoing statement as to time, place and character of publication are true.

### COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
NOTICE  
Application of BOC Energy Services, Inc. for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.

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BOC ENERGY SERVICES, INC.  
575 Mountain Avenue  
Murray Hill, NJ 07974  
By and through Counsel:  
Susan E. Bruce, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5254 (Phone)  
(717) 237-5300 (Fax)

M. Goodwin  
PG Publishing Company

Sworn to and subscribed before me this day of:

October 28, 2004

Mary E. Weyerzycki

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Mary E. Weyerzycki, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Feb. 18, 2008  
Notary, Pennsylvania Association of Notaries

RECEIVED  
2004 NOV -5 PM 2:39  
SECRETARY OF REVENUE BUREAU

DOCKETED  
NOV 23 2004

DOCUMENT FOLDER

STATEMENT OF ADVERTISING COSTS  
McNees Wallace & Nurick LLC  
P.O. Box 1166  
100 Pine Street  
Harrisburg Pa. 17108  
To PG Publishing Company

Total ----- \$ 546.00

**isher's Receipt for Advertising Costs**  
publisher of the Post-Gazette, a newspaper of general circulation, hereby acknowledges and publication costs and certifies that the same have been fully paid.

PG PUBLI receipt of  
Bouleva  
PITTSBU  
Phone

PG Publishing Company, a Corporation, Publisher of Post-Gazette, a Newspaper of General Circulation

By Brian McGarvey

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

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:

October 29, 2004

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 29<sup>th</sup> day of  
October, 2004.

*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, 2006

Copy of Notice of Publication

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
NOTICE

Application of BOC Energy Services, Inc., for approval to offer, render, furnish, or supply electricity or electric generation services as a broker/marketer engaged in the business of supplying electricity in the Commonwealth of Pennsylvania, Docket No. A-110162.

On October 6, 2004, BOC Energy Services, Inc., filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as a broker/marketer. BOC Energy Services, Inc., proposes to sell electricity and related services throughout Pennsylvania to its affiliated air-separation facilities and potentially other non-affiliated industrial customers (including any related commercial accounts above 25 kW) under the provisions of the Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of BOC Energy Services, Inc., may be filed within 15 days of the date of this notice with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3285, Harrisburg, Pennsylvania 17105-3285. You should send copies of any protest to BOC Energy Services, Inc.'s attorney at the address listed below. Please include the PUC's A-docket number on any correspondence, which is A-110162.

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

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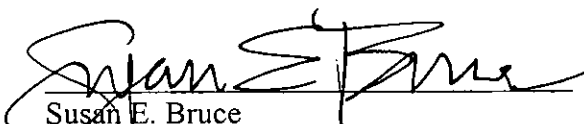
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Susan E. Bruce

Dated this 5<sup>th</sup> day of November, 2004, in Harrisburg, Pennsylvania.

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