

# American PowerNet

ORIGINAL

A-110173

Thursday, November 1, 2012

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Rosemary A. Chiavetta, Secretary  
Secretary's Bureau  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Dear Secretary Chiavetta:

American PowerNet Management, LP (APNM) received your letter of October 2, 2012 and has had subsequent dialogue with Mr. Jim Shurskis regarding this matter.

In as much as this is a continuing matter before the Commission, APNM has increased its Security Level to \$3,400,000, a level slightly more than to 10% of gross receipts of \$33,723,093 for the twelve months ended September 30, 2012. A letter of credit in the amount of \$3,400,000 issued by Sovereign Bank, #7088, is being delivered to you today under separate cover.

Additionally, APNM hereby requests that Sovereign Bank letter of credit number 5452 for the benefit of the Commission in the amount of \$250,000 be returned to us immediately for cancelation.

APNM believes that taking the above action fulfills the Commission's requirements allowing our license to be modified:

- To reflect APNM's status as a Supplier and Broker/Marketer (as requested in our letter dated October 6, 2011), and,
- To allow us to serve residential and small commercial customers in addition to the customer classes that we currently serve (as requested in our letter dated July 29, 2011).

If there is anything more for us to do in connection with this matter please let me know as soon as possible.

Sincerely,



Eugene F. Carter, Jr.  
Controller

Managing the Energy Evolution®

45 Commerce Drive, Wyomissing, PA 19610-1038 • (610) 372-8500 • Fax (610) 372-9100

www.americanpowernet.com

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Thursday, October 6, 2011

Rosemary A. Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth of Pennsylvania  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: *Modification of EGS license to be approved as a Supplier and a Broker/Marketer for American PowerNet Management, LP, License #A-110173*

Dear Ms. Chiavetta:

American PowerNet Management, LP is a licensed Electric Generation Supplier in Pennsylvania. Presently, we are licensed as a broker/marketer. We selected this category as a "best-fit" option based on our business model and the choices available in the application form in use at that time at the time of our application. Our business model changed as of January 1, 2010 when American Powernet Management, LP transformed itself into an electricity supplier and began taking title to electricity in Pennsylvania for a number of customers. It was only about two weeks ago that I discovered that our present license was never modified to accommodate this change in our business model and that we did not provide notice to the Commission of this change. We have been operating as a supplier and a broker/marketer since January 1, 2010 and to the best of my knowledge we have complied with all necessary reporting requirements.

By this letter we are requesting that our license be modified in such a way as to be an approved supplier within the Commonwealth of Pennsylvania. We are requesting this modification to assure that our operations are fully aligned with the level of approval granted by the Public Utility Commission. If necessary, we request that the license modification be made retroactive to January 1, 2010 when our business model changed.

We understand that it is necessary for us to serve all required parties with copies of this request.

We have served all the required parties with a copy of this letter regarding our request for modification to our Electric Generation Supplier License. A copy of the signed Certificate of Service follows this letter.

Should any additional information be required from us please let me know.

Sincerely,

*COPY*

Eugene F. Carter, Jr.  
Controller

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