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July 3, 2019

Commission Secretary  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., Suite 800  
Washington, D.C. 20005

Re: Gas Supplier License of Alpha Gas & Electric LLC

Dear Commission Secretary,

I have enclosed the Gas Supplier License application for Alpha Gas & Electric LLC ("Alpha"). Alpha requests that the information contained in Attachment 14 of this application, marked Confidential, be afforded confidential treatment. This filing contains proprietary information that should be treated as confidential because it contains financial information that is of a private nature to Alpha and its public disclosure could cause economic harm to Alpha or provide an unfair economic advantage to others. Enclosed are 1 original versions and one electronic version on CD.

If you have any questions, please contact me at 845-810-0088 ext. 209 or [adam.small@alphagne.com](mailto:adam.small@alphagne.com).

Regards,

  
Adam Small  
General Counsel  
Alpha Gas & Electric LLC

**BEFORE THE DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION**

Application Docket No. \_\_\_\_\_

Application of Alpha Gas and Electric, LLC, d/b/a ("doing business as")

N/A

for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Marketer, [specified in item 10 below] to the public in the District of Columbia.

To the District of Columbia Public Service Commission:

**BUSINESS INFORMATION**

**1. IDENTITY OF THE APPLICANT:**

a. Legal Name Alpha Gas and Electric, LLC

Current Mailing Address: 12 College Road  
Monsey, NY 10952

Street Address (if different): N/A

Telephone Number: (845) 810 - 0088 x200

Website URL: https://www.alphagasandelectric.com/

Other States, including District of Columbia, in which the Applicant is now or has been engaged in the retail sale of electricity and the names under which the Applicant is engaged or has been engaged in such business(es) Applicant may limit response to the last three (3) years:

Name: Alpha Gas and Electric, LLC

Business Address: 12 College Road  
Monsey, NY 10952

License # State of Issuance: Please see Attachment 1

Other states in which the Applicant has applied to provide retail electric service but has been rejected. Applicant may limit response to the last three (3) years:

State(s): N/A

Date of Application: N/A

Attach additional sheets to the application if necessary.

- b. **Trade name** (If Applicant will not be using a trade name, skip to question no. 2.a.):

Trade Name: N/A

- c. The District of Columbia and other states, in which the Applicant has provided retail electric under the current Applicant name or in a different name but has voluntarily or involuntarily surrendered its license. Describe reasons for license surrender. With regard to a voluntary or involuntary license surrender in the District of Columbia only, state whether any previously outstanding assessments and/or penalties imposed by the Commission and the Office of the People's Counsel have been paid. If any previous assessments and/or penalties are unpaid, provide a date certain when those assessments and/or penalties will be paid. Applicant may limit response to the last five (5) years:

State(s): N/A

Date of License Surrender and Reasons for License Surrender:

N/A

In the District of Columbia, Amount of Paid Assessments and Unpaid Assessments/Penalties Following License Surrender and to Whom Owed (If Applicable)

N/A  
   
   
   
 

Attach additional sheets to the application if necessary.

2.

- a. **CONTACT PERSON-REGULATORY CONTACT:**

Name and Title: Adam Small, General Counsel

Address: 12 College Road

Monsey, NY 10952

Telephone: (845) 810 - 0088 x209

Fax: (845) 501 - 0633

E-mail: adam.small@alphagne.com

**b. CONTACT PERSON-CUSTOMER SERVICE and CONSUMER COMPLAINTS (not required for Aggregators who do not take title and/or Brokers):**

Name and Title: Dina Freedman, Office Manager

Address: 12 College Road, Monsey, NY 10952

Telephone: (845) 810 - 0088 x200

Fax: (845) 501 - 0633

E-mail: dina@alphagne.com

**3. RESIDENT AGENT:**

Name and Title: VCORP SERVICES

Address: 1015 15th Street N.W., Suite 1000 Washington, DC 20005

Telephone: (845) 425-0077

Fax: (845) 818-3588

E-mail: raservice@vcorpservices.com

**4. PRIMARY COMPANY OFFICIALS**

President/General Partners: Name(s) Mark Wiederman

Business Address: 12 College Road

Monsey, NY 10952

CEO/Managing Partner: Name Harvey Klein

Business Address: 12 College Road  
Monsey, NY 10952

Secretary Name: Dina Freedman

Business Address: 12 College Road  
Monsey, NY 10952

Treasurer Name: Annico Mechlovics

Business Address: 12 College Road  
Monsey, NY 10952

**a. APPLICANT'S BUSINESS FORM: (select and complete appropriate statement)**

<input type="checkbox"/>	Proprietorship
<input type="checkbox"/>	Corporation
<input type="checkbox"/>	Partnership
<input type="checkbox"/>	Limited Partnership
<input checked="" type="checkbox"/>	Limited Liability Company
<input type="checkbox"/>	Limited Liability Partnership
<input type="checkbox"/>	Other _____

**b. STATE OF FORMATION: Applicant's business is formed under the laws of the**  
**State of New York**

**c. STATUS: Provide a certificate issued by the state of formation certifying that the Applicant is in good standing and qualified to do business in the state of formation.**

If formed under the laws of other than the District of Columbia, provide a certificate issued by the District of Columbia Department of Consumer and Regulatory Affairs (DCRA) certifying that the applicant is registered or qualified, to do business in the District of Columbia and is currently in good standing with DCRA and with the District Department of Finance and Revenue.

- d. **OWNERSHIP:** Provide on a separate sheet the names and addresses of all persons and entities that directly or indirectly own ten percent (10%) or more of the ownership interests in the Applicant, or have the right to vote ten percent (10%) or more in the Applicant's voting securities, or who otherwise have the power to control ten percent (10%) or more of the Applicant.

5. **AFFILIATES, OR PRECEDECESSOR(S), ENGAGED IN THE SALE OR TRANSMISSION OF ELECTRICITY AT WHOLESALE OR RETAIL TO THE PUBLIC:** (select and complete appropriate statement) (Applicant may limit responses to the last five (5) years).

- a. The Applicant has no such Affiliate(s) or Predecessors(s).

N/A

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- b. The Applicant is an Affiliate of a regulated utility. Please provide regulated utility's Name and the jurisdictions in which it operates:

N/A

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- c. The Affiliate(s), or Predecessor(s), other than a regulated utility that provides, or provided, sale or transmission of electricity at wholesale or retail to the public:

Name: N/A

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Business Address: N/A

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N/A

---

N/A

---

License #, State of Issuance: N/A

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Location of Operations (Utility Service Territory): N/A

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**Attach additional sheets to the application if necessary.**

6. **ACTIONS AGAINST LICENSEES:** Provide the following information for the Applicant, any Predecessor(s), and any unregulated Affiliate that engages in or engaged in the sale or transmission of electricity at wholesale or retail to the public. (Applicant may limit responses to the last five (5) years).

- ☐ Identify all actions against the Licensee, Predecessor or any regulated or unregulated affiliate(s) such as Suspensions/Revocations/Limitations/Reprimands/Fines and describe the action in an attached statement, including docket numbers, offense dates, and case numbers, if applicable. Formal Investigations (defined as those investigations formally instituted in a public forum by way of the filing of a complaint, show cause order, or similar pleading) instituted by any regulatory agency or law enforcement agency relating to the Applicant, Predecessor(s), or unregulated affiliate(s) if, as a result of the investigation, Applicant's/Predecessor's/or affiliate's license to provide service to the public was in jeopardy are also listed. The license number, state of issuance, and name of license are identified below:

State(s): N/A

Name(s): N/A

License Number(s) (or other applicable identification):

- ☐ No such action has been taken.

7. **FERC FILING:** Applicant has:

- ☐ Filed an Application with the Federal Energy Regulatory Commission ("FERC") to be a Power Marketer.
- ☒ Received approval from FERC to be a Power Marketer at Docket or Case Number:  
ER11-4042-000
- ☐ Not Applicable.

### **OPERATIONAL CAPABILITY**

8. **ISO/RTO AFFILIATION:** Provide evidence that the Applicant has met all applicable requirements of any ISO and/or RTO for its use by the Applicant. Indicate the evidence provided (not required for aggregators who do not take title and/or brokers).

Evidence of having met all applicable requirements of the PJM Interconnection, L.L.C. or another RTO or ISO (Attach evidence of being a signatory to all applicable agreements).

9. **SOURCE OF SUPPLY:** (Check all that apply) (not required for aggregators who do not take title and/or brokers)

- ☐ Not applicable. Applicant will not be supplying retail electricity.
- ☐ Applicant owns generation.
- ☐ Applicant contracts for generation.
- ☒ Applicant obtains generation on the spot market.
- ☐ Other – Applicant must attach a statement detailing its source of Generation.

**SCOPE OF OPERATIONS**

(Check all that apply)

10. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

- ☐ Generator of electricity in the wholesale or retail market.
- ☒ Marketer of electricity purchasing and taking title to electricity as an intermediary for sale to customers.
- ☐ Aggregator acting on behalf of customers to purchase electricity.
- ☐ Broker acting as an agent or intermediary on behalf of customers in the sale and purchase of electricity and who does not take title to electricity.

Does Applicant intend to offer competitive billing services? \_\_\_\_\_

Is the Applicant proposing to offer any other services? No  
If so, please provide information regarding the proposed service in an attached statement.

11. **AREA OF OPERATION:** If the Applicant does not intend to offer services throughout the Potomac Electric Power Company territory in the District of Columbia, Applicant must, in an attached statement, describe in detail the area within the Electric Company's service territory in which Applicant's services will be offered.

- ☒ Applicant intends to offer service throughout the Potomac Electric Power Company territory in the District of Columbia.



- ☐ Applicant intends to offer services in only a portion of Potomac Electric Power Company's service territory in the District of Columbia. Please see attached statement.

**12. CUSTOMERS:** Applicant proposes to initially provide services to (check all that apply):

- ☒ Residential Customers  
☒ Commercial Customers  
☒ Industrial Customers  
☐ Other (Describe in attachment)

Also, Applicant proposes:

- ☐ Restrictions upon the number of end use customers (Describe in attachment).  
☒ No restrictions on the number of end use customers.  
☐ Restrictions upon the size of end use customers (Describe in attachment).  
☐ No restrictions regarding the size of the end use customers (Describe in attachment).  
☐ Other restrictions regarding customers (Describe in attachment).

**13. START DATE:** The Applicant proposes to begin delivering services:

- ☒ Upon approval of the Application and receipt of License.  
☐ Other approximate date of commencement.

**FINANCIAL INTEGRITY**

**14. REQUIRED DOCUMENTATION OF FINANCIAL INTEGRITY:**

Check that the documents listed below are attached to the Application.

The Applicant shall provide the most recent versions of the following documents to the extent they are available:

- ☐ Credit reports or ratings prepared by established credit bureaus or agencies regarding the Applicant's payment and credit history.

- Balance sheets, income statements and statements of cash flow for the two (2) most recent twelve (12)-month periods for which information is available. Audited financial statements must be provided if they exist. In addition, the Applicant shall provide any financial statements subsequent to the most recent annual financial statements.
- In the event that a parent or other company, person or entity has undertaken to guarantee the financial integrity of the Applicant, the Applicant must submit such entity's balance sheet, income statement and statement of cash flow, together with documentation of such guarantee to insure the financial integrity of the Applicant. Audited financial statements must be provided if they exist. In addition, the Applicant shall provide any available quarterly financial statements subsequent to the most recent annual financial statements.
- If the Applicant, parent, or guarantor entity has not been in existence for at least two (2) twelve (12)-month periods, it must provide balance sheets, income statements and statements of cash flow for the life of the business. Audited financial statements must be provided if they exist.
- Organizational structure of Applicant. Include Applicant's parent, affiliate(s), and subsidiary(ies) if any.
- Evidence of general liability insurance.
- If the Applicant has engaged in the retail supply of electricity supply services in any other jurisdiction, evidence that the Applicant is a licensed supplier in good standing in those jurisdictions.
- A current long-term bond rating, or other senior debt rating.
- Any other evidence of financial integrity such as an unused line of bank credit or parent guarantees.

## **15. BONDING REQUIREMENTS**

### **Integrity Bond**

An Applicant who cannot provide credible evidence that it meets the financial integrity standards listed in Section 4605 of Chapter 46 of Title 15 DCMR must submit a bond on the form attached to this Application ("Integrity Bond"). The Applicant, if licensed by the Commission as an electricity supplier, may be required to update/revise this initial Integrity Bond, by revising the initial Integrity Bond or posting an additional Integrity Bond, as set forth in Section 4605.

However, an Applicant who can provide credible evidence that it meets the financial integrity standards listed in Section 4605 will not be required to submit an Integrity Bond. (The Applicant may still be required to submit a separate Customer Payments Bond, as discussed below.).

### **Customer Payments Bond**

A separate bond on the appropriate form attached to this Application is mandatory if an Applicant requires prepayments and/or deposits from residential or small commercial customers ("Customer Payments Bond"). Please check one of the boxes below to state whether you, the Applicant, intend to charge, collect, or hold prepayments and/or deposits, as such terms are defined in the Bonding Requirements Addendum attached to this Application:

- ☒ Applicant will not accept prepayments or deposits from residential and small commercial customers.
- ☐ Applicant intends to accept prepayments or deposits and/or deposits from residential and small commercial customers. Applicant must comply with Bonding Requirements Addendum governing the Customer Payment Bond.

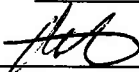
Further details regarding the District of Columbia's bonding requirements are included in Sections 4604 and 4605 of Chapter 46 of Title 15 DCMR.

**16. NOTICE OF REQUIRED COMPLIANCE:** The Applicant is hereby notified that it is required to comply with the following:

- a. The Applicant may be required to submit bond(s), as applicable as described in Section 15 herein.
- b. The Applicant must update this application with the Commission immediately if any of the information provided in this Application changes or an error or inaccuracy is noted during the pendency of the Application. After an Application has been approved, a Licensee must inform the Commission of changes to all parts of the application and the averment regarding any civil, criminal, or regulatory penalties, etc. imposed on applicant, *et al.* within thirty days of the change or an error or inaccuracy is noted. A Licensee must inform the Commission of changes to the averment regarding bankruptcy proceedings instituted voluntarily or involuntarily within one business day of the institution of such proceedings.
- c. Supplement this application in the event the Commission modifies the licensing requirements, or request further information.

- d. Agree that it will not present itself as a licensed retail supplier of electricity in the District of Columbia, sell or market services, accept deposits, prepayments, or contract with any end-use Customers without a license from the Commission.
  - e. Pay all fees imposed by the Commission and any applicable taxes.
  - f. Ensure that a copy of each service agreement entered into with Potomac Electric Power Company is provided to the Commission.
  - g. Attend an Electricity Suppliers Education Workshop sponsored by the Commission.
  - h. If certified, the Applicant shall institute a Privacy Protection Policy to protect against the unauthorized disclosure or use of information about a Customer or a Customer's use of service. A copy of that Policy shall be made available once a year, including any updates or changes, through electronic means or a hardcopy to the Customer and posted in a prominent place on each company's website.
  - i. Abide by 15 DCMR § 308 and refrain from disclosing information about a Customer or the Customer's use of electricity or electric generation services without the Customer's written consent.
  - j. Agrees to comply with 15 DCMR § 4602.12 Electric Company and Licensee Responsibilities in the event of a default after certification, and with the District of Columbia Electricity Supplier Coordination Tariff.
17. **AFFIDAVITS REQUIRED.** The Applicant must supply Affidavits of Tax Compliance and General Compliance to the Commission with the completed Application. The affidavits are included with this Application packet and must be executed by the Applicant or representative with authority to bind the Applicant in compliance with District of Columbia laws.
18. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur in the information upon which the Commission relied in approving the original filing.
19. **FEE:** The Applicant has enclosed the required fee of \$400.00.

Applicant: Alpha Gas and Electric, LLC

By: 

Printed Name: Mark Wiederman

Title: President

**AFFIDAVIT OF TAX COMPLIANCE**

State of New York

County of Rockland

:  
: SS  
:

Mark Wiederman, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

That he/she is the President (office of Affiant) of Alpha Gas and Electric, LLC (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant:

That Alpha Gas and Electric, LLC, the Applicant herein, certifies to the Public Service Commission of the District of Columbia ("Commission") that it is subject to, will pay, and in the past has paid, the full amount of District of Columbia and Federal taxes imposed by applicable statutes and ordinances, as may be amended from time to time. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of the District of Columbia, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall provide to the Commission its jurisdictional Gross Receipts and revenues from retail sales in the District, for the previous year or as otherwise required by the Commission.

As provided by applicable Law, Applicant, by filing of this application waives confidentiality with respect to its tax information in the possession of the (appropriate taxing authority), regardless of the source of the information, and shall consent to the (appropriate taxing authority) providing that information to the Commission. The Commission shall retain such information confidentially. This does not constitute a waiver of the confidentiality of such information with respect to any party other than the Commission.

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

Signature of Affiant



Sworn and subscribed before me this 1<sup>st</sup> day of July, 2019.

Adam Small  
Signature of official administering oath

My commission expires 9/21/21.

ADAM SMALL  
Notary Public, State of New York  
No. 02SM6211734  
Qualified in Queens County  
Commission Expires September 21, 2021

**AFFIDAVIT OF GENERAL COMPLIANCE**

State of New York :  
County of Rockland : ss

Mark Wiederman, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He/she is the President (Officer/Affiant) of Alpha Gas and Electric, LLC (Name of Applicant).

That he/she is authorized to and does make this affidavit for said Applicant.

That the Applicant herein certifies to the Public Service Commission of the District of Columbia ("Commission") that:

The Applicant agrees to comply with the terms and conditions of Potomac Electric Power's Company's tariff and agreements.

The Applicant is in compliance with and agrees to comply with all applicable Federal and District of Columbia consumer protection and environmental laws and regulations, and Commissions regulations, fees, assessments, order and requirements.

If certified, the Applicant shall institute a Privacy Protection Policy to protect against the unauthorized disclosure or use of information about a Customer or a Customer's use of service. A copy of that Policy shall be made available once a year, including any updates or changes, through electronic means or a hardcopy to the Customer and posted in a prominent place on each company's website.

The Applicant also agrees to abide by 15 DCMR § 308 and refrain from disclosing information about a Customer or a Customer's use of service without the Customer's written consent.

Applicant agrees, upon request by the Commission, to provide copies to the Commission, of its consumer forms and/or contracts, its marketing or advertising materials (flyers and solicitation scripts), consumer pamphlets and its consumer education materials.

Applicant agrees to abide by any periodic reporting requirements set by the Commission by regulation, including any required periodic reporting to the (appropriate taxing authority).

The Applicant has obtained all the licenses and permits required to operate the proposed business in the District of Columbia.

The Applicant agrees to comply with power pool, control area, regional transmission operator, and/or ISO standards and requirements, as applicable.

The Applicant agrees that it shall neither disclose nor resell customer data provided to the Applicant by Potomac Electric Power Company.

The Applicant agrees, if the Commission approves its Application, to post an appropriate bond or other form of financial guarantee as required by the Commission and its regulations.

If the Applicant is certified, but later defaults, the Licensee/Supplier agrees to comply with 15 DCMR § 4602.12, Electric Company and Licensee Responsibilities in the event of a default, and with the District of Columbia Electricity Supplier Coordination Tariff.

The Applicant agrees, pursuant to the requirements of § 4603, to complete the Electricity Supplier Education Workshop sponsored by the Commission. Successful completion of the Workshop by the Licensee shall be evidenced by a certificate issued by the Commission.

The Applicant, including any of its Predecessor(s) and/or affiliate that engages in or engaged in the sale or transmission of electricity at wholesale or retail to the public, the general partners, company officials, corporate officers or directors, or limited liability company managers or officers of the Applicant, its predecessor(s) or its affiliates:

1. Has had no civil, criminal or regulatory sanctions or Penalties imposed against it within the previous five (5) years pursuant to any state or federal consumer protection law or regulations, has not been convicted of any fraud-related crime (including, but not limited to, counterfeiting and forgery, embezzlement and theft, fraud and false statements, perjury, and securities fraud) within the last five (5) years; and has not ever been convicted of a felony; or alternatively.
2. Has disclosed by attachment all such sanctions, penalties or convictions.

The Applicant further certifies that it:

1. Is not under involuntary bankruptcy/insolvency proceedings including but not limited to, the appointment of a receiver, liquidator, or trustee of the supplier, or a decree by such court adjudging the supplier bankrupt or insolvent or sequestering any substantial part of its property or a petition to declare bankruptcy as to reorganize the supplier; and
2. Has not filed a voluntary petition in bankruptcy under any provision of any Federal or state bankruptcy law, or its consent to the filing of any bankruptcy or reorganization petition against it under any similar law; or without limiting the generality of the foregoing, a supplier admits in writing its inability to pay its debt

generally as they become due to consent to the appointment of a receiver, trustee or liquidator of it or of all or any part of its property.

That Applicant possesses the requisite managerial and financial fitness to provide service at retail in the District of Columbia.

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



Signature of Affiant

Sworn and subscribed before me this 1<sup>st</sup> day of July, 2014.



Signature of official administering oath

My commission expires 9/21/21.

ADAM SMALL  
Notary Public, State of New York  
No. 02SM6211734  
Qualified in Queens County  
Commission Expires September 21, 2021



**VERIFICATION**

State of New York :  
County of Rockland : ss

Mark Wiederman, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

He/she is the President (Officer/Affiant) of Alpha Gas and Electric, LLC  
(Name of Applicant);

That he/she is authorized to and does make this affidavit for said corporation;


The Applicant understands that the making of a false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to all applicable sections of the District of Columbia Code as may be amended from time to time relating to perjury and falsification in official matters.

That the Applicant will supplement this Application in the event the Public Service Commission of the District of Columbia ("Commission") modifies the licensing requirements, or requests further information.

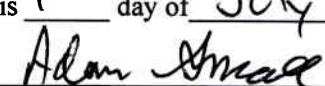
That the Applicant agrees that it will not present itself as a licensed retail supplier of electricity in the District of Columbia, sell or market electricity, accept deposits, prepayments, or contract with any end-use customers without a license from the Commission.

That the Applicant agrees to update information contained in this Application in accordance with the schedule set forth in the Application.

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

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 15<sup>th</sup> day of July, 2019

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 9/21/21.

ADAM SMALL  
Notary Public, State of New York  
No. 02SM6211734  
Qualified in Queens County  
Commission Expires September 21, 2021

**APPLICANT'S GENERAL AUTHORIZATION FOR VERIFICATION OF  
FINANCIAL INFORMATION, ETC.**

**TO WHOM IT MAY CONCERN:**

I/We have applied to the District of Columbia Public Service Commission (the "Commission") for a license to be an Electricity Supplier, or to provide certain Electricity Supply related services, and authorize you to release to the Staff of the Commission and its authorized representatives and agents any information or copies of records requested concerning:

MY COMPANY OR BUSINESS AND ITS HISTORY, PERFORMANCE, OPERATIONS, CUSTOMER RELATIONS, FINANCIAL CONDITION, INCLUDING BANK ACCOUNT TRANSACTIONS AND BALANCES, PAYMENT HISTORY WITH SUPPLIERS AND OTHER CREDITORS, VERIFICATION OF NET WORTH AND OTHER INFORMATION AND RECORDS WHICH THE COMMISSION REQUIRES TO VERIFY OR MAKE INQUIRY CONCERNING MY/OUR FINANCIAL INTEGRITY AND THE INFORMATION CONTAINED IN MY/OUR LICENSE APPLICATION OR OTHER INFORMATION PROVIDED BY ME/US TO THE COMMISSION OR, STAFF OF THE COMMISSION OR ITS REPRESENTATIVES OR AGENTS.

This Authorization is continuing in nature and includes release of information following issuance of a license, for reverification, quality assurance, internal review, etc. The information is for the confidential use of the Commission and the Staff of the Commission in determining my/our financial integrity for being a licensee or to confirm information I/We have supplied and may not be released by order of the Commission or by order of a court of competent jurisdiction.

A photographic or fax copy of this authorization may be deemed to be the equivalent of the original and may be used as a duplicate original. The original signed form is maintained by the Staff of the Commission.

**APPLICANT'S AUTHORIZATION TO RELEASE INFORMATION:**

**Alpha Gas and Electric, LLC**

**APPLICANT (please print)**

A handwritten signature in black ink, appearing to be 'AGEL' or similar, written over a horizontal line.

**APPLICANT'S SIGNATURE**

**6/20/2019**

**DATE**

**President**

**TITLE**

ATTACHMENT C FORM OF INTEGRITY BOND  
FOR NATURAL GAS SUPPLIERS AND MARKETERS  
INTEGRITY BOND-SURETY BOND

We,

Bond No. 404231135

Alpha Gas and Electric, LLC

(Name of supplier)

12 College Road, Monsey, NY 10952

(Address of supplier)

as principal, and

The Ohio Casualty Insurance Company

(Surety Company)

175 Berkeley Street, Boston, MA 02116

(Address of surety)

as surety authorized to do business in the District of Columbia, are held and firmly bound to the Public Service Commission of the District of Columbia, as obligee for the use and benefit of all persons establishing legal rights hereunder, in the sum of FIFTY THOUSAND AND 00/100 (\$50,000) lawful money of the United States of America, to the payments of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly, severally, and firmly by this document.

WHEREAS, the Principal has applied to the Public Service Commission of the District of Columbia for a license to provide natural gas service to retail Customers in the District of Columbia, and

WHEREAS, pursuant to the Retail Natural Gas Licensing and Consumer Protection Act of 2004, (D.C. Code §34-1671.05), the Public Service Commission of the District of Columbia is authorized to require the Principal to maintain a bond in order to provide retail natural gas service.

NOW, THEREFORE, if the Principal shall faithfully and truly fulfill all of its service or product contracts and other contractual commitments to deliver retail natural gas services, and not file for bankruptcy or for similar protection under law, then this obligation shall be void, otherwise to remain in full force and effect as security for the use of the Public Service Commission of the District of Columbia or of any person or entity, who after entering a service or product contract or third party supplier agreement for service in the District of Columbia with the above named Principal is actually damaged or suffers any actual loss by

reason of failure of service or by other breach or bankruptcy by this Principal.

The aggregate liability of the Surety is limited to the foregoing sum which sum shall be reduced by any payment made in good faith hereunder.

The term of this bond is for the period beginning 06/19/2019 and terminating 06/19/2020, and may be continued for an annual period by a Continuation Certificate signed by the Principal and Surety, a copy of which must be served by registered mail upon the Secretary of the Public Service Commission of the District of Columbia.

In order to draw funds on this Bond, the Public Service Commission of the District of Columbia shall issue an order stating that the Licensee is financially insolvent or unable to meet its obligations as for restitution to any Licensee's Customer who has suffered actual damages or loss of a deposit or prepayment (as such terms defined in Sections 4704 and 4705 of Chapter 47 of Title 15 DCMR) in a specific amount by means of failure, or by reason of breach of contract or violation of the Retail Natural Gas Licensing and Consumer Protection Act of 2004 and/or regulations, rules or standards promulgated pursuant thereto.

SIGNED, SEALED AND DATED this 19th day of  
June, 2019

Principal: Alpha Gas and Electric, LLC

By: (Signatory) 

Surety: The Ohio Casualty Insurance Company

Address of Surety: \_\_\_\_\_

175 Berkeley Street

Boston, MA 02116

By: 

(Signatory) Tracie House, Attorney-in-fact

Notary Seal

STATE OF INDIANA  
COUNTY OF ST. JOSEPH

I, Heidi Chudzicki, a notary public in and for the state and county aforesaid, do hereby certify that Tracle House of South Bend, Indiana who is personally known to me, appeared before me this day and The Ohio Casualty Insurance Company and as the free and voluntary act of The Ohio Casualty Insurance Company Given under my hand and Notarial Seal this 19th day of June A.D. 2019.

My commission expires 03/22/2024  
NOTARIAL JURAT

Heidi Chudzicki  
Notary Public





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

Certificate No: **8144942 - 983938**

## POWER OF ATTORNEY

**KNOWN ALL PERSONS BY THESE PRESENTS:** That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Tom Cassidy, April C. Arnold, Gregg Brasseur, Nancy Fedder, Renee Fredel, Patti Gebhard, John Hamer, Doug Henderson, Kim Hohensee, Tracie House, Megan Johnson, Rebecca Mann, Robert McIntyre, Lisa Meek, Julie Meyer, David Roth, Amy Rutter, Kristen Schmidt

all of the city of Orland Park state of IL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 5th day of July, 2018.



Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss  
County of MONTGOMERY

On this 5th day of July, 2018 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

### ARTICLE IV – OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

### ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 19th day of June, 2019.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

**Alpha Gas and Electric, LLC**  
**Washington, D.C. Electricity Supplier Application Attachments**

Attachment 1	Active Natural Gas Supplier Licenses
Attachment 4c	Certificate of Good Standing (New York & Washington, D.C.)
Attachment 4d	Ownership
Attachment 8	Technical Fitness
Attachment 14	Financial Integrity



## **Attachment 1      Active Electricity Supplier Licenses**

Please see below for a list of other markets that Alpha Gas and Electric, LLC is currently operating in, along with the corresponding license numbers.

State:	New Jersey	License Number:	ESL-0218
State:	New York	License Number:	PANA
State:	Ohio	License Number:	13-701E
State:	Pennsylvania	License Number:	A-2011-2254554
State:	Illinois	License Number:	16-0351
State:	Maryland	License Number:	IR-4193

**Attachment 4c      Certificate of Good Standing (New York & Washington, D.C.)**

**Certificate of Good Standing (Certificate of Status) - Attached**

**Washington, D.C. Business License – Attached**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
CORPORATIONS DIVISION



**C E R T I F I C A T E**

**THIS IS TO CERTIFY** that all applicable provisions of the District of Columbia Business Organizations Code have been complied with and accordingly, this **CERTIFICATE OF CORRECTION** is hereby issued to:

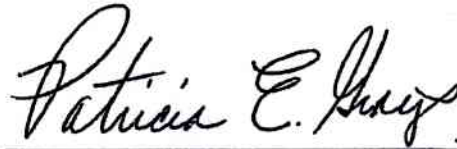
ALPHA GAS AND ELECTRIC, LLC

**Effective Date:** 1/2/2019

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the seal of this office to be affixed as of 1/2/2019 2:26 PM



Business and Professional Licensing Administration



PATRICIA E. GRAYS  
Superintendent of Corporations  
Corporations Division

Muriel Bowser  
Mayor

Tracking #: 9Azc3jkc

District of Columbia Government  
 Corporations Division

Statement of Correction Form GN-2, Ver. 2, April 2018.

Use this form to correct the filed record. This form can only be filed if one of the following applies:

- (1) Record at the time of filing contained an inaccuracy; (2) Record was defectively signed; or
- (3) Electronic transmission of the record.

ENTITY TYPE	FILING FEE
Domestic & Foreign Filing Entity: § 29-102.05.	Refer to Corporate Fee Schedule posted online;

Under the provisions of the Title 29 of D.C. Code (Business Organizations Act), the domestic and foreign filing entity listed below hereby applies for a Certificate of Correction of the Filed Record and for that purpose submits the statement below.

1. Entity Name.

Alpha Gas and Electric, LLC

2. Identify the filed record to be corrected.

Foreign Registration Statement

2A. Date of its filing.

12/13/2018

3. Specify the inaccuracy or defect to be corrected. (may attach the statement reflecting inaccuracy)

Domestic State should be New York and not listed as Ohio.

4. Correct the inaccuracy or defect. (may attach the statement reflecting the correction)

Domestic State should be New York

DCRA Corp. Div.

JAN 2 - 2019

File Copy

If you sign this form you agree that anyone who makes a false statement can be punished by criminal penalties of a fine up to \$1000, imprisonment up to 180 days, or both, under DCOC § 22-2405.

5. Name of the Governor or Authorized Person who signed the filed record. 5A. Signature of the Governor or Authorized Person.

Levi Moeller



Mail all forms and required payment to:

Department of Consumer and Regulatory Affairs  
 Corporations Division  
 PO Box 92300  
 Washington, DC 20090  
 Phone: (202) 442-4432

Corporate Online Services Information:

Many corporate filings are available by using CorpOnline Service.

Go to CorpOnline site at <https://corponline.dcr.dcgov>, create the profile, access the online services main page and proceed. Online filers must pay by using the credit card.





District of Columbia Government  
Corporations Division

Foreign Registration Statement Form FN-1, Ver. 2, April 2018.

Use this form to register your foreign filing entity to conduct business in the District of Columbia. Review instruction sheet on page 2 before completing this form.

ENTITY TYPE / AUTHORITY	FILING FEE
Foreign Filing Entity: § 29-105.03.	Refer to Corporate Fee Schedule posted online;

Under the provisions of the Title 29 of D.C. Code (Business Organizations Act), the foreign filing entity listed below hereby applies for a Certificate of Registration to transact business in the District of Columbia, and for that purpose submits the statement below.

1. Entity Name.

Alpha Gas and Electric, LLC

2. Entity Type.

LLC

3. Entity's Alternate Name (if true legal name is not available)

4. Organized under the laws of which state/province and country.

New York

5. Date of Organization.

10/19/2010

6. Date entity started or will start transacting business in the District of Columbia.

12/13/2018

DCRA Corp. Div.

7. Principal Address.

12 College Road, Suite 100, Monsey, NY 10952

JAN 2 - 2019

8. Registered Agent's name and address of registered office in District of Columbia.

Vcorp Agent Services, Inc. 1100 H Street, NW, Suite 840, Washington, DC 20005

File Copy

9. Briefly describe the proposed activity company will transact in the District of Columbia.

Energy Supplier

10. List the name of at least one governor. (may attach the statement)

TITLE	NAME	ADDRESS
Manager	Levi Moeller	12 College Road, Suite 100, Monsey, NY 10952

11. Attach an original Certificate of Good Standing (Certificate of Existence) from Registration Authority in the State/Province/Country of Incorporation that is not over 90 days old.

If you sign this form you agree that anyone who makes a false statement can be punished by criminal penalties of a fine up to \$1000, imprisonment up to 180 days, or both, under DCOC § 22-2405;

12. Name of the Governor or Authorized Person:

Levi Moeller

12A. Signature of the Governor or Authorized Person & Date.

*[Signature]*

Mail all forms and required payment to:

Department of Consumer and Regulatory Affairs  
Corporations Division  
PO Box 92300  
Washington, DC 20090  
Phone: (202) 442-4432

Corporate Online Services Information:

Many corporate filings are available by using CorpOnline Service.  
Go to CorpOnline site at <https://corponline.dcrd.dc.gov>, create the profile, access the online services main page and proceed.  
Online filers must pay by using the credit card.

**State of New York  
Department of State } ss:**

*I hereby certify, that PAN AMERICAN ENERGY, LLC a NEW YORK Limited Liability Company filed Articles of Organization pursuant to the Limited Liability Company Law on 10/19/2010, and that the Limited Liability Company is existing so far as shown by the records of the Department. I further certify the following:*

*A Certificate of Publication of PAN AMERICAN ENERGY, LLC was filed on 12/28/2010.*

*A certificate changing name to ALPHA GAS AND ELECTRIC, LLC was filed on 01/06/2011.*

*Certificate of Change was filed on 10/01/2012.*

*A Biennial Statement was filed 10/24/2012.*

*A Biennial Statement was filed 10/03/2014.*

*A Biennial Statement was filed 09/05/2018.*

*I further certify, that no other documents have been filed by such Limited Liability Company.*

\*\*\*

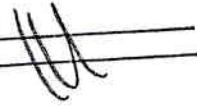
*Witness my hand and the official seal  
of the Department of State at the City  
of Albany, this 05th day of October  
two thousand and eighteen.*



Brendan W. Fitzgerald  
Executive Deputy Secretary of State

DCRA Corp. Div.

JAN 2 - 2019

File Copy 



## Department of Consumer and Regulatory Affairs

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### ALPHA GAS AND ELECTRIC, LLC - Initial File Number: L00006130355

[Main](#) [Reports](#) [Trade Names](#) [Governors](#)**Entity Info**

Business Name	ALPHA GAS AND ELECTRIC,
Suffix	LLC
Registration / Effective Date	12/13/2018
Commencement Date	12/13/2018
Entity Status	Active
Foreign Name	ALPHA GAS AND ELECTRIC, LLC
Date of Organization	10/19/2010
State	New York
Country	USA

**Business Address**

Line1	12 COLLEGE ROAD				
Line2	SUITE 100				
City	MONSEY	State	New York	Zip	10952

**Agent**

Is non-commercial Registered Agent?	No
Name	VCORP AGENT SERVICES INC.

**Address**

Line1	1100 H STREET NW				
Line2	SUITE 840				
City	WASHINGTON	State	District of Columbia	Zip	20005
Email					

[Return to Home](#)

**Attachment 4d      Ownership**

1. Harvey Klein – 12 College Rd. Monsey NY 10952
2. Israel Orzel - 12 College Rd. Monsey NY 10952
3. Mark Wiederman - 12 College Rd. Monsey NY 10952
4. Levi Moeller - 12 College Rd. Monsey NY 10952



## **Attachment 8            Operational Capability**

**Please see below for confirmation of Alpha Gas and Electric, LLC's PJM Membership and a copy of the executed Schedule 4 Agreement.**

## Dina Freedman

---

**From:** Niemeyer, Jay <Jay.Niemeyer@pjm.com>  
**Sent:** Tuesday, March 26, 2019 1:19 PM  
**To:** Dina Freedman  
**Cc:** Niemeyer, Jay  
**Subject:** Confirmation of Member Status - Alpha Gas and Electric, LLC

Dear Dina,

As requested, I am writing to confirm that according to our records, **Alpha Gas and Electric, LLC** is a PJM Member as of this date **(3/26/19)**. **Alpha Gas and Electric, LLC** is also current on its billing and settlement obligations and has satisfied the minimum credit and/or collateral requirements to participate in the PJM Markets.

Sincerely,

**Jay Niemeyer**

Senior Risk Analyst, Finance

(610) 666-4407 | [Jay.Niemeyer@pjm.com](mailto:Jay.Niemeyer@pjm.com) | [credit\\_hotline@pjm.com](mailto:credit_hotline@pjm.com)

PJM Interconnection | 2750 Monroe Blvd. | Audubon, PA 19403

Hotline: (866) 400-8980

**SCHEDULE 4**

**STANDARD FORM OF AGREEMENT TO BECOME A MEMBER OF THE LLC**

Any entity which wishes to become a Member of the LLC shall, pursuant to Section 11.6 of this Agreement, tender to the President an application, upon the acceptance of which it shall execute a supplement to this Agreement in the following form:

**Additional Member Agreement**

1. This Additional Member Agreement (the "Supplemental Agreement"), dated as of December 28 2010, is entered into among Pan American Energy and the President of the LLC acting on behalf of its Members.
2. Pan American Energy, LLC has demonstrated that it meets all of the qualifications required of a Member to the Operating Agreement. If expansion of the PJM Region is required to integrate Pan American Energy's facilities, a copy of Attachment J from the PJM Tariff marked to show changes in the PJM Region boundaries is attached hereto. Pan American Energy, LLC agrees to pay for all required metering, telemetering and hardware and software appropriate for it to become a member.
3. Pan American Energy, LLC agrees to be bound by and accepts all the terms of the Operating Agreement as of the above date.
4. Pan American Energy, LLC hereby gives notice that the name and address of its initial representative to the Members Committee under the Operating Agreement shall be:  
Moshe Mueller - manager, Shoshana Englander - secretary, Itzhak Aron Turen - COO
5. The President of the LLC is authorized under the Operating Agreement to execute this Supplemental Agreement on behalf of the Members.
6. The Operating Agreement is hereby amended to include Pan American Energy, LLC as a Member of the LLC thereto, effective as of December 28, 2010, the date the President of the LLC countersigned this Agreement.

IN WITNESS WHEREOF, Pan American Energy, LLC and the Members of the LLC have caused this Supplemental Agreement to be executed by their duly authorized representatives.

Members of the LLC

By: Terry Boston  
Name: Terry Boston  
Title: President & CEO

By: Moshe Mueller  
Name: Moshe Mueller  
Title: Manager

Issued By: Craig Glazer  
Vice President, Government Policy  
Issued On: April 30, 2004

Effective: May 1, 2004