

Buchanan Ingersoll & Rooney PC

John F. Povilaitis

717 237 4825
john.povilaitis@bjpc.com

409 North Second Street
Suite 500
Harrisburg, PA 17101-1357
T 717 237 4800
F 717 233 0852
www.buchananingersoll.com

December 8, 2016

VIA HAND DELIVERY

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Petition of Just Energy Pennsylvania Corp. For A Renewal of Reduced Bonding
Level Authorization; Docket No. A-2009-2097544

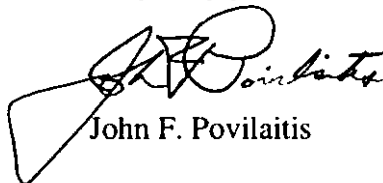
Dear Secretary Chiavetta,

Enclosed please find a Petition for a Renewal of Reduced Bonding Level Authorization ("Petition") filed on behalf of Just Energy Pennsylvania Corp. ("JEPC"). This filing includes commercially valuable and sensitive information for which JEPC requests confidential treatment. Accordingly, enclosed is a version of the Petition marked "Public Version" for inclusion in the public record, and a version of the Petition marked "Confidential Version". **JEPC respectfully requests that the Confidential Version of its Petition be maintained by the Pennsylvania Public Utility Commission ("Commission") under seal.** Also enclosed is a filing fee in the amount of \$350.00.

Copies of JEPC's Public Version of its Petition have been served on each of the Public Advocates, the Commission's Bureau of Investigation and Enforcement, the Commission's Bureau of Technical Utility Services, the Commonwealth of Pennsylvania's Department of Revenue, the Office of Attorney General's Bureau of Consumer Protection and all Pennsylvania electric distribution companies, as indicated in the attached Certificate of Service.

Please contact the undersigned if you have any questions regarding this filing. Thank you for your attention to this matter.

Very truly yours,



John F. Povilaitis

JFP/bb
Enclosures
cc: Certificate of Service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Just Energy Pennsylvania Corp. :
For A Renewal of a Reduced Level of Bonding :

Docket No. A-2009-2097544

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**PETITION OF JUST ENERGY PENNSYLVANIA CORP. FOR A
RENEWAL OF REDUCED BONDING LEVEL AUTHORIZATION**

I. Introduction

1. Just Energy Pennsylvania Corp. ("Just Energy" or "Company") is an electric generation supplier ("EGS") authorized by the Pennsylvania Public Utility Commission ("PaPUC" or "Commission") to operate as an electric generation supplier ("EGS"), a broker/marketer and an aggregator engaged in the business of supplying electricity to residential, small commercial and large commercial customers in all electric distribution company ("EDC") service territories in the Commonwealth of Pennsylvania. Just Energy (formerly known as Pennsylvania Energy Savings Corp) received its initial license to operate as an EGS in the service territory of Duquesne Light Company by Commission Order of December 23, 2009 at Docket No. A-2009-2097544. By Order of June 21, 2012, Just Energy received authority to operate as an EGS in all EDC service territories in the commonwealth of Pennsylvania at Docket No. A-2009-2097544. As a licensed EGS, Just Energy is subject to the Commission's authority to require it to furnish a bond or other security in order to operate in the Commonwealth of Pennsylvania, pursuant to Section 2809(c) of the Public Utility Code ("Code") and Section 54.40 of the Commission's regulations. 66 Pa.C. S. §2809(c); 52 Pa.Code §54.40.

2. Section 54.40(d) of the Commission's regulations requires EGSs to provide a security level of 10% of the licensee's reported gross receipts. However, a licensee may seek approval from the Commission of an alternative level of bonding, commensurate with the nature

and scope of its operations. 52 Pa.Code §54.40(d). According to the Commission's regulations, the purpose of the bond is to ensure payment of the Pennsylvania Gross Receipts Tax ("GRT") and to ensure the supply of electricity at the retail level in accordance with contracts, agreements or arrangements. 52 Pa.Code §54.40(f)(2). On July 24, 2014, after consideration of formal comments submitted to a December 5, 2013 Tentative Order, the Commission found that requiring an EGS to post a bond or security in the amount of 10% of gross receipts after the first year of operation "may be excessive in relation to the risk intended to be secured, unnecessarily burdening EGSs, and presenting a potential barrier to entry into Pennsylvania's retail electric market."¹ Therefore the Commission announced in its July 24, 2014 Order that it was adopting the policy of accepting Petitions by EGSs to reduce their level of bonding/security after the first year of operation to 5% of the EGS's most recent 12 months of gross revenue or \$250,000, whichever is higher. In addition, the July 24, 2014 Order delegated authority to review uncontested requests for a reduction in the level of bonding to the Bureau of Technical Utility Services.²

3. Based on the July 24, 2014 Order, the Code, and the Commission's regulation at Section 54.40(d), Just Energy filed a bond reduction petition to reduce its bond with the PaPUC from 10% to 5% of the Company's most recent twelve (12) months of revenue. By Secretarial Letter dated March 8, 2016, the PaPUC granted Just Energy's bond reduction petition. Thereafter, annually, Just Energy must provide continued documentation of its eligibility for a bond reduction with the Commission pursuant to 52 Pa. Code Section 54.40(d). Just Energy provides the following material in support of its request that the Commission approve a

¹ *Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers: Acceptable Security Instruments*, Docket No. M-2013-2393141 (July 24, 2014) ("July 24, 2014 Order") at 10.

² July 24, 2014 Order at 12-13.

continued reduction in its security requirement to 5% of its most recent 12 months of gross revenue.

II. Information Provided in Support of Bond Reduction Request

4. This Petition includes Confidential Attachment 1 and Confidential Attachment 2. Confidential Attachment 1 provides Just Energy's gross revenues for the sale of electricity to retail customers in Pennsylvania for the most recent four (4) quarters.

5. Confidential Attachment 2 is a Tax Status Letter of Good Standing obtained by Just Energy from the Pennsylvania Department of Revenue ("DOR"). DOR indicates in this letter that Just Energy is current in its obligation.

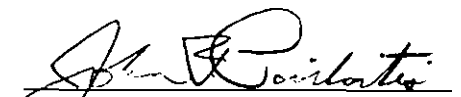
6. Based on the foregoing information which demonstrates that Just Energy is in compliance with the Commission's requirements for a security reduction renewal, the Company requests that its bonding requirement continue to be reduced to 5% of its most recent twelve (12) months of gross revenue. This amount is reasonable and satisfies the requirements of Section 2809(c) of the Public Utility Code ("Code") and Section 54.40 of the Commission's regulations. 66 Pa.C.S. §2809(c); 52 Pa. Code §54.40.

III. Relief Requested and Conclusion

7. Based on its standing as an EGS licensed to do business in Pennsylvania, the Commission's regulations and the July 24, 2014 Order, Just Energy respectfully requests that it be authorized to continue to maintain its current bond security on file with the Commission at 5% of its most recent twelve (12) months of revenue. Upon approval of this Petition by the Commission, Just Energy's will update, as necessary, its security on file with the Commission consistent with the Commission's bond requirements for EGSs listed in Section 55.40(f) of the Commission's regulations. 52 Pa.Code §54.40(f).

Respectfully submitted,

Dated: December 8, 2016


John F. Povilaitis
Buchanan Ingersoll & Rooney PC
409 North Second Street
Suite 500
Harrisburg, PA 17101
(717) 237-4825

Counsel for Just Energy Pennsylvania Corp.

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**CONFIDENTIAL
ATTACHMENT 1**

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CONFIDENTIAL ATTACHMENT 2

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VERIFICATION

I, Charles C.S. Iannello, Vice President, U.S. Regulatory Affairs for Just Energy Pennsylvania Corp, hereby verify that the information in the foregoing Application is true and correct to the best of my information, knowledge and belief. I understand that the statements are made subject to the penalties of 18 Pa. C.S. § 4904, relating to the unsworn falsification to authorities.



Signature

Dated: December 8, 2016

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Just Energy Pennsylvania Corp. : Docket No. A-2009-2097544
For A Renewal of a Reduced Level of Bonding :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the **public version** of the attached document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

Via First Class Mail

Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Richard Kanaskie, Director
Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
PO Box 3265
Harrisburg, PA 17105-3265

John M. Abel
Margarita Tulman
Office of Attorney General
Bureau of Consumer Protection
15th Floor, Strawberry Square
Harrisburg, PA 17120

Tanya McCloskey
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101

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

Daniel Mumford,
Director of Office of Competitive Market
Oversight
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
3rd Floor, Room N-309
Harrisburg, PA 17105

Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
3rd Floor
Harrisburg, PA 17105

Legal Department
West Penn Power d/b/a Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601-1689

Citizens' Electric Company
Attn: EGS Coordination
1775 Industrial Boulevard
Lewisburg, PA 17837

Regulatory Affairs
Duquesne Light Company
411 Seventh Street, MD 16-4
Pittsburgh, PA 15219

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PUBLIC VERSION

Legal Department
Attn: Paul Russell
PPL
Two North Ninth Street
Allentown, PA 18108-1179

Director of Customer Energy Services
Orange and Rockland Company
390 West Route 59
Spring Valley, NY 10977-5300

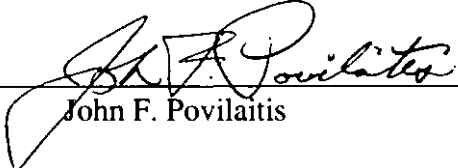
UGI Utilities, Inc.
Attn: Rates Dept. – Choice Coordinator
2525 N. 12th Street, Suite 360
P.O. Box 12677
Reading, PA 19612-2677

Legal Department
First Energy
2800 Pottsville Pike
Reading, PA 19612

Wellsboro Electric Company
Attn: EGS Coordination
33 Austin Street
P.O. Box 138
Wellsboro, PA 16901

Manager Energy Acquisition
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699

Dated this 8th day of December, 2016.



John F. Povilaitis

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