



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

DOCUMENT July 1, 2008
FOLDER

Docket No. A-110173

AMERICAN POWERNET MANAGEMENT
867 BERKSHIRE BLVD STE 101
WYOMISSING PA 19610

ATTENTION: LINDA JABLONSKI

RE: License Bond or Other Financial Security

Dear Ms. Jablonski:

Pursuant to 66 Pa. C.S. §2809(c), no electric supplier license shall remain in force unless the licensee furnishes a bond or other security approved by the Commission to ensure the financial responsibility of the electric generation supplier and the supply of electricity at retail. The Commission's records indicate that the anniversary of the bond or other approved security provided by American PowerNet Management occurs on September 7, 2008.

The Commission's regulations at 52 Pa. Code §54.40(d) require "the security level for each licensee will be reviewed annually and modified primarily based upon the licensee's reported annual gross receipts information. The security level will be 10% of the licensee's reported gross receipts." The minimum security level provided may not be less than the initial security level provided when the license was granted. Unless approved by the Commission, the initial security level is \$250,000.

The Commission's regulations at 52 Pa. Code §54.39(b) require a licensee to file an annual report on or before April 30 of each year, for the previous calendar year, in order to comply with 66 Pa. C.S. §2810(c)(6). This report discloses the total amount of gross receipts from the sale of electricity and the total amount of electricity sold during the preceding calendar year. You must use this same information in calculating the appropriate security level necessary to maintain your license.

In order for your company to maintain its status as a licensed electric supplier in the Commonwealth of Pennsylvania, it must provide proof to the Commission that a bond or other approved security has been obtained.

Your response in this matter is requested within fifteen (15) days of the date of this letter. Submit your response to the Commission's Secretary. Additionally, fax a copy of your response to James Shurskis at (717) 787-4750, Bureau of Fixed Utility Services.

RECEIVED
2008 JUL - 1 AM 10:19
PA PUC
SECRETARY'S BUREAU

Failure to respond to this matter within fifteen (15) days will cause Commission staff to initiate a formal proceeding, that may lead to the following: cancellation of your company's electric supplier license, removal of your information from the Commission's website and notification to all electric distribution companies, in which your company is licensed to do business, of the cancellation of the license.

Please direct any questions to James Shurskis at (717) 787-8763, Bureau of Fixed Utility Services.

Sincerely,



Robert Wilson, Director
Bureau of Fixed Utility Services

Cc: J. McNulty, Secretary



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

July 6, 2010

Docket No. A-110173

AMERICAN POWERNET MANAGEMENT
867 BERKSHIRE BLVD STE 101
WYOMISSING PA 19610

ORIGINAL

ATTENTION: LINDA JABLONSKI

RE: License Bond or Other Financial Security

Dear Ms. Jablonski:

Pursuant to 66 Pa. C.S. §2809(c), no electric supplier license shall remain in force unless the licensee furnishes a bond or other security approved by the Commission to ensure the financial responsibility of the electric generation supplier and the supply of electricity at retail. The Commission's records indicate that the anniversary of the bond or other approved security provided by American PowerNet Management occurs on September 7, 2010.

The Commission's regulations at 52 Pa. Code §54.40(d) require "the security level for each licensee will be reviewed annually and modified primarily based upon the licensee's reported annual gross receipts information. The security level will be 10% of the licensee's reported gross receipts." The minimum security level provided may not be less than the initial security level provided when the license was granted. Unless approved by the Commission, the initial security level is \$250,000.

The Commission's regulations at 52 Pa. Code §54.39(b) require a licensee to file an annual report on or before April 30 of each year, for the previous calendar year, in order to comply with 66 Pa. C.S. §2810(c)(6). This report discloses the total amount of gross receipts from the sale of electricity and the total amount of electricity sold during the preceding calendar year. You must use this same information in calculating the appropriate security level necessary to maintain your license.

In order for your company to maintain its status as a licensed electric supplier in the Commonwealth of Pennsylvania, it must provide proof to the Commission that a bond or other approved security has been obtained.

Your response in this matter is requested within fifteen (15) days of the date of this letter. Submit your response to the Commission's Secretary. Additionally, fax a copy of your response to James Shurskis at (717) 787-4750, Bureau of Fixed Utility Services.

Failure to respond to this matter within fifteen (15) days will cause Commission staff to initiate a formal proceeding, that may lead to the following: cancellation of your company's electric supplier license, removal of your information from the Commission's website and notification to all electric distribution companies, in which your company is licensed to do business, of the cancellation of the license.

Please direct any questions to James Shurskis at (717) 787-8763, Bureau of Fixed Utility Services.

Sincerely,



Robert Wilson, Director
Bureau of Fixed Utility Services

Cc: ~~R. Chiavetta, Secretary~~



RECEIVED

A-110173

AUG 10 2011

DOCUMENT
FOLDER

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BENEFICIARY:
PENNSYLVANIA PUBLIC UTILITY
COMMISSION, COMMONWEALTH OF PA
SEE BELOW FOR COMPLETE NAME/ADDRESS
HARRISBURG PA 17120

APPLICANT:
PPG INDUSTRIES INC ON THE ACCOUNT
OF APN STARFIRST, LP
ONE PPG PLACE, 9 NORTH
PITTSBURGH PA 15272

ATTENTION: J. MCNULTY

IRREVOCABLE STANDBY LETTER OF CREDIT

OUR REFERENCE: 18113600-00-000
AMOUNT: USD \$250,000.00
ISSUE DATE: AUGUST 10, 2011
EXPIRY DATE: AUGUST 10, 2011
EXPIRY PLACE: OUR COUNTERS

BENEFICIARY'S COMPLETE NAME AND ADDRESS
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH OF PENNSYLVANIA
COMMONWEALTH KEYSTONE BLDG., 2ND FLOOR
400 NORTH ST.
HARRISBURG, PA 17120
ATTN: J. MCNULTY

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO
18113600-00-000 IN YOUR FAVOR FOR THE ACCOUNT OF PPG INDUSTRIES, INC.
FOR UP TO THE AGGREGATE AMOUNT OF US\$250,000.00 (TWO HUNDRED FIFTY
THOUSAND AND 00/100 UNITED STATES DOLLARS) AVAILABLE AGAINST
PRESENTATION OF YOUR SIGHT DRAFT(S) DRAWN ON PNC BANK, NATIONAL
ASSOCIATION FOR PAYMENT AT OUR COUNTERS AT 500 FIRST AVENUE, 3RD FLOOR,
P7-PFSC-03-T, PITTSBURGH, PA 15219 ATTN: GLOBAL TRADE SERVICES

WE ARE INFORMED THAT THIS LETTER OF CREDIT IS PROVIDED IN ACCORDANCE
WITH SECTION 2809 (C) (1) (I) OF THE PUBLIC UTILITY CODE, 66 PA.C.S.A.
SECTION 2809 (C) (1) (I), AND WE ARE FURTHER INFORMED THAT IT WILL
CONSTITUTE COMPLIANCE BY APN STARFIRST, LP AS A LICENSED ELECTRIC
GENERATION SUPPLIER, WITH THE APPLICABLE PROVISIONS OF THE PUBLIC
UTILITY CODE, 66 PA.C.S.A. SECTION 101, ET SEQ. AND THE RULES AND
REGULATIONS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION TO ENSURE THE
PAYMENT OF GROSS RECEIPTS TAX AS REQUIRED BY SECTION 2810 OF THE PUBLIC
UTILITY CODE, 66 PA.C.S.A. SECTION 2810, AND TO ENSURE THE SUPPLY OF
ELECTRICITY AT RETAIL IN ACCORDANCE WITH CONTRACTS, AGREEMENTS OR
ARRANGEMENTS.

WE ARE ADVISED THAT PAYMENT OF CLAIMS SHALL HAVE THE FOLLOWING
PRIORITY: (I) THE COMMONWEALTH OF PENNSYLVANIA; (II) ELECTRIC
DISTRIBUTION COMPANIES FOR THE REIMBURSEMENT OF GROSS RECEIPTS TAX; AND
(III) PRIVATE INDIVIDUALS. PROCEEDS OF THE LETTER OF CREDIT MAY NOT BE
USED TO PAY PENALTIES OR FINES LEVIED AGAINST AMERICAN POWERNET
MANAGEMENT, LP FOR VIOLATIONS OF THE LAW, OR FOR PAYMENT OF ANY OTHER
TAX OBLIGATIONS OWED TO THE COMMONWEALTH.



THE SAID AMOUNT IS AVAILABLE BY DRAFTS ON US BY THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION ("PUC") AT SIGHT ACCOMPANIED BY PUC'S LETTER REQUESTING PAYMENT UNDER THIS CREDIT PURPORTEDLY SIGNED BY AN OFFICER OF THE PUC. SUCH LETTER FROM THE PUC SHALL INCLUDE A STATEMENT OF THE AMOUNT OWED THE PUC AND THAT "SUCH AMOUNT IS DUE TO THE PUC PURSUANT TO THE PUBLIC UTILITY CODE GROSS RECEIPTS TAX OR ELECTRICITY SUPPLY OBLIGATION OF AMERICAN POWERNET MANAGEMENT LP'S LICENSE TO OFFER, RENDER, FURNISH OR SUPPLY ELECTRICITY GENERATION SERVICES TO THE PUBLIC IN THE COMMONWEALTH OF PENNSYLVANIA; AND, THAT AMERICAN POWERNET MANAGEMENT, LP. FAILED TO PAY THAT AMOUNT."

PARTIAL DRAWINGS ARE PERMITTED UNDER THIS CREDIT.

WE HEREBY AGREE THAT DRAFT(S) PRESENTED UNDER AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS IRREVOCABLE STANDBY LETTER OF CREDIT WILL BE DULY HONORED UPON PRESENTATION TO US AT THIS OFFICE, ON OR BEFORE THE EXPIRY DATE OR ANY AUTOMATICALLY EXTENDED EXPIRY DATE.

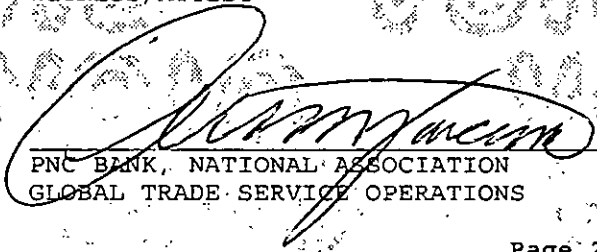
THIS LETTER OF CREDIT EXPIRES AT THIS OFFICE AT 5 PM EASTERN TIME WITH OUR CLOSE OF BUSINESS ON AUGUST 10, 2011.

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT THE EXPIRATION DATE SHALL BE AUTOMATICALLY EXTENDED, WITHOUT WRITTEN AMENDMENT, FOR ADDITIONAL ONE (1) YEAR PERIODS BEGINNING WITH THE CURRENT EXPIRATION DATE AND UPON EACH ANNIVERSARY OF SUCH DATE UNLESS AT LEAST ONE HUNDRED TWENTY (120) DAYS PRIOR TO THE THEN CURRENT EXPIRATION DATE WE NOTIFY THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION IN WRITING VIA OVERNIGHT COURIER AT THE ABOVE LISTED ADDRESS OF OUR INTENTION NOT TO EXTEND THIS LETTER OF CREDIT. UPON RECEIPT OF SUCH NOTICE YOU MAY DRAW HEREUNDER ON OR PRIOR TO THE THEN RELEVANT EXPIRATION DATE, UP TO THE FULL AMOUNT THEN AVAILABLE THEREUNDER, AGAINST YOUR SIGHT DRAFT(S) ON US, BEARING OUR LETTER OF CREDIT NUMBER 18113600-00-000.

DRAFTS MUST BE MARKED "DRAWN UNDER PNC BANK, NATIONAL ASSOCIATION LETTER OF CREDIT NUMBER 18113600-00-000, DATED AUGUST 10, 2010."

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION) THE INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.


WITNESS/ATTEST


PNC BANK, NATIONAL ASSOCIATION
GLOBAL TRADE SERVICE OPERATIONS

American PowerNet

October 26, 2010

Ms. Rosemary Chiavetta
Secretary
Pennsylvania Public Utilities Commission
P O Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2010 OCT 29 AM 9:21
PA.P.U.C.
SECRETARY'S BUREAU

Re: Docket # A-110173

Dear Ms. Chiavetta:

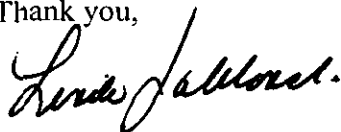
In connection with my conversation with the Secretary's Bureau, this correspondence is being sent to notify the Pennsylvania Public Utilities Commission of a change of address for American PowerNet Management, LP, Docket # A-110173.

Old Address: 867 Berkshire Blvd., Suite 101
Wyomissing, PA 19610

New Address: 45 Commerce Drive
Wyomissing, PA 19610

Please do not hesitate to contact me to let me know if you need anything additional.

Thank you,



Linda Jablonski

lindaj@americanpowernet.com

Managing the Energy Evolution.®