

March 30, 2021

VIA ELECTRONIC FILING

CONTAINS CONFIDENTIAL APPENDICES

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

RE: Petition of Energy Harbor LLC for Reduction in its Current Financial Security Requirement for the Period July 1, 2021 through June 30, 2022

Dear Secretary Chiavetta:

Pursuant to 52 Pa Code § 54.40(d), enclosed for filing is a **CONFIDENTIAL** version of the Petition of Energy Harbor LLC (“Energy Harbor”) for approval to reduce its current security requirements level from ten percent (10%) to five percent (5%) of its gross receipts for the most current four quarters. **A REDACTED version was also filed electronically earlier today.**

In support of said Petition, and pursuant to both the Commission’s Final Order entered in Docket No. M-2013-2393141 and the April 8, 2016 Secretarial Letter issued in that same docket, FES encloses the following documents:

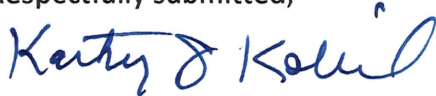
- a. A Tax Letter of Good Standing from the Pennsylvania Department of Revenue, which is attached as **CONFIDENTIAL APPENDIX A.**
- b. The amount of the Company’s gross receipts from electric generation sales to retail customers in Pennsylvania for the most recent four quarters (ending December 31, 2020), which is attached as **CONFIDENTIAL APPENDIX B.**
- c. Evidence of the Company’s prepayment of its estimated gross receipts tax for 2021, which is attached as **CONFIDENTIAL APPENDIX C.**

- d. A letter from the Pennsylvania AEPS Administrative Team in which the AEPS Team verifies the Company's compliance with the AEPS requirements for the most recent reporting period, which is included as **APPENDIX D**.
- e. A statement of Energy Harbor's cash/cash equivalent balance on hand at February 26, 2021, which is attached as **CONFIDENTIAL APPENDIX E**.
- f. A Certificate of Service indicating that this Petition (without enclosures) has been served on the statutory advocates and affected EDCs, which is included as **APPENDIX F**.
- g. An email confirmation that Energy Harbor is a member in good standing at PJM and has met its credit requirements, which is attached as **APPENDIX G**.

Inasmuch as the filing was made electronically, the filing fee was paid electronically with a credit card in the amount of \$350.

Should you or the Staff have any questions or require any additional information to support the enclosed Petition, please contact me as indicated below.

Respectfully submitted,



Kathy J. Kolich
Attorney No. 92203
Kolich & Associates, LLC
1521 Hightower Drive
Uniontown, OH 44685
(330) 316-2378
Email: kjklaw@yahoo.com

Counsel for Energy Harbor LLC

KJK:kmp

cc: Bureau of Technical Utility Services (with appendices)
Certificate of Service (without appendices)
SJakab (email only)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Energy Harbor LLC for	:	
Reduced Financial Security Requirement	:	
For the Period July 1, 2021 Through June	:	Docket No. A-110078
30, 2022	:	
	:	
	:	
	:	

**PETITION OF ENERGY HARBOR LLC FOR REDUCTION IN ITS CURRENT
FINANCIAL SECURITY REQUIREMENT
PUBLIC - REDACTED VERSION**

Now comes Petitioner, Energy Harbor LLC (hereinafter “Energy Harbor” or “Company”), formerly known as FirstEnergy Solutions Corp. (hereinafter “FES”), by and through counsel, and, pursuant to 52 Pa. Code § 54.40(d), asks Staff to approve Energy Harbor’s request to reduce its current financial security requirement from a ten percent (10%) level to a five percent (5%) level.¹ The Company’s bonds currently on file with the Pennsylvania Public Utility Commission (“Commission”) expire on July 1, 2021. Accordingly, the Company asks that said approval be for the period July 1, 2021 through June 30, 2022 (hereinafter “2021-22 Bond Period”). As is more fully discussed below, the 5% bonding level is more than sufficient to meet the risks intended to be secured by said bonds during this period and should, therefore, be approved, with said approval coming no later than May 31, 2021 so as to provide the Company sufficient time in which to obtain the bond at the appropriate security level and, consistent with the Commission’s April 8, 2016 Secretarial Letter, provide said bond to Staff at least 30 days before the Company’s current bonds expire on July 1, 2021.

¹ The Commission delegated the review of such unopposed requests to its Staff in its Final Order entered on July 24, 2014 in Docket No. M-2013-2393141.

In support of this request, the Company states:

BACKGROUND AND HISTORY

1. Pennsylvania law sets forth various licensing requirements that must be met by an electric generation supplier (“EGS”) in order to maintain its license, including certain financial responsibilities. 66 Pa C.S. §2809(c)(1)(i) provides in pertinent part:

In order to ensure the safety and reliability of the generation of electricity in the Commonwealth, no energy supplier license shall be issued or remain in force unless the holder complies with all of the following:

- (i) Furnishes a bond or other security approved by the commission in form and amount to ensure the financial responsibility of the electric generation supplier and the supply of electricity at retail in accordance with contracts, agreements or arrangements.

* * *

2. The Commission’s regulations state in 52 Pa Code § 54.40(d) that “the security level will be 10% of the licensee’s reported gross receipts.”
3. However, on December 5, 2013, the Commission issued a Tentative Order in Docket No. M-2013-2393141 in which it proposed both an adjustment to the bonding requirements for EGSs as well as an expansion of the forms of acceptable security instruments, and requested formal comments on the same.²
4. After considering the comments submitted by various interested parties, the Commission announced in its Final Order issued in Docket No. M-2013-2393141 (hereinafter, “Final Security Reduction Order”) a new policy, stating:

[T]he bond or security for an EGS after the first year of operation should be in the amount of 5% of the EGS’s most recent twelve months of revenue or

² *Public Utility Commission Bonding/Security Requirements for Electric Generation Suppliers; Acceptable Security Instruments*, Docket No. M-2013-2393141, Final Order at 1 (Entered July 24, 2014) (hereinafter, “Final Security Reduction Order”).

\$250,000, whichever is higher, as we find that this bonding/security amount is commensurate with the nature and scope of a typical EGS's operations. ... Accordingly, it shall be the policy of the Commission to accept a request by an EGS to reduce its level of security after the first year of operation, consistent with this Final Order, the Public Utility Code and our regulations.³

5. When establishing this new policy, the Commission found that “requiring an EGS to post a bond or security in the amount of 10% of reported gross receipts after the first year of EGS 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.”⁴ It also determined that even at a 5% level, the Commission’s financial security requirement would still be more stringent than those required in other restructured states.⁵
6. In its Final Security Reduction Order, the Commission stated that “[t]he purpose of the security level is to ensure payment of the Gross Receipts Tax (GRT) and to ensure the supply of electricity at the retail level in accordance with contracts, agreement or arrangements.”⁶ It further noted that “[t]he Commonwealth also has an interest in receiving an EGS’s alternative compliance payment (ACPs) under the Alternative Energy Portfolio Standards [“AEPS”] Act of 2004,” which are imposed on an EGS that fails to comply with the AEPS Act’s alternative energy portfolio standards.⁷
7. In that same Final Security Reduction Order, the Commission delegated its authority to review uncontested petitions for requests for reduction of security requirements to the

³ *Id.* at 10-11 (citations omitted).

⁴ *Id.* at 10.

⁵ *Id.*

⁶ *Id.* at 4-5 (italics added) (citations and footnotes omitted).

⁷ *Id.* at 5 (italics added) (citations omitted).

Bureau of Technical Utility Services (“TUS”).⁸ The Final Security Reduction Order further provides that the Staff, at a minimum, will require the following information from an EGS seeking a change to its security requirement:

- Gross receipts revenues for the sale of electricity to retail customers in Pennsylvania for the most recent 12 months;
- The amount of gross receipts taxes that the EGS has prepaid towards its estimated revenues for the current calendar year;
- If the EGS is proposing to utilize a parental or corporate guarantee, documentation that demonstrates that the guarantor meets the required long-term bond rating from two of the approved rating agencies;⁹
- Available AEPS compliance data from the most recent 12 months; and
- Copies of all Department of Revenue documents that support the EGS’s request.¹⁰

And, depending on the nature of the EGS’s request, Staff may seek more information from the EGS.¹¹

8. Further, in an April 8, 2016 Secretarial Letter, the Commission stated:

To be eligible for the renewal [of a reduction in security requirements], your company must provide annual documentation of its eligibility for a bond reduction at least [ninety] (90) days prior to the current security’s expiration date. Such documentation should include but may not be limited to:

- a petition for renewal, filed with the Commission’s Secretary’s Bureau,
- a \$350 filing fee,
- proof of service of the petition on the statutory advocates and affected EDCs,
- a Tax Letter of Good Standing from the Department of Revenue, and
- the company’s gross receipts for the most recent four quarters.¹²

9. The Letter further requires an EGS to submit its bond to Staff at least 30 days prior to the EGS’s current bond’s expiration.¹³

⁸ *Id.* at 13.

⁹ The Company does not intend to utilize a parental or corporate guarantee.

¹⁰ Final Security Reduction Order at 16.

¹¹ *Id.*

¹² *Guidance on Electric Generation Supplier Licensee Financial Security*, Docket No. M-2013-2393141, Secretarial Letter, p. 2 (April 8, 2016).

10. In its Final Security Reduction Order, the Commission made clear that it was not issuing a blanket waiver of the 10% requirement as set forth in 52 Pa Code § 54.40(d).¹⁴ However, the Commission did indicate that it “will accept a bond/security sought by an EGS for subsequent years of operation at a level of 5% of the EGS’s most recent 12 months of revenue or \$250,000, whichever is higher, so long as the revised bond/security still meets the other criteria that [the Commission] already require[s] under [its] regulations [citing to 52 Pa Code § 54.40(f)] (relating to what must be stated in writing in the bond)].”¹⁵
11. On February 27, 2020, FES emerged from Chapter 11 bankruptcy under a new name, Energy Harbor LLC (“Energy Harbor”). Pursuant to Section 54.34 of Title 52 of the Pennsylvania Code (“Code”), Energy Harbor provided the Commission with notice of a material change to the information provided in the approved licensing application then currently in effect.
12. Although Energy Harbor is the same entity as its predecessor FES (e.g., both FES and Energy Harbor have the same employment identification number or EIN), Energy Harbor is no longer affiliated with the FirstEnergy Corp. corporate family, including the FirstEnergy Corp. jurisdictional public utilities in Pennsylvania (Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company).
13. FES did *not* transfer or assign its license, but instead is simply operating under the new Energy Harbor name and under the same EIN.

¹³ *Id.* at 1.

¹⁴ Final Security Reduction Order at 11-12.

¹⁵ *Id.* at 12.

**THE COMPANY’S SECURITY REDUCTION REQUEST IS CONSISTENT
WITH THE COMMISSION’S FINAL SECURITY REDUCTION ORDER, THE
PUBLIC UTILITY CODE AND THE COMMISSION’S REGULATIONS**

14. According to the Commission, the risk intended to be secured through the bond is (i) the risk of non-payment of gross receipts taxes by an EGS; (ii) the risk of non-payment of any potential penalty arising from non-compliance with AEPS requirements; and (iii) the risk of failing to supply electricity at the retail level in accordance with contracts, agreement or arrangements during the upcoming annual period. And, while not addressed by the Commission in its Final Security Reduction Order, the risk of non-payment of the Commission’s annual regulatory assessment has also been discussed.¹⁶ As demonstrated below, these risks are more than secured at a 5% of gross receipts bonding level. Moreover, this Petition and supporting documents are consistent with the Commission’s Final Security Reduction Order, the Public Utility Code and other Commission regulations and, accordingly, the Company’s request to reduce its security level from 10% of gross receipts to 5% of gross receipts should be approved.

A. Documents in Support of the Company’s Request

15. Enclosed for Commission Staff’s review are the following documents consistent with both the Commission’s Final Security Reduction Order and the April 8, 2014 Secretarial Letter:
- a. A Tax Letter of Good Standing from the Pennsylvania Department of Revenue, which is attached as **CONFIDENTIAL APPENDIX A**.

¹⁶ See e.g., *In re Petition of FirstEnergy Solutions Corporation [sic] for Renewal of Its 5% Reduced Financial Security Requirement for the Period June 10, 2018 Through June 10, 2019*, Docket No. A-110078; Opinion and Order at 3 (Entered June 27, 2018).

- b. The amount of the Company's gross receipts from electric generation sales to retail customers in Pennsylvania for the most recent four quarters (ending December 31, 2020), which is attached as **CONFIDENTIAL APPENDIX B.**
 - c. Evidence of the Company's prepayment of its estimated gross receipts tax for 2021, which is attached as **CONFIDENTIAL APPENDIX C.**
 - d. A letter from the Pennsylvania AEPS Administrative Team in which the AEPS Team verifies the Company's compliance with the AEPS requirements for the most recent reporting period, which is included as **APPENDIX D.**
 - e. A statement of Energy Harbor's cash/cash equivalent balance on hand at February 26, 2021, which is attached as **CONFIDENTIAL APPENDIX E.**
 - f. As this Petition is being filed electronically, the filing fee of \$350.00 was paid electronically with a credit card.
 - g. A Certificate of Service (without enclosures) indicating that this Petition has been served on the statutory advocates and affected EDCs, which is included as **APPENDIX F.**
 - h. An email confirmation that Energy Harbor is a member of PJM in good standing and that the Company has met its credit requirements, which is attached as **APPENDIX G.**
16. Additionally, upon authorization of the Company's security level, the Company intends to submit a security bond in the form substantially similar to those submitted (and approved by the Commission) in the past. It will also provide any additional information requested by Staff in order to demonstrate its compliance with Commission prerequisites for approval.

17. As explained below, this Petition, along with supporting attachments, demonstrates that (i) the Company can meet its gross receipts tax obligations during the 2021-22 Bond Period; (ii) the Company can meet its AEPS obligations during the 2021-22 Bond Period; (iii) the Company has sufficient funds to meet its annual Commission assessment obligation; and (iv) the Company has already provided security through PJM and other EDCs to ensure the supply of electricity at retail consistent with its commitments to its customers. Moreover, while extremely unlikely, assuming for the sake of argument that the Company cannot meet any of these obligations, a 5% security level (which will be approximately [REDACTED]) is more than adequate to secure against any such event.

B. The Company Has Demonstrated its Ability to Pay its Gross Receipts Taxes

18. The Company has historically paid its GRT prepayment liability on time; and the 2021 GRT prepayment liability is no exception. As evidenced in **CONFIDENTIAL APPENDIX C**, the Company's 2021 GRT prepayment liability of [REDACTED] was paid in full on March 11, 2021. Further, as indicated in **CONFIDENTIAL APPENDIX A**, the Company was in full compliance with its tax liabilities as of March 22, 2021.

C. The Company Has Demonstrated its Ability to Comply with the AEPS Requirements During the Current Bond Period

19. Attached as **APPENDIX D** is a letter from the Pennsylvania AEPS Administrative Team in which the AEPS Team verifies the Company's compliance with the AEPS requirements for the most recent reporting period ending September 2020. The Company's next report is due in September 2021.

D. The Company Can Pay its Annual Regulatory Assessment

20. The Company has historically paid its Commission assessments in full and on time, and it intends to continue to do so during the 2021-22 Bond Period. If the Commission's assessment is similar in amount to that of last year's assessment of approximately [REDACTED] such a payment would represent approximately [REDACTED] of Energy Harbor's cash and cash equivalent balance as of February 26, 2021. In light of this fact, the risk that Energy Harbor will not be able to meet its Commission assessment obligation (or any other financial obligations discussed herein) during the 2021-22 Bond Period is virtually nil.

E. The Company is Financially Sound

21. Having emerged from bankruptcy in February 2020, the Company has been operating as an independent company for more than a year. Its balance sheet is financially sound and includes, as evidenced in **CONFIDENTIAL APPENDIX E**, a cash/cash equivalent balance of over [REDACTED] as of February 26, 2021. This cash balance, when coupled with a 5% bond in an amount of approximately [REDACTED] is more than sufficient "to ensure the financial responsibility of the electric generation supplier and the supply of electricity at retail in accordance with contracts, agreements or arrangements." Moreover, as indicated in the Commission's Final Security Reduction Order, a new company may seek a reduction in its bonding requirements after being in business for more than one year.¹⁷ While it is true that Energy Harbor has been in business for more than one year, operating as FirstEnergy Solutions Corp. for many years, it no longer is affiliated with the FirstEnergy Corp. corporate family after emerging from bankruptcy. Therefore, even if Energy Harbor is evaluated as a new company post-bankruptcy (which it is not), the

¹⁷ Final Security Reduction Order at 10-12 (citations omitted).

Commission allows a company in business for at least one year to request such a bond reduction after one year of operations, provided it can meet all of the Commission's requirements. And, as evidenced above, the Company has made such a demonstration and, accordingly, its request should be granted.

F. The Company Already Has Provided Security to Ensure the Supply of Electricity at the Retail Level in Accordance with Contracts, Agreement or Arrangements.

22. During the current bond period, Energy Harbor supplied electricity to all of its customers consistent with its commitments and intends to continue to do so in the future. Further, any risk of failing to supply electricity at retail is already mitigated by PJM's security requirements, which are designed to ensure that an EGS meets its supply obligations. In PJM, the EDC assigns the load responsibility to the EGS and informs PJM of that responsibility. PJM then requires cash collateral from the EGS, which is directly related to (among other things) the size of an EGS's load obligations. As indicated in attached **APPENDIX G**, the Company has met its PJM credit requirements. Further, some Pennsylvania EDCs also require cash collateral as a condition of the EGS doing business with them. Accordingly, any additional security required by the Commission to mitigate supply risk is duplicative with that already required by PJM and other Pennsylvania utilities. In light of the foregoing, there is virtually no risk not already hedged, either through PJM's cash collateral requirements, other Pennsylvania EDC collateral requirements, or a 5% bonding requirement authorized by the Commission, that customers of Energy Harbor will not receive their supply of electricity at retail.

SUMMARY AND CONCLUSION

23. In sum, Energy Harbor has operated as a stand-alone company for more than one year. It has presented documentation that supports a 5% security level consistent with the

Commission's Final Bond Reduction Order, the Public Utility Code and the Commission's regulations. It has demonstrated that a 10% security level is excessive in relation to the risk intended to be secured, and, if not granted, will require the Company to incur unnecessary costs which could present a potential competitive disadvantage in the market place. Moreover, as the Commission has acknowledged, if approved at the 5%

24. Finally, as the Commission suggested in its Final Security Reduction Order¹⁸, the Company will work with Commission staff during the filing process on an informal basis to provide it with any additional documentation or evidence it requires in order to grant the Company's request.

WHEREFORE, based upon the foregoing, Energy Harbor LLC respectfully requests that Staff (i) approve its request to reduce its security level to 5% of its gross receipts for the most current four quarters; (ii) authorize such security level for the period July 1, 2021 through June 30, 2022; and (iii) provide such approval no later than May 31, 2021 so as to provide the Company sufficient time in which to obtain the bond at the appropriate security level and, consistent with the Commission's April 8, 2016 Secretarial Letter, provide said bond to Staff at least 30 days before the Company's current bonds expire on July 1, 2021.

Respectfully submitted,

Dated: March 30, 2021



Kathy J. Kolich
Attorney No. 92203
Kolich & Associates, LLC
1521 Hightower Drive
Uniontown, OH 44685
Direct Dial: (330) 316-2378
Email: kjklaw@yahoo.com

Counsel for Energy Harbor LLC

¹⁸ See Final Security Reduction Order at 12-13.

APPENDIX A – REDACTED

CASE NO. A-11078

Energy Harbor LLC

Bureau of Compliance
P.O. Box 280231
Harrisburg, PA 17128-0231
717-787-3911 (Option 5)
www.revenue.pa.gov



Monday, March 22, 2021

,
Attention: Jackie Koshar

,
RE:

Energy Harbor LLC
168 East Market St.
Akron, OH 44308

Federal EIN: [REDACTED]
Social Security Number:
Business Partner Number: [REDACTED]

Dear Requester,

I am writing to confirm that the above-referenced tax accounts for Energy Harbor LLC are current. All returns have been filed with payment as of Monday, March 22, 2021. This confirmation is not intended to represent a "Bulk Sale Clearance" under the provision of section 1403 of the fiscal code. This letter does confirm that the account above is in good standing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ernard S. Robinson, Jr.', written in a cursive style.

Ernard S. Robinson, Jr
PA Department of Revenue
Bureau of Compliance
Business License Clearance Division

APPENDIX B – REDACTED

CASE NO. A-110078

Energy Harbor LLC

Company's gross receipts from electric generation sales to retail customers in Pennsylvania for the most recent four quarters (ending December 2020)

REDACTED

		State of Pennsylvania
EGS	Reported Quarter	Sum of Revenue
Energy Harbor LLC	Q1 2020	[REDACTED]
	Q2 2020	
	Q3 2020	
	Q4 2020	
Energy Harbor LLC Total		

APPENDIX C – REDACTED

CASE NO. A-110078

Energy Harbor LLC

Company's evidence of prepayment of its estimated gross receipts tax for 2021.

REDACTED

Data Entry View

Document Number	2000000863	Company Code	1100	Fiscal Year	2021
Document Date	03/11/2021	Posting Date	03/11/2021	Period	3
Reference		Cross-Comp.No.			
Currency	USD	Texts exist	<input type="checkbox"/>	Ledger Group	

CoCode	PK	Item	Account	Description	Amount	Tx	Text	Cos
1100	25	1	2343024	PENNSYLVANIA DEPARTMENT OF REV				
		50	2	132204	Outgoing ACH			

APPENDIX D
CASE NO. A-11078
Energy Harbor LLC



PENNSYLVANIA ALTERNATIVE ENERGY CREDIT PROGRAM

Via Email to: Energy Harbor LLC (kpelc@firstenergycorp.com)

10 September, 2020

Dear Pennsylvania Electric Supplier:

This letter is to inform you that Energy Harbor LLC has met the non-solar Tier I, solar Tier I and Tier II AEC retirement requirements for energy year 2020.

If you have any questions regarding this letter please contact InClime, the Pennsylvania AEPS Administrator, at customerservice@pennaeps.com or by phone at 877-333-0573.

Best,

Pennsylvania AEPS Administration Team



APPENDIX E – REDACTED

CASE NO. A-11078

Energy Harbor LLC January 30, 2021 through February 26, 2021

Account Number: [REDACTED]

CHECKING SUMMARY Commercial Checking With Interest

	INSTANCES	AMOUNT
Beginning Balance		
Deposits and Additions	40	
Electronic Withdrawals	4	
Other Withdrawals, Fees & Charges	19	
Ending Balance	63	
Annual Percentage Yield Earned This Period		
Interest Paid This Period		
Interest Paid Year-to-Date		

Interest paid in 2020 for account [REDACTED] was [REDACTED].

DEPOSITS AND ADDITIONS

[REDACTED]

APPENDIX F
CASE NO. A-110078
ENERGY HARBOR LLC

I hereby certify that I have this day served a true copy of the Letter Petition of Energy Harbor LLC for Reduction of its Financial Security Requirement (without Confidential appendices) upon the parties, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA FIRST CLASS MAIL:

Bureau of Investigation &
Enforcement
Pennsylvania Public Utility
Commission
Commonwealth Keystone Building
400 North Street, 2 West
P.O. Box 3265
Harrisburg, PA 17105-3265

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Office of Small Business Advocate
Forum Place
555 Walnut Street, First Floor
Harrisburg, PA 17101

Pennsylvania Department of Revenue
Bureau of Compliance
Fourth and Walnut Streets
First Floor, Strawberry Square
Harrisburg, PA 17128

PA Office of Attorney General
Bureau of Consumer Protection
Fourteenth Floor, Strawberry Square
Harrisburg, PA 17120

Department of Technical Utility Services
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2 West
P.O. Box 3265
Harrisburg, PA 17105-3265

Duquesne Light
ATTEN: Regulatory Affairs
411 Seventh Street, MD I 6-4
Pittsburgh, PA 15219

Met-Ed, Penelec, and Penn Power
ATTEN: Legal Department
FirstEnergy Corp.
2800 Pottsville Pike
Reading, PA 19612

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

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

PECO Energy Company
ATTEN: Mgr. Energy Acquisition
2301 Market Street
Philadelphia, PA 19103

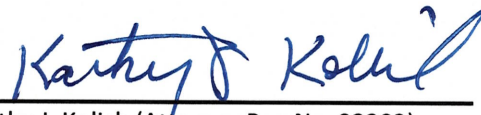
PPL Electric Utilities
Atten: Legal Department
Two North Ninth Street
Allentown, PA 18101

UGI Utilities, Inc.
Atten: Rates Dept- Choice Coordinator
PO Box 13009
Reading, PA 19612-3009

Orange and Rockland Company
Pike County Light & Power Company
ATTEN: Dir of Customer Energy Services
390 West Route 59
Spring Valley, NY 10977-5300

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

Dated: March 30, 2021

A handwritten signature in blue ink that reads "Kathy J. Kolich". The signature is written in a cursive style with a horizontal line underneath it.

Kathy J. Kolich (Attorney Reg No. 92203)

APPENDIX G
CASE NO. A-11078
Energy Harbor LLC

From: [Million, Mark A.](#)
To: [Pelc, Kim](#)
Cc: [Credit](#)
Subject: [External] Confirmation of Member Status - Energy Harbor LLC
Date: Monday, February 22, 2021 10:00:12 AM

Kim

As requested, I am writing to confirm that according to our records, **Energy Harbor LLC** is a PJM member as of this date (**2/22/2021**). **Energy Harbor LLC** is current on its billing and settlement obligations and has satisfied the minimum credit and/or collateral requirements to participate in the PJM Markets.

Sincerely

Mark Million

Senior Lead Collateral Analyst | Credit Risk & Surveillance
PJM Interconnection, LLC | 2750 Monroe Blvd. | Audubon, PA 19403
mark.million@pjm.com | credit_hotline@pjm.com
610-635-3418 | hotline 866-400-8980