

Brian J. Knipe
(717) 237-4820
Brian.Knipe@bipc.com

17 North Second Street
15th Floor
Harrisburg, PA 17101-1503
T 717.237.4800
F 717.233.0852
www.bipc.com

December 10, 2010

VIA HAND DELIVERY

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

RECEIVED
2010 DEC 10 PM 3:00
PA PUC
SECRETARY'S BUREAU

Re: Request of Constellation NewEnergy, Inc. to Amend Its Electric Generation Supplier License to Include Service to Residential and Small Commercial Customers Throughout the Commonwealth of Pennsylvania, Docket No. A-110036

Dear Secretary Chiavetta:

Constellation NewEnergy, Inc. ("CNE") respectfully requests amendment of its electric generation supplier ("EGS") license to include service to Residential and Small Commercial (25 KW and under) customers throughout the Commonwealth of Pennsylvania. The Commission granted CNE its EGS license on January 14, 1999 at the above referenced docket number, to provide service to Commercial and Industrial Customers throughout Pennsylvania. In addition to its substantial experience serving Commercial and Industrial customers in numerous states including Pennsylvania, Constellation has experience supporting service to Residential customers in both New Jersey and Maryland.

CNE has attached copies of the initial proofs of publication of notice of its EGS license application, which ran in newspapers in September 1997, as **Exhibit A**. Given the length of time since the initial newspaper publication, and a change in the licensee's name, CNE has caused a new notice of this filing to be published between November 24 and 26, 2010, in all seven newspapers of general circulation covering every county in the Commonwealth, and proofs of newspaper publications are enclosed as **Exhibit B**.

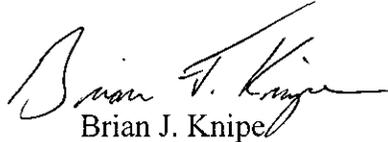
Also enclosed as **Exhibit C** is CNE's form of Residential and Small Commercial Disclosure Statement. The Commission's Bureau of Consumer Services ("BCS") has completed its review of CNE's Disclosure Statement and has approved it, and Dan Mumford and/or David Mick in the BCS can be contacted to confirm this review.

CNE respectfully requests expedited approval of its EGS license amendment at the Commission's next public meeting, scheduled for **Thursday, December 16, 2010**, so that CNE

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
December 10, 2010
Page 2

can begin making offers to customers pursuant to the amended license as early as January of 2011.

Very truly yours,



Brian J. Knipe

For BUCHANAN INGERSOLL & ROONEY PC

BJK/kra

Enclosures

cc: Paul Diskin, Manager, Bureau of Fixed Utility Services (via hand delivery w/encls.)
Divesh Gupta, Esq.
Certificate of Service

RECEIVED
2010 DEC 10 PM 3:00
PA PUC
SECRETARY'S BUREAU

New Energy Ventures - Mid Atlantic
1045 Walnut Street, Suite 2525
Philadelphia, PA 19103

tel: 215/563-9290 fax: 215/563-9292
E-mail: nevmid@NewEnergy.com

ORIGINAL



September 12, 1997

James J. McNulty, Prothonotary
Pennsylvania Public Utility Commission
Room B-20 North Office Building
Harrisburg, PA 17105-3265

re: Application of NEV East, L.L.C.,
d/b/a New Energy Ventures - Mid
Atlantic To Offer, Render, Furnish Or
Supply Electricity Generation as an
Aggregator And Broker/Marketer To the
Public in the Commonwealth of
Pennsylvania

Docket No. A-110036

KJR

Dear Mr. McNulty:

Attached are items required to complete the filing of the license application under the requirements of Docket No. M-00960890F0004, of NEV East, L.L.C., d/b/a New Energy Ventures - Mid Atlantic. These include:

Application, Question 19 b. - The Standard Contract for Commercial and Industrial Customers. (Attachment A) NEV will not initially serve residential customers, so a contract form for these customers has not been developed. NEV will supply such a form for Commission review well in advance of serving any residential customers.

Proof of Publication of the Application of NEV East, L.L.C. in Newspapers of general circulation in the Commonwealth, including a diskette with a copy of our notice in the prescribed format. (Attachment B)

Please contact me if you have any questions regarding this information.

Sincerely yours,

David Magnus Boonin, President
New Energy Ventures - Mid Atlantic

Attachments

Enclosure

**DOCUMENT
FOLDER**

RECEIVED
2000 DEC 10 PM 3:00
RECEIVED
97 SEP 15 AM 11:39
P.A.P.U.C.
PROTHONOTARY'S OFFICE

EXHIBIT
A

97

LICENSING OF ELECTRIC GENERATION SUPPLIERS

NEWSPAPER PUBLICATION FOR STATE-WIDE AUTHORITY

Philadelphia Inquirer

Pittsburgh Post Gazette

Harrisburg Patriot News

Scranton Times

Erie Morning News

Williamsport Sun Gazette

RECEIVED

2010 DEC 10 PM 3:05

**PA PUC
SECRETARY'S BUREAU**

ATTACHMENT "B"

Docket No. A-110036

**New Energy Ventures - Mid Atlantic
Proof of Publication of Notice of License Application**

RECEIVED

2010 DEC 10 PM 3:05

**PA POC
SECRETARY'S BUREAU**

RECEIVED

97 SEP 15 AM 11:39

**PA:JJC
PROTHONOJARY'S OFFICE**

RECEIVED

2010 DEC 10 PM 3:05

SECRETARY'S BUREAU

No. Form, 19

Proof of Publication of Notice in The Philadelphia Inquirer

Under Act No. 160, P.L. 877, July 9, 1976

Commonwealth of Pennsylvania }
County of Philadelphia } ss.:

M. Ruchalski

..... being duly sworn, deposes and says that **THE PHILADELPHIA INQUIRER** is a daily newspaper published at Broad and Callowhill Streets, Philadelphia County, Pennsylvania, which was established in the year 1829, since which date said daily newspaper has been regularly published and distributed in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of said daily newspaper on the following dates, viz.:

..... and the 2nd day of September, A. D. 19 97

Affiant further deposes that he is duly authorized by Philadelphia Newspapers, Inc., a corporation, publisher of **THE PHILADELPHIA INQUIRER**, a daily newspaper, to verify the foregoing statement under oath, and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

M. Ruchalski

Copy of notice or publication

PENNSYLVANIA PUBLIC UTILITY COMMISSION
NOTICE
 Application of NEV East, L.L.C., d/b/a New Energy Ventures - MidAtlantic, to Own, Operate, Furnish or Sell Electricity Generation As an Approperator and Distributor in the Public in the Commonwealth of Pennsylvania, Docket No. A-11003a.

On August 21, 1997, NEV East, L.L.C., d/b/a New Energy Ventures - MidAtlantic filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a broker/dealer engaged in the business of supplying electricity, and (2) an approperator engaged in the business of supplying electricity. NEV East, L.L.C. proposes to sell electricity and related services throughout all Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial interests of NEV East, L.L.C. may be filed within 15 days of the publication date of this notice with the Office of the Administrator, Pennsylvania Public Utility Commission, P.O. Box 3133, Harrisburg, Pennsylvania 17103-3133. You are requested to provide copies of any protest to NEV East, L.L.C. at the following address: 1845 Walnut St., Suite 2133, Philadelphia, PA 19103. Please include the PUC's "docket number" on any correspondence, which is A-11003a.

By and through Counsel, Joseph Dworetzky, Esquire, Manly Architects, 300 & Fusion, One Logan Square, 17th Floor, Philadelphia, Pennsylvania 19103-4417.

Sworn to and subscribed before me this 2nd

day of September 19 97

Elaine Smith
Notary Public.

My Commission Expires:

NOTARIAL SEAL
ELAINE SMITH, Notary Public
City of Philadelphia, Phila. County
My Commission Expires April 29, 2000

RECORDED

SEP 22 1997

DOCUMENT FOLDER

No. Term, 19

..... Court of

Philadelphia County, Pennsylvania

=====

.....

.....

.....

PHILADELPHIA NEWSPAPERS, INC.

**Proof of Publication
OF**

.....

.....

Filed 19

Attorney for

RECEIVED

2010 DEC 10 PM 3:05

**PA PUC
SECRETARY'S BUREAU**

Proof of Publication of Notice in Post-Gazette

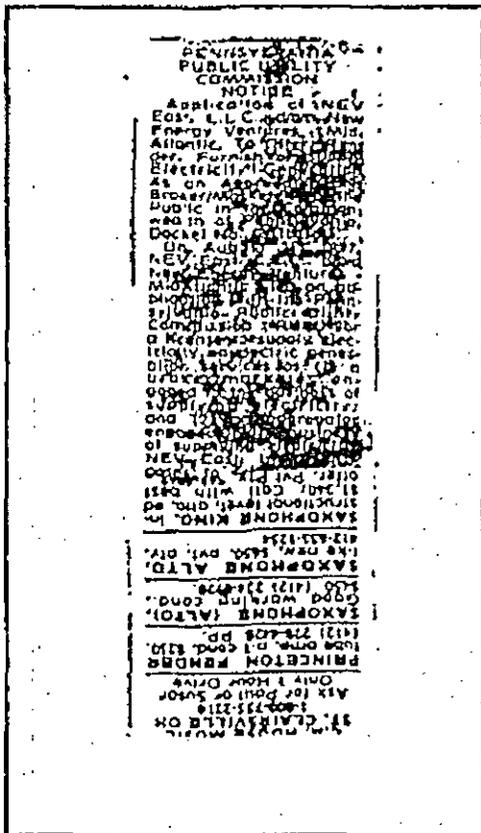
Under Act No. 587, Approved May 16, 1929, P.L. 1784, as last amended by Act No. 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss: S. Honchar, being duly sworn, deposes and says that the Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 and the Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said Post-Gazette a newspaper of general circulation on the following dates, viz:

September 10, 1997

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Post-Gazette; that, as such agent, affiant is duly authorized to verify the foregoing statement under oath; that affiant is not interested in the subject matter of the aforesaid notice or publication; and that all allegations in the foregoing statement as to time, place and character of publication are true.

COPY OF NOTICE OR PUBLICATION



S. Honchar
PG Publishing Company

Sworn to and subscribed before me this day of:

September 10, 1997

Mary E. Wazemonger

Notarial Seal
Mary E. Wazemonger, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Feb. 18, 2000
Member, Pennsylvania Association of Notaries

PA PUC
SECRETARY'S BUREAU

2010 DEC 10 PM 3:05

RECEIVED

STATEMENT OF ADVERTISING COSTS

New Energy Ventures
1845 Walnut St., Suite 2525
Philadelphia, Pa., 19103

To PG Publishing Company

Total _____ \$ 422.45

Publisher's Receipt for Advertising Costs

PG PUBLISHING COMPANY, publisher of the Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office
Boulevard of the Allies
PITTSBURGH, PA 15230
Phone 412-263-1338

PG Publishing Company, a Corporation, Publisher of Post-Gazette, a Newspaper of General Circulation

By Brian McGervey

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

SEP 22 1997

DOCUMENT FOLDER

Attorney for

THE PATRIOT NEWS THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587 Approved May 16, 1929

Commonwealth of Pennsylvania, County of Dauphin) ss

Michael Morrow being duly sworn according to law, deposes and says:

That he is the Assistant Controller of THE PATRIOT-NEWS CO., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 812 to 818 Market Street, in the City of Harrisburg, County of Dauphin, State of Pennsylvania, owner and publisher of THE PATRIOT-NEWS and THE SUNDAY PATRIOT-NEWS newspapers of general circulation, printed and published at 812 to 818 Market Street, in the City, County and State aforesaid; that THE PATRIOT-NEWS and THE SUNDAY PATRIOT-NEWS were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular and/or Sunday and Metro editions/issues which appeared on the 30th day(s) of August 1997.

That neither he nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

That he has personal knowledge of the facts aforesaid and is virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

Michael Morrow

COPY OF PUBLICATION

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
NOTICE**

Application of NEV East, L.L.C. d/b/a New Energy Ventures-MDA/Kentec, To Offer, Render, Furnish or Supply Electricity Generation As an Approver and Broker/Marketer to the Public in the Commonwealth of Pennsylvania, Docket No. A-11823.

On August 27, 1997, NEV East, L.L.C. d/b/a New Energy Ventures-MDA/Kentec filed an application with the Pennsylvania Public Utility Commission ("PUC") for licenses to supply electricity or electric generation services as (1) a broker/marketer engaged in the business of supplying electricity; and (2) an approver engaged in the business of supplying electricity. NEV East, L.L.C. requests to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Parties directed to the technical or financial fitness of NEV East, L.L.C. may be filed within 15 days of the publication date of this notice with the Office of the Administrator, Pennsylvania Public Utility Commission, P. O. Box 2245, Harrisburg 2, Pennsylvania 17105-1245. You are requested to provide copies of any protest to NEV East, L.L.C. at the following address: 1845 Walnut Street, Suite 2525, Philadelphia, PA, 19103. Please include the PUC's "docket number" on any correspondence, which is A-11823.

61 and French Counsel: Joseph Dupertail, ESQUIRE, Honley Atorovich Seal & Puddis, One Logan Square, 17th Floor, Philadelphia, Pennsylvania, 19103-4003.

Sworn to and subscribed before me this 2nd day of September 1997, A.D.

Notarial Seal
Terry L. Russell, Notary Public
Harrisburg, Dauphin County
My Commission Expires June 6, 1998
Member, Pennsylvania Association of Notaries

Terry L. Russell
Notary Public

NEW ENERGY VENTURES, INC.
1845 WALNUT STREET
SUITE 2525
PHILADELPHIA, PA. 19103

Statement of Advertising Costs

To THE PATRIOT-NEWS CO., Dr.	
For publishing the notice or publication attached hereto on the above stated dates	\$140.60
Probating same	\$ 1.00
Total	\$141.60

RECEIVED
280 DEC 10 PM 3:05
PA PUC
SECRETARY'S BUREAU

Publisher's Receipt for Advertising Cost

THE PATRIOT-NEWS CO., publisher of THE PATRIOT-NEWS and THE SUNDAY PATRIOT-NEWS, newspapers of general circulation, hereby acknowledge receipt of the aforesaid notice and publication costs and certifies that the same have been duly paid.

THE PATRIOT-NEWS CO.

By.....

SECRETED

SEP 22 1997

DOCUMENT
FOLDER

RECEIVED
97 SEP 15 AM 11:39
PA PUC
PROTODIOTARY'S OFFICE

RECEIVED

The Scranton Times

PENN AVENUE AT SPRUCE STREET • P.O. BOX 3311 • SCRANTON, PA 18505-3311

PHONE (717) 348-9100

DEC 10 PM 3:05

PA PUC
NOTARY'S BUREAU

9

7

145642

2

6
SEE OTHER SIDE

5	9/02/97	9/02/97
3	4	9/02/97

NEW ENERGY VENTURES INC
CHERYL HAYNES
1845 WALNUT STREET SUITE
PHILADELPHIA PA 19103

DUCKETED

SEP 22 1997

LEGAL BILL

10	11	12	13	14	15	16	17	18	19	20
2	601584	APPLICATION NEV		64	1	64.00	2.73			174.72
2	601584	AFF. 9/2/97								5.00
<p>THE SCRANTON TIMES (UNDER ACT P.L. 877 NO. 160, JULY 9, 1988) COUNTY OF LACKAWANNA</p> <p>LUCY RUSNAK BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT SHE IS ACCOUNTING CLERK FOR THE SCRANTON TIMES, OWNER AND PUBLISHER OF THE SCRANTON TIMES, A NEWSPAPER OF GENERAL CIRCULATION, ESTABLISHED IN 1870, PUBLISHED IN THE CITY OF SCRANTON, COUNTY AND STATE AFORESAID, AND THAT THE PRINTED NOTICE OR PUBLICATION HERETO ATTACHED IS EXACTLY AS PRINTED IN THE REGULAR EDITIONS OF THE SAID NEWSPAPER ON THE FOLLOWING DATES, VIZ.: 9/2/97</p> <p>AFFIANT FURTHER DEPOSES AND SAYS THAT NEITHER THE AFFIANT NOR THE SCRANTON TIMES IS INTERESTED IN THE SUBJECT MATTER OF THE AFORESAID NOTICE OR ADVERTISEMENT AND THAT ALL ALLEGATIONS IN THE FOREGOING STATEMENT AS TO TIME, PLACE AND CHARACTER OF PUBLICATION ARE TRUE</p> <p>SWORN AND SUBSCRIBED TO BEFORE ME THIS 04 DAY OF SEPT. A.D. 1997.</p> <p><i>Romana A. Washner</i> (NOTARY PUBLIC)</p> <p>Notarial Seal Romana A. Washner, Notary Public Scranton, Lackawanna County My Commission Expires Sept. 23, 1999 Member, Pennsylvania Association of Notaries</p>										

DOCUMENT FOLDER

AGING			

21	22
CURRENT GROSS AMOUNT	CURRENT NET AMOUNT
	179.72

CONTRACT PERFORMANCE			
EXPIRATION DATE	REQUIREMENT	CURRENT MONTH	CUMULATIVE

PLEASE PAY THIS AMOUNT

25
TOTAL NET AMOUNT DUE

TERMS OF PAYMENT

PAYABLE LAST DAY OF MONTH
 A 1% PER MONTH FINANCE
 DUE BALANCES. THIS IS AN

WEEKLY: PAYABLE ON

LEGEND

The 29 elements of the

MONTHLY NOTICE

Application of NEV East, L.L.C. (NEV East) to Offer, Render, Furnish or Supply Electricity Generation As an Aggregator and Broker/Marketer to the Public in the Commonwealth of Pennsylvania, Docket No. A-110036.

On August 21, 1997, NEV East, L.L.C., d/b/a New Energy Ventures - MidAtlantic filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a broker/marketer engaged in the business of supplying electricity, and (2) an aggregator engaged in the business of supplying electricity. NEV East, L.L.C. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of NEV East, L.L.C. may be filed within 15 days of the publication date of this notice with the Office of the Prothonotary, Pennsylvania Public Utility Commission, PO Box 3265, Harrisburg, Pennsylvania 17105-3265. You are requested to provide copies of any protest to NEV East, L.L.C. at the following address: 1845 Walnut Street, Suite 2525, Phila., PA 19103. Please include the PUC's "docket number" on any correspondence, which is A-110036.

By and through Counsel: Joseph Dworecki, Esquire; Hangley Aronchick Segal & Puder, One Logan Square, Philadelphia, Pennsylvania 19103-6833.

BILLING DATE.
 ADDED TO PAST
 RATE OF 12%

INVOICE

Advertising Invoice (SAI)

<ol style="list-style-type: none"> 1. Name and Address of Newspaper Phone No. 2. Billed Account Name and Address 3. Invoice/Document Number 4. Billing Date 5. Billing Period 6. Terms of Payment 7. Billed Account Number 8. Advertiser/Client Number 9. Advertiser/Client Name 10. Date of Insertion 11. Newspaper's Reference Number 12. Other Charges or Credits 13. Description 14. Product/Service Code 	<p>29. Contract Performance</p>	<p>Width/Dimensions</p> <p>Times Published</p> <p>Billable Units</p> <p>Applicable Rate</p> <p>Gross Amount</p> <p>Net Amount</p> <p>Current Gross Amount</p> <p>Current Net Amount Due</p> <p>Cash Discount</p> <p>Billing of Past Due Amounts</p> <p>Total Net Amount Due</p> <p>Billed Account Number</p> <p>Billed Account Name</p> <p>Name and Address for Remittance</p>
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The elements shown above appear on the face of the invoice and are identified by number.

NOT APPLICABLE

SECRETARY'S BUREAU

2000 DEC 10 PM 3:06

RECEIVED

RECEIVED

2010 DEC 10 PM 3:06

PA PUC
SECRETARY'S BUREAU

OATH OF PUBLICATION
In
THE MORNING NEWS
And THE ERIE DAILY TIMES

NEW ENERGY VENTURES INC
1845 WALNUT ST STE 2525
PHILADELPHIA PA 19103

DOCKETED

SEP 22 1997

PENNSYLVANIA PUBLIC
UTILITY COMMISSION
NOTICE
Application of NEV East,
L.L.C. d/b/a New Energy
Ventures-MidAtlantic, to
Offer, Render, Furnish or
Supply Electricity Gener-
ation as an Aggregator
and Broker/Marketer to
the Public in the Com-
monwealth of Pennsylva-
nia. Docket No. A-110036.
On August 21, 1997, NEV
East, L.L.C. d/b/a New
Energy Ventures - MidAt-
lantic, filed an application
with the Pennsylvania
Public Utility Commission
("PUC") for a license to
supply electricity of elec-
tric generation services of
(1) a broker/marketer en-
gaged in the business of
supplying electricity; and
(2) an aggregator en-
gaged in the business of
supplying electricity.
NEV East, L.L.C. pro-
poses to sell electricity
and related services
throughout all of Pennsylv-
ania under the provisions
of the new Electricity
Generation Customer
Choice and Competition
Act.
The PUC may consider
this application without a
hearing. Protests directed
to the technical or finan-
cial fitness of NEV East,
L.L.C. may be filed within
15 days of the publication
date of this notice with the
Office of the Prothono-
tary, Pennsylvania Public
Utility Commission, P.O.
Box 3245, Harrisburg,
Pennsylvania 17103-3245.
You are requested to pro-
vide copies of any protest
to NEV East, L.L.C. at the
following address. Please
include the PUC's docket
number" on any corre-
spondence, which is A-
110036.
By and through Counsel:
Joseph Dworetzky,
Esquire, Hengley Aron-
chick Segal & Pudin, One
Logan Square, 12th Floor,
Philadelphia, Pennsylva-
nia, 19103-6433.
(8-10146-NT-29)

REFERENCE: L0000381
0001510328 PUC

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Michael Mead being duly sworn, desposes and says
that he is the Publisher of the Times Publishing
Company, which publishes:

the Morning News, established, January 1957, and
the Erie Daily Times, established April 1888,
daily newspapers of general circulation, and
published at Erie, Erie County, Pennsylvania, and
that the notice of which the attached is a copy
cut from said newspapers, was printed and
published in the regular editions of said
newspapers of the dates referred to below.

Affiant further desposes that he is duly
authorized by THE TIMES PUBLISHING COMPANY,
publisher of the Morning News and Erie Daily Times
to verify the foregoing statement under oath, and
affiant is not interested in the subject matter of
the aforesaid notice or advertisement, and that all
allegations in the foregoing statement as to time,
place and character of publication are true.

PUB. SHED ON: 08/29

TOTAL COST: 124.74 AD SPACE: 66 LINE
FILED ON: 08/29/97

Sworn to and subscribed before me this

29th day of August 1997

Affiant: Michael Mead

NOTARY: Charlene W. Rupert

My Commission Expires:

DOCUMENT

Notarial Seal
Charlene A. Rupert, Notary Public
Erie, Erie County
My Commission Expires May 8, 2000

Member, Pennsylvania Association of Notaries

PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

58:

DOCKETED

Thomas C. Briley

Publisher of the Sun-Gazette Company, publishers

of the Williamsport Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor the Williamsport Sun-Gazette has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions and issues of said Williamsport Sun-Gazette on the following dates, viz:

September 4, 1997

Affiant further deposes that he is an officer duly authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all the allegations in the foregoing statement as to time, place and character of publication are true.

Paul Briley

SUN-GAZETTE COMPANY

Sworn to and subscribed before me

this *5th* day of *September* 19 *97*

Christina Notary Public

NOTARIAL SEAL
CONNIE L. TOBIAS, Notary Public
Williamsport, Lycoming County, PA
My Commission Expires June 7, 1999

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE
Application of NEV East, L.L.C., d/b/a New Energy Ventures - MidAtlantic, to Offer, Render, Furnish or Supply Electricity Generation as an Appraiser and Broker/Marketer to the Public in the Commonwealth of Pennsylvania, Docket No. A-110034.
On August 21, 1997, NEV East, L.L.C., d/b/a New Energy Ventures - MidAtlantic filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a broker/marketer engaged in the business of supplying electricity; and (2) an appraiser engaged in the business of supplying electricity. NEV East, L.L.C. proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of NEV East, L.L.C. may be filed within 15 days of the publication date of this notice with the Office of the Prothonotary, Pennsylvania Public Utility Commission, P.O. Box 3245, Harrisburg, Pennsylvania 17105-3245. You are requested to provide copies of any protest to NEV East, L.L.C. at the following address: 1845 Walnut Street, Suite 2525, Philadelphia, PA 19102. Please include the PUC's "docket number" on any correspondence, which is A-110034.
By and through Counsel: Joseph Dworak, Esquire, Hangley Aronchick Segal & Pudin, One Logan Square, 12th Floor, Philadelphia, Pennsylvania 19103-4827.

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, De:
For publishing the notice attached hereto on the above stated dates \$ *121.55*
Probating same \$
Total \$ *121.55*

RECEIVED
2000 DEC 18 PM 3:06
SECRETARY'S BUREAU

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

DOCUMENT

THE SUN-GAZETTE COMPANY hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

SUN-GAZETTE COMPANY

By *Thomas C. Briley*

Proof of Publication in The Philadelphia Daily News
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

Anna Dickerson being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

November 26, 2010

Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Anna Dickerson

Sworn to and subscribed before me this 26th day of November, 2010.

Mary Anne Logan
Notary Public

My Commission Expires:

NOTARIAL SEAL
Mary Anne Logan, Notary Public
City of Philadelphia, Phila. County
My Commission Expires March 30, 2013

Copy of Notice of Publication

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE

Application of **Constellation NewEnergy Inc.** For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110036.

Constellation NewEnergy Inc. will be filing a request with the Pennsylvania Public Utility Commission ("PUC") to amend its license to supply electricity or electric generation services as a generator and supplier of electric power, and a broker/marketer and aggregator engaged in the business of supplying electricity, to include service to residential and small commercial customers throughout all of Pennsylvania under the provisions of the Electricity Generation Customer Choice and Competition Act. The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Constellation NewEnergy Inc.** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Constellation NewEnergy Inc.**'s attorney at the address listed below. Please include the PUC Docket No. A-110036 on any correspondence.

Brian J. Knipe, Esq.
Buchanan Ingersoll & Rooney PC
17 North Second Street, 15th Floor
Harrisburg, PA 17101-1503
Phone: (717) 237-4820
Fax: (717) 233-0852

RECEIVED
2010 DEC 10 PM 3:06
PA PUC
SECRETARY'S BUREAU

EXHIBIT

B

The Patriot-News Co.
2020 Technology Pkwy
Suite 300
Mechanicsburg, PA 17050
Inquiries - 717-255-8213

The Patriot-News
Now you know

BUCHANON INGERSOLL & ROONEY
17 NORTH SECOND ST.
ATTN: BRIAN J. KNIPE

HARRISBURG PA 17101

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PA PUD
SECRETARY'S BUREAU

THE PATRIOT NEWS
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929
Commonwealth of Pennsylvania, County of Dauphin} ss

Holly Blain, being duly sworn according to law, deposes and says:

That she is a Staff Accountant of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 812 to 818 Market Street, in the City of Harrisburg, County of Dauphin, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 812 to 818 Market Street, in the City, County and State aforesaid; that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/ Metro editions which appeared on the date(s) indicated below. That neither she nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

That she has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on behalf of The Patriot-News Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the stockholders and board of directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds in and for said County of Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

PUBLICATION COPY

This ad # 0002111319 ran on the dates shown below:

November 25, 2010

Holly Blain

Sworn to and subscribed before me this 30 day of November 2010 A.D.

Sherrie L. Kisner

Notary Public

RECEIVED
2010 DEC 10 PM 3:06
PA PUD
SECRETARY'S BUREAU

see att

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Sherrie L. Kisner, Notary Public
Lower Paxton Twp., Dauphin County
My Commission Expires Nov. 26, 2011
Member, Pennsylvania Association of Notaries

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**

Application of Constellation NewEnergy Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110036.

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Brian J. Knipe, Esq.
Buchanan Ingersoll & Rooney PC
17 North Second Street, 15th Floor
Harrisburg, PA 17101-1503
Phone: (717) 237-4820
Fax: (717) 233-0852

RECEIVED
2010 DEC 10 PM 13:06
PA PUC
SECRETARY'S BUREAU

RECEIVED
The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)
Commonwealth of Pennsylvania, County of Lackawanna
2010 DEC 10 PM 3: 06

BUCHANAN INGERSOLL & ROONEY PC
GINA Y. MYERS
15TH FLOOR 17 NORTH SECOND STREET
HARRISBURG PA 17101-1503

PA PUC
SECRETARY'S BUREAU

Account # 444276
Order # 80444948
Ad Price: 234.32

Tara Wilbur

Being duly sworn according to law deposes and says that she is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

11/25/2010

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Tara Wilbur

Sworn and subscribed to before me
this 26th day of November A.D., 2010

Carol Demas
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Carol Demas, Notary Public
City of Scranton, Lackawanna County
My Commission Expires Jan. 21, 2014
Member, Pennsylvania Association of Notaries

LEGAL NOTICE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Application of Constellation NewEnergy Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania, Docket No. A-110036.

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Brian J. Knipe, Esq.
Buchanan Ingersoll & Rooney PC
17 North Second Street, 15th Floor
Harrisburg, PA
17101-1503
Phone: (717) 237-4820
Fax: (717) 233-0852

PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA
COUNTY OF LYCOMING

SS:

Bernard A. Oravec Publisher of the Sun-Gazette Company, publishers of the Williamsport, Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

November 26, 2010

Affiant further
to verify the fo
of publication,

**PENNSYLVANIA
PUBLIC UTILITY
COMMISSION
NOTICE**
Application of Constellation NewEnergy Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/ Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110036.
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electricity, to include service to residential and small commercial customers throughout all of Pennsylvania under the provisions of the Electricity Generation Customer Choice and Competition Act.

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Brian J. Knipe, Esq.
Buchanan Ingersoll & Rooney PC
17 North Second Street,
15th Floor
Harrisburg, PA
17101-1503
Phone: (717) 227-4820

officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice and that the conditions in the foregoing statement as to time, place and character of publication are true.

Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me
the *29th* day of *November*, 20*10*

Cathy A. Eilley

RECEIVED
2010 DEC 20 PM 3:06
SECRETARY'S BUREAU
Notary Public

NOTARIAL SEAL
CATHY A. EILLEY, Notary Public
City of Williamsport, Lycoming County
My Commission Expires May 15, 2011

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:
For publishing the notice attached
hereto on the above state dates.....\$ *799.64*
Probated same.....\$
Total.....\$ *799.64*

COMMONWEALTH OF PENNSYLVANIA }
 County of Cambria } SS

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of Constellation NewEnergy Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110036.

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Brian J. Knipe, Esq.
 Buchanan Ingersoll & Rooney PC
 17 North Second Street, 15th Floor
 Harrisburg, PA 17101-1503
 Phone: (717) 237-4820
 Fax: (717) 233-0852

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On this 26th day of November A.D. 2010, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Christine Marhefka, who being duly sworn according to law, deposes and says as Classified Advertising Manager of the Tribune-Democrat, Johnstown, PA, a newspaper of general circulation as defined by the "Newspaper Advertising Act", a merger September 8, 1952, of the Johnstown Tribune, established December 7, 1853; and of the Johnstown Democrat, established March 5, 1863, County of Cambria, and Commonwealth of Pennsylvania and above matter published in said publication in the regular issues PA, on November 25th, 2010; and that the Affiant is not advertising and that all of the allegations as to time, place and

Christine Marhefka

STATEMENT OF ADVERTISING COSTS

Sworn and Subscribed before me this 26th day of November, 2010.

[Signature]

0.00 Lines @	\$2.50 per line	0.00
7 Inches @	\$25.00 per inch	175.00
Notary Fee		5.00
Clerical Fee		2.50
Total Cost		182.50



COMMONWEALTH OF PENNSYLVANIA
 Notarial Seal
 Vivian Ohs, Notary Public
 City of Johnstown, Cambria County
 My Commission Expires Dec. 6, 2012
 Member, Pennsylvania Association of Notaries

To The Tribune-Democrat, Johnstown, PA
 For publishing the notice or publication
 attached hereto on the above stated dates.

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

_____ for publisher of _____
 a newspaper of general circulation, hereby acknowledges receipt of the aforesaid
 and publication costs and certifies that the same has been duly paid.

 (Name of Newspaper)
 By _____

RECEIVED
 2010 DEC 10 PM 13:06
 PA PUC
 SECRETARY'S BUREAU

OATH of PUBLICATION
In
THE ERIE TIMES-NEWS
COMBINATION EDITION

BUCHANAN INGERSOLL & ROONEY PC
17 N SECOND ST 15TH FL
HARRISBURG PA 17101-1503

REFERENCE: L0001415
1955148 PUC NOTICE

STATE OF PENNSYLVANIA)
COUNTY OF ERIE) SS:

Rosanne Cheeseman being duly sworn, deposes and says that she is the Publisher of the Times Publishing Company, which publishes: the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, successor, by consolidation, of the Morning News, established January 1957, and the Erie Daily Times, established April 1888, daily newspapers of general circulation and published at Erie, Erie County, Pennsylvania, and that the notice of which the attached is a copy published, in the regular editions of said newspaper of the dates referred to below. Affiant further deposes that she is duly authorized by the TIMES PUBLISHING COMPANY, publisher of The Erie Times-News to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the forgoing statement as to time, place and character of publication are true.

PUBLISHED ON: 11/26

TOTAL COST: 294.00 AD SPACE: 7.000 INCH
FILED ON: 11/26/10

RECEIVED
2010 DEC 10 PM 03:06
PA PUC
SECRETARY'S BUREAU

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
NOTICE**
Application of Constellation NewEnergy Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110036.
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Brian J. Knipe, Esq.
Buchanan Ingersoll & Rooney PC
17 North Second Street, 15th Floor
Harrisburg, PA 17101-1503
Phone: (717) 237-4820 Fax: (717) 233-0852

Sworn to and subscribed before me this
26 day of November 2010 Affiant: Rosanne Cheeseman

NOTARY: Laurene A. Daugherty

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Laurene A. Daugherty, Notary Public
City of Erie, Erie County
My Commission Expires Nov. 5, 2013
Member, Pennsylvania Association of Notaries

Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss C. Mohamed, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the _____ regular editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

24 of November, 2010

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

COPY OF NOTICE OR PUBLICATION

PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

Application of Constellation NewEnergy Inc. For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania. Docket No. A-110036.

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Brian J. Knipe, Esq.,
Buchanan Ingersoll & Rooney PC, 17 North Second Street, 15th Floor, Harrisburg, PA 17101-1503
Phone: (717) 237-4820
Fax: (717) 233-0852

C. Mohamed

PG Publishing Company

Sworn to and subscribed before me this day of:
November 24, 2010

Linda M. Gaertner
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Linda M. Gaertner, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Jan. 31, 2011
Member, Pennsylvania Association of Notaries

RECEIVED
2010 DEC 10 PM 3:06
SECRETARY'S BUREAU
PA PUC

STATEMENT OF ADVERTISING COSTS
BUCHANAN INGERSOLL & ROONEY
17 NORTH SECOND STREET
15TH FLOOR
HARRISBURG PA 17101-1503

To PG Publishing Company

Total ----- \$547.50

Publisher's Receipt for Advertising Costs

PG PUBLI hereby ack been fully Of 34 Boulevard PITTSBURG Phone 412 I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

PG Publishing Company, a Corporation, Publisher of Pittsburgh Post-Gazette, a Newspaper of General Circulation

By _____

Disclosure Statement
Constellation Energy Terms and Conditions for Fixed Price Contract

Purchase of Electricity Supply Service. This is an agreement for electric generation service, between Constellation NewEnergy, Inc. ("Constellation Energy" also referred to as "we" and "our") and Customer NAME and ADDRESS, who shall be referred to as "you" or "your" in this agreement. Constellation Energy agrees to sell, and you agree to buy, your full requirements for residential electricity generation service at the price and on the terms and conditions specified in this agreement (the "Contract").

Background

Constellation Energy is licensed by the Pennsylvania Public Utility Commission to offer and supply electric generation services in Pennsylvania. Our PUC license number is A-XXXX-XXXXXXX. Constellation Energy sets the generation prices and charges that you pay. The Public Utility Commission (the "PUC") regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.

Billing and Payment. You will receive a single bill from INSERT EDC that will contain EDC's delivery charges and Constellation Energy's charges for your electric generation and transmission service, and is due and payable when your EDC bill is due at the billing address provided in your EDC bill. If you are not eligible for consolidated billing by your EDC, you need to remedy that restriction with the EDC before we can serve you. Should the EDC cease providing consolidated billing for your account and/or commence billing us for any charges relating to you, we will bill you and you will pay us for all such charges. We reserve the right to change our billing methods. If we change our billing methods, we will send you two (2) advance written notices either in your bills or in separate mailings between 45 and 90 days before the effective date of the changes.

Right of Rescission. You may cancel this Contract at any time before midnight of the third business day after receiving this disclosure by either notifying us in writing at the address provided below or by phone by calling us at 1-877-997-9995 that you would like to rescind this Contract before we notify the EDC of our enrollment as your electric power supplier.

Price to Compare. Please note that our fixed price is lower than the EDC's price to compare as of the date of this offer. However, while we offer a fixed price, the EDC's price to compare likely will change from time to time and therefore Constellation Energy cannot guarantee savings over the EDC's rates for the entire term of this Contract or any renewals.

Definitions

"Generation Charge" means charges for production of electricity.

"Transmission Charge" means charges for moving high voltage electricity from a generation facility to the EDC's distribution lines.

RECEIVED
2010 DEC 10 PM 3:06
PA PUC
SECRETARY'S BUREAU



RECEIVED

2010 DEC 10 PM 3:06

Terms of Service

Basic Service Price. If we receive your signed Contract by mail not later than _____, 2011, your price for electricity generation service will be either PUC cents per kilowatt-hour (kWh) **for a 12-month term OR** _____ cents per kWh **for a 24-month term**, based on your election, upon enrollment by the INSERT EDC NAME electric distribution company (the "EDC"). This price includes Generation Charges and Transmission Charges, and estimated current total state taxes, including current Gross Receipts Taxes, but excludes applicable state and local Sales Taxes.

Length of Agreement. You will buy your electricity generation service for the account(s) associated with the above street address from Constellation Energy beginning on a date set by your EDC and continuing for an initial term of SELECT twelve (12) or SELECT twenty-four (24) months (as selected by you). After the initial term, this Contract may be renewed for an additional time period in accordance with the renewal section below or until cancelled in writing by Constellation Energy or you as provided in the "**Cancellation**" section below.

Penalties, Fees and Exceptions. In addition to amounts owed for your electricity generation service:

(a) If Constellation Energy directly invoices you, you are required to pay our invoices within 20 days from the invoice date and we reserve the right to charge you interest for any past due invoice amount at 1.5% per month or the highest amount permissible under applicable law, whichever is less. In addition, you agree to pay Constellation Energy's costs incurred in collecting amounts owed us, including reasonable attorney's fees and returned check charges. If you make a payment for an amount less than the total amount due, we may accept such payment without prejudice to any other rights or remedies that we may have against you and we may apply it to your account(s) as a partial payment.

(b) If you cancel this Contract, you may be responsible for payment of an early cancellation fee of \$150 as provided in the "**Cancellation**" section below.

Cancellation. (a) Constellation Energy may cancel this Contract for any non-payment or any other breach of this Contract upon 30-days prior written notice to you of such cancellation. If you fail to cure within the 30-day notice period, we may cancel the Contract even if you subsequently cure the non-payment or breach after such period has expired. We may also cancel this Contract upon 30 days' prior written notice to you if you are no longer eligible for consolidated billing by the EDC or if, due to a change in law or other act beyond our reasonable control, we are no longer able to serve you. Either you or Constellation Energy may cancel this Contract during a month-to-month renewal period upon written notice in accordance with the renewal provision below effective as of the end of the next applicable meter read date after expiration of the required notice period.

You may also cancel this Contract prior to the end of the applicable term for your convenience by giving us not less than 30 days prior written notice, in which case you will be charged a cancellation fee of \$150.

Upon any cancellation of this Contract, you will return to receiving default service from the EDC unless you have selected another electric power supplier. The effective date of any cancellation will be the next applicable meter read date after expiration of the required notice period. Upon any cancellation, you will remain responsible for any unpaid balance as of the cancellation date plus any applicable cancellation fee. The delivery of electricity to you cannot be terminated or interrupted by the EDC as a result of any dispute between Constellation Energy and you but may be terminated by the EDC for nonpayment of EDC charges in accordance with applicable law. If the EDC purchases

the right to receive your payments under this Contract, your payment obligations may become EDC charges for purposes of termination of service.

(b) If you move, our Contract will end and you will be required to return to EDC service for at least one month for service at your new address after which period we would welcome the opportunity to serve you under a new Contract at your new address. You will be responsible for paying all electricity supplied to your old address until the date this Contract is cancelled in accordance with its terms.

(c) Notwithstanding any other provision in this Contract, this Contract may be changed by Constellation Energy upon the occurrence of any event beyond its reasonable control that increases the obligations of Constellation Energy or the cost of performing such obligations under this Contract. If we request such a change, we will provide you notice of the changed prices and/or terms and conditions and you will have an opportunity to cancel this Contract without any further obligation by notifying us in writing within 30 days after receiving notice of the new prices and/or terms and conditions, in which case your electric generation service will be canceled effective as of a date set by your EDC, after expiration of the required notice period. You will remain responsible for any unpaid balance as of the cancellation date but we will not assess a cancellation payment.

Credit. If you are not enrolled in a Purchase of Receivables program through your EDC, Constellation Energy reserves the right to determine if your credit standing is satisfactory for originating or continuing electric generation service under this Contract. Consistent with applicable law, Constellation Energy uses uniform income, deposit and credit requirements in determining whether to offer service to potential customers.

Renewal Provision/Agreement Expiration/Change in Terms. If you have a fixed term agreement and it is approaching the expiration date or if we propose to change our terms of service, we will send you two (2) advance written notices either in your bills or in separate mailings between 45 and 90 days before either the expiration date or the effective date of the changes. We will explain your options in these two (2) advance notices.

Limitation of Liability. YOU AGREE THAT NEITHER CONSTELLATION ENERGY NOR ANY OF ITS AFFILIATES OR SUBCONTRACTORS SHALL BE LIABLE FOR ANY DAMAGES OR CLAIMS FOR MATTERS WITHIN THE CONTROL OF THE EDC OR THE ISO-CONTROLLED ELECTRICITY GRID, WHICH INCLUDE MAINTENANCE OF ELECTRIC LINES AND SYSTEMS, SERVICE INTERRUPTIONS, LOSS OR TERMINATION OF SERVICE, DETERIORATION OF ELECTRIC SERVICES, METER READINGS OR INJURY TO PERSONS OR DAMAGE TO PROPERTY CAUSED BY THE DELIVERY OR SUPPLY OF ELECTRICITY. NEITHER CONSTELLATION ENERGY NOR ANY OF ITS AFFILIATES OR SUBCONTRACTORS WILL BE RESPONSIBLE FOR ANY FAILURE TO COMMENCE OR CANCEL ELECTRIC GENERATION SERVICE ON THE DATE SPECIFIED HEREIN DUE TO ANY FAILURE OR DELAY IN ENROLLING YOU WITH THE EDC. CONSTELLATION'S LIABILITY SHALL BE LIMITED TO DIRECT ACTUAL DAMAGES ONLY, WHICH WILL NOT EXCEED THE AMOUNT OF YOUR SINGLE LARGEST MONTHLY INVOICE DURING THE PRECEDING 12 MONTHS. IN NO EVENT SHALL CONSTELLATION ENERGY OR ANY OF ITS AFFILIATES OR SUBCONTRACTORS BE LIABLE FOR ANY PUNITIVE, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY, INDIRECT, THIRD-PARTY CLAIMS OR OTHER DAMAGES WHETHER BASED ON CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, OR FOR LOST PROFITS ARISING FROM ANY BREACH OR NONPERFORMANCE OF THIS CONTRACT.

Force Majeure. We do not transmit or deliver electricity and certain causes and events out of our control ("Force Majeure Events") may result in interruptions in service. We will not be liable for any such interruptions or any other failure to perform under this Contract caused by a Force Majeure Event. We are not and will not be liable for damages caused by Force Majeure Events, including acts of God; acts of any governmental authority; accidents; strikes; labor disputes; required maintenance work; inability to access the EDC's system; non-performance by the EDC,

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including, but not limited to, a facility outage on its distribution lines; changes in laws, rules or regulations of any governmental authority; or any cause beyond our control.

Miscellaneous. Except with respect to Constellation Energy's affiliates and subcontractors under the "Limitation of Liability" section, there are no third party beneficiaries of this contract. Any payments due under this Contract, and all provisions relating to the payment and collection thereof, shall survive cancellation for any reason. This Contract constitutes the entire agreement between you and Constellation Energy. No statement, promise or inducement made by either party not contained in this Contract shall be valid or binding. Any reference to days or periods shall mean calendar days.

Assignment, Address Change. Constellation Energy may in accordance with applicable law, assign, subcontract or delegate all or any part of our rights and/or obligations under this Contract, including your payment obligations under this Contract. You may not assign any of your rights or obligations under this Contract without our prior written consent. If you move, our Contract will be cancelled and you will be required to return to EDC service for at least one month for service at your new address after which period we would welcome the opportunity to serve you under a new Contract at your new address. You will be responsible for paying all electricity supplied to your old address until the date this Contract is cancelled in accordance with its terms.

Dispute Procedures. Contact us with any questions concerning our terms of service between the hours of 8:00 a.m. and 8:00 p.m. eastern time on weekdays, except holidays. For emergencies relating to your service, please call the EDC at ##### for outages and at ##### for downed wires and other life threatening emergencies. You may call the PUC if you are not satisfied after discussing your terms with us.

Contact Information. Please contact at the following address or phone number to resolve any disputes regarding this Contract:

Generation Supplier Name: Constellation, NewEnergy, Inc,
Address: 1221 Lamar Street, Suite 750, Houston TX 77010
Phone Number: 1-877-997-9995

Internet Address: _____

For emergencies relating to your service, please contact the EDC at #####.:

Electric Distribution Company Name: _____

Provider of Last Resort Name (or EDC): _____

Address: _____

Phone Number: _____

Public Utility Commission (PUC)

Address: P.O. Box 3265 Harrisburg, PA 17105-3265

Choice Hotline Number: 1-800-692-7380

Universal Service Program Name: _____

Phone Number: _____

Information Release Authorization. Throughout the term, you authorize Constellation Energy to obtain information from the EDC that includes, but is not limited to, account name, account number, billing address, service address, telephone number, standard offer service type, historical and future electricity usage, rate classification, meter readings, characteristics of electricity service and, when charges hereunder are included on your EDC bill, billing and payment information from the EDC. You authorize Constellation Energy to release such information to third parties that need to know such information in connection with your electric generation service and to Constellation's affiliates and subcontractors. These authorizations shall remain in effect as long as this Contract is in effect. You may rescind these authorizations at any time by either calling or providing written notice to us. We reserve the right to reject your enrollment or cancel this Contract in the event these authorizations are rescinded, you fail to meet or maintain satisfactory credit standing as determined by us, or you fail to meet minimum or maximum threshold consumption levels as determined by us.

CERTIFICATE OF SERVICE

On this the 10th day of December, 2010, I certify that a true and correct copy of the foregoing documents have been served upon the following:

Via First-Class U.S. Mail:

Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17120

Office of the Attorney General
Bureau of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

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

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

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

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

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

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

Legal Department
First Energy
2800 Pottsville Pike
Reading, PA 19612

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

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

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

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



Brian J. Knipe

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SECRETARY'S BUREAU