

1. REPORT DATE: 00/00/00 :
2. BUREAU: FUS :
3. SECTION(S) : 4. PUBLIC MEETING DATE:
5. APPROVED BY: : 00/00/00
DIRECTOR: :
SUPERVISOR: :
6. PERSON IN CHARGE: : 7. DATE FILED: 08/30/01
8. DOCKET NO: A-110152 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT:

RESPONDENT/APPLICANT: COMMUNITY ENERGY, INC

COMP/APP COUNTY:

UTILITY CODE: 110152

ALLEGATION OR SUBJECT

APPLICATION OF COMMUNITY ENERGY, INC., FOR APPROVAL TO OFFER, RENDER, FURNISH OR SUPPLY ELECTRICITY OR ELECTRIC GENERATION SERVICES AS A BROKER, MARKETER AND AGGREGATOR TO THE PUBLIC IN THE COMMONWEALTH OF PENNSYLVANIA.

DOCKETED

SEP 21 2001

DOCUMENT
FOLDER

One Logan Square
27th Floor
Philadelphia, PA 19103-6933
215-568-0300/facsimile

20 Brace Road
Suite 201
Cherry Hill, NJ 08034-2634
856-616-2170/facsimile

www.hangle.com

HANGLEY
ARONCHICK
SEGAL
& PUDLIN

Attorneys at Law | A Professional Corporation

215-496-7052
ldembosky@hangle.com

A-110152

August 30, 2001

RECEIVED

AUG 30 2001

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA FEDERAL EXPRESS

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Community Energy, Inc.
EGS License Application Package**

Dear Secretary McNulty:

Kindly accept for filing a signed and verified original, nine copies and one electronic copy of the Electric Generation License Application Package of Community Energy, Inc. Also enclosed are copies of a letter of credit in the required amount of \$250,000. Please note that Community Energy is expecting receipt of the original letter of credit today, and will forward the original to your attention promptly upon receipt.

Community Energy requests that the Commission maintain as confidential and proprietary Exhibits D and F to the enclosed application, and has marked such exhibits accordingly.

DOCUMENT
FOLDER

86

William T. Hangle
Mark A. Aronchick
Daniel Segal
David B. Pudlin
Alan Klein
Myron A. Bloom
Joseph A. Dworetzky
Richard J. Goldstein
James M. Matour
Bruce S. Haines
Thomas F. Hurley
John S. Summers
David M. Soinic
Curtis L. Golkow
John P. Lavelle, Jr.
David J. Wolfsohn
Michael Lieberman
Yvonne Lee Clayton
Henry E. Hockeimer, Jr.
Luke E. Dembosky
Robert L. Ebby
Peter H. LeVan, Jr.
Hillary C. Steinberg
Paul R. Cohen
Sharon F. McKee
Dara B. Less
Allison M. Meade
Kathy E. Ochroch
Elizabeth S. Fenton
Matthew A. Hamermesh
Virginia A. Clay
Thomas E. Wallerstein

Of Counsel
Andrew Sislo

James J. McNulty, Secretary
August 30, 2001
Page 2

Please date-stamp one copy of the enclosed Application and return it to me in the enclosed, self-addressed, stamped envelope. Thank you.

Very truly yours,



Luke E. Dermbosky

LED/mel
enclosures

cc: See Certificate of Service, Ex. I to Application
(w/encl., excluding Exhibits D and F)

ORIGINAL

RECEIVED

AUG 30 2001

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**Electric Generation Supplier
License Application
of Community Energy, Inc.**

August 30, 2001

Non - Proprietary Version
~~Contains~~ Confidential Material removed

DOCKETED

SEP 21 2001

**Joseph A. Dworetzky
Luke E. Dembosky
Hangley Aronchick Segal & Pudlin
One Logan Square
27th Floor
Philadelphia, PA 19103
(215) 568-6200**

Counsel for Community Energy, Inc.

**DOCUMENT
FOLDER**

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- b. **REGISTERED AGENT:** If the Applicant does not maintain a principal office in the Commonwealth, the required name, address, telephone number and FAX number of the Applicant's Registered Agent in the Commonwealth are:

(Not Applicable – Applicant maintains its principal office in the Commonwealth).

4. **FICTITIOUS NAME:** (select and complete appropriate statement)

The Applicant will be using a fictitious name or doing business as (“d/b/a”):

Not applicable.

Attach to the Application a copy of the Applicant's filing with the Commonwealth's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

or

X The Applicant will not be using a fictitious name.

5. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:** (select and complete appropriate statement)

The Applicant is a sole proprietor.

If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

or

The Applicant is a:

- domestic general partnership (*)
- domestic limited partnership (15 Pa. C.S. §8511)
- foreign general or limited partnership (15 Pa. C.S. §4124)
- domestic limited liability partnership (15 Pa. C.S. §8201)
- foreign limited liability general partnership (15 Pa. C.S. §8211)
- foreign limited liability limited partnership (15 Pa. C.S. §8211)

Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.

- * If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

or

The Applicant is a :

- domestic corporation (none)
 foreign corporation (15 Pa. C.S. §4124)
 domestic limited liability company (15 Pa. C.S. §8913)
 foreign limited liability company (15 Pa. C.S. §8981)
 Other _____

Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation.

Proof of compliance with foreign corporation filing requirements and the Applicant's Articles of Incorporation are attached as Exhibits A and B, respectively.

Give name and address of officers.

R. Brent Alderfer, President, 150 Strafford Avenue, Suite 110, Wayne, PA 19087, President
Eric Blank, 1750 Bear Mountain Drive, Boulder, CO, 80305, Secretary and Treasurer

The Applicant is incorporated in the State of Delaware.

6. **AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:** (select and complete appropriate statement)

- Affiliate(s) of the Applicant doing business in Pennsylvania are:

None

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

- If the Applicant or an affiliate has a predecessor who has done business within Pennsylvania, give name and address of the predecessor(s) and state whether the predecessor(s) were jurisdictional public utilities.

or

- X The Applicant has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania.

7. **APPLICANT'S PRESENT OPERATIONS:** (select and complete the appropriate statement)

- X The Applicant is presently doing business in Pennsylvania as a
- vertically-integrated provider of generation, transmission, and distribution services.
 - municipal electric corporation providing service outside its municipal limits.
 - electric cooperative
 - local gas distribution company
 - nonintegrated provider of electric generation, transmission or distribution services.
 - X Other. (Identify the nature of service being rendered.) -- Applicant is currently making preparatory arrangements for the marketing and supply of renewable energy in Pennsylvania.

or

- The Applicant is not presently doing business in Pennsylvania.

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

- Generator and supplier of electric power.
- Municipal generator and supplier of electric power.
- Electric Cooperative and supplier of electric power
- X Broker/Marketer engaged in the business of supplying electricity.
- X Aggregator engaged in the business of supplying electricity
- Other (Describe):

9. **PROPOSED SERVICES:** Generally describe the electric services or the electric generation services which the Applicant proposes to offer.

The Applicant proposes to market wind, renewable and other energy and efficiency services to retail electric customers in Pennsylvania in partnership with conventional electricity providers in Pennsylvania.

10. **SERVICE AREA:** Generally describe the geographic area in which Applicant proposes to offer services.

The Commonwealth of Pennsylvania.

11. **CUSTOMERS:** Applicant proposes to initially provide services to:

- Residential Customers
- Commercial Customers - (25 kW and Under)
- Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above (Marketing Renewable Energy supply)
- Other (Describe):

12. **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number ER01-1836-000.
- Not applicable

13. **START DATE:** The Applicant proposes to begin delivering services on October 1, 2001. (approximate date).

14. **NOTICE:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, serve a copy of the signed and verified Application with attachments on the following:

Irwin A. Popowsky
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

Bernard A. Ryan, Jr.
Commerce Building, Suite 1102
Small Business Advocate
300 North Second Street
Harrisburg, PA 17101

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

Any of the following Electric Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

Frank M. Nadolny, General
Manager of Regulatory Affairs Unit
Duquesne Light Company
411 Seventh Street
P.O. Box 1930
Pittsburgh, PA 15230-1930

John P. Litz, Division Controller
UGI Utilities, Inc.
Electric Division
400 Stewart Road
P.O. Box 3200
Hanover Industrial Estates
Wilkes-Barre, PA 18773-3200

(Metropolitan Edison Company or Pennsylvania Electric Company)
Blaine W. Uplinger, Jr., Director of Governmental and
Regulatory Affairs
GPU Energy
100 APC Building
800 North third Street
Harrisburg, PA 17102-2025

Paul E. Russell, Associate
General Counsel
Pennsylvania Power & Light
Company
Two North Ninth Street
Allentown, PA 18108-1179

Thomas P. Hill, Vice President and Controller
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699

Stephen L. Feld, Attorney
Pennsylvania Power Company
First Energy Corporation
76 South Main Street
Akron, OH 44308

John L. Munsch, Attorney
Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601-1689

Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, attach Proof of Service of the Application and attachments upon the above named parties. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14.

Proof of service is attached as Exhibit I.

15. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.

16. **COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, by name, subject and citation, dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

None

17. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION:** Electricity should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

a. **Contacts for Consumer Service and Complaints:** Provide the name, title, address, telephone number and FAX number of the person and an alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission or other agencies.

R. Brent Alderfer
150 Strafford Avenue, Suite 110
Wayne, PA 19301
610 254 9800 610 254 9781 fax

Alternate: Brent Beerley
150 Strafford Avenue, Suite 110
Wayne, PA 19301
610 254 9800 610 254 9781 fax

b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers.

Form of Contract is attached as Exhibit C.

c. If proposing to serve Residential and/or Small Commercial (under 25 kW) customers, provide a disclosure statement. A sample disclosure statement is provided as Appendix C to this Application.

Form of Disclosure Statement is attached as Appendix C.

18. **BONDING:** In accordance with 66 PA. C.S. Section 2809(C) (1)(I), the Applicant is:

Furnishing a copy of initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.

Furnishing proof of other initial security for Commission approval, to ensure financial responsibility.

Filing for a modification to the \$250,000 and furnishing a copy of an initial bond, letter of credit or proof of bonding to the Commission for the amount of \$ 250,000 Applicant is required to provide information supporting an amount less than \$250,000.

At the conclusion of Applicant's first year of operation it is the intention of the Commission to tie security bonds to a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. The amount of the security bond will be reviewed and adjusted on an annual basis.

A copy of the \$250,000 letter of credit obtained by the Applicant is attached as Appendix A. Applicant intends to petition the Commission for a substantial reduction in the amount of such letter of credit at the earliest opportunity.

19. **FINANCIAL FITNESS:**

A. Applicant shall provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.

There are no parent, affiliated or subsidiary companies of Community Energy, Inc.

- Published parent company financial and credit information. N/A
- Applicant's balance sheet and income statement for the most recent fiscal year. Published financial information such as 10K's and 10Q's may be provided, if available.

Balance sheet and Income statement are attached as part of Exhibit D.

- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit Report and Robert Morris and Associates financial form or other independent financial service reports.

Initial and projected financial statements are attached as part of Exhibit D.

- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.

Community Energy carries general commercial liability insurance in the amount of \$1 million per occurrence and \$2 million in the aggregate, and worker's compensation insurance in the amount of the Pennsylvania statutory limits.

- Audited financial statements

Unaudited financial statements are attached as part of Exhibit D.

- Such other information that demonstrates Applicant's financial fitness.

B. Applicant must provide the following information:

- Identify Applicant's chief officers including names and their professional resumes.

Officers R. Brent Alderfer and Eric Blank, resumes attached as Exhibit E.

- Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records.

Bruce Gold
Leibowitz & Gold
1904 Arch Street, Suite 100
Philadelphia, PA 19103
Phone: (215) 563-5336
Fax: (215) 563-5037

20. **TECHNICAL FITNESS:** To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- The identity of the Applicant's officers directly responsible for operations, including names and their professional resumes.

Officers R. Brent Alderfer and Eric Blank, resumes supplied, are directly responsible for operations.

- Proposed staffing and employee training commitments

New employees and sales personnel are trained by Officer Eric Blank and Sales Director John Halley, each of which have more than three years experience marketing and sales of wind and renewable energy in partnership with utility service providers.

- Business plans

A copy of the Applicant's Business Plan is attached as Exhibit F.

- Documentation of membership in ECAR, MAAC or other regional reliability councils shall be submitted if applicable to the scope and nature of the applicant's proposed services.

Membership in ECAR, MAAC or other regional reliability councils are not applicable to the scope and nature of applicant's proposed services.

- An affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service.

21. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

22. **ASSESSMENT:** The Applicant acknowledges that Title 66, Chapter 5, Section 510 grants to the Commission the right to make assessments to recover regulatory expenses and that as a supplier of electricity or an electric generation supplier it will be assessed under that section of the Pennsylvania Code. The Applicant also acknowledges that the continuation of its license as a supplier of electricity or an electric generation supplier will be dependent upon the payment of all prior years assessments.

23. **UNIFORM STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission.

24. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Applicant shall report to the Commission the following information on an annual basis:
 - The percentages of total electricity supplied by each fuel source

Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

25. **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.

26. **FALSIFICATION:** The Applicant understands that the making of 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 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.
27. **FEE:** The Applicant has enclosed the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

Applicant: Community Energy, Inc.

By: Eric Blank

Eric Blank

Title: Secretary and Treasurer

Mellon Bank, N.A.
Trade Banking Operations
Mellon Client Service Center
500 Ross Street - Room 0860
Pittsburgh, PA 15262-0001

(412) 234-6882 or
(800) 227-6303
Telex: 189103
Cable: MELLONBANK
Swift: MELNUS3P

NO. S872867

AUGUST 30, 2001

IRREVOCABLE LETTER OF CREDIT

PENNSYLVANIA PUBLIC UTILITY
COMMISSION
P. O. BOX 3265
HARRISBURG, PA 17105-3265

LADIES/GENTLEMEN:

WE HEREBY ISSUE OUR IRREVOCABLE LETTER OF CREDIT NUMBER S872867 IN YOUR FAVOR FOR THE ACCOUNT OF COMMUNITY ENERGY, INC., 150 STRAFFORD AVE., SUITE 110, WAYNE, PA 19087, FOR AN AGGREGATE AMOUNT UP TO USD 250,000.00 (TWO HUNDRED FIFTY THOUSAND AND 00/100). THIS LETTER OF CREDIT WILL BE EFFECTIVE AUGUST 30, 2001 AND WILL EXPIRE ON DECEMBER 3, 2002. WE ARE ADVISED THAT THIS LETTER OF CREDIT IS TO COVER SERVICES DELIVERED THROUGH SEPTEMBER 3, 2002.

THIS LETTER OF CREDIT IS WRITTEN IN ACCORDANCE WITH SECTION 2809(C)(1)(I) OF THE PUBLIC UTILITY CODE, 66 PA. C.S. SECTION 2809(C)(1)(I), AND WE ARE ADVISED THAT IT WILL ASSURE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE PUBLIC UTILITY CODE, 66 PA. C.S. SECTION 101, ET SEQ. AND THE RULES AND REGULATIONS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION BY COMMUNITY ENERGY, INC. AS A LICENSED ELECTRIC GENERATION SUPPLIER; TO ENSURE THE PAYMENT OF GROSS RECEIPTS TAX AS REQUIRED BY SECTION 2810 OF THE PUBLIC UTILITY CODE, 66 PA. C.S. SECTION 2810 AND TO ENSURE THE SUPPLY OF ELECTRICITY AT RETAIL IN ACCORDANCE WITH CONTRACTS, AGREEMENTS OR ARRANGEMENTS.

WE ARE ADVISED THAT: 1. PAYMENTS MADE PURSUANT TO THIS LETTER OF CREDIT SHALL ENSURE FIRST TO THE BENEFIT OF THE COMMONWEALTH AND SECOND, TO ANY AND ALL RETAIL ELECTRIC GENERATION CUSTOMERS TO WHOM COMMUNITY ENERGY, INC. MAY BE HELD LEGALLY LIABLE FOR FAILURE TO SUPPLY ELECTRIC GENERATION PURSUANT TO CONTRACT, AGREEMENTS OR ARRANGEMENTS. 2. ANY CLAIMS MADE BY THE COMMONWEALTH SHALL HAVE PRIORITY OVER CLAIMS MADE BY PRIVATE INDIVIDUALS. 3. PROCEEDS OF THE LETTER OF CREDIT MAY NOT BE USED TO PAY ANY PENALTIES OR FINES LEVIED AGAINST COMMUNITY ENERGY, INC. FOR VIOLATIONS OF THE LAW, OR FOR PAYMENT OF ANY OTHER TAX OBLIGATIONS OWED TO THE COMMONWEALTH.

THE SAID AMOUNT IS AVAILABLE BY DRAFTS ON US BY THE PENNSYLVANIA PUBLIC UTILITY COMMISSION ("PUC") AT SIGHT ACCOMPANIED BY THE PUC'S LETTER REQUESTING PAYMENT UNDER THIS CREDIT AND PURPORTEDLY SIGNED BY AN OFFICER OF THE PUC. SUCH LETTER FROM THE PUC SHALL INCLUDE A STATEMENT OF THE AMOUNT

Mellon Bank, N.A.
Trade Banking Operations
Mellon Client Service Center
500 Ross Street - Room 0860
Pittsburgh, PA 15262-0001

(412) 234-6882 or
(800) 227-6303
Telex: 199103
Cable: MELLONBANK
Swift: MELNUS3P

NUMBER: 8872867

AUGUST 30, 2001

PAGE NO. 2

OWED THE PUC AND THAT "SUCH AMOUNT IS DUE TO THE PUC PURSUANT TO THE PUBLIC UTILITY CODE, GROSS RECEIPTS TAX OR ELECTRICITY SUPPLY OBLIGATIONS OF COMMUNITY ENERGY, INC. LICENSE TO OFFER, RENDER, FURNISH OR SUPPLY ELECTRICITY OR ELECTRIC GENERATION SERVICES TO THE PUBLIC IN THE COMMONWEALTH OF PENNSYLVANIA; AND, THAT COMMUNITY ENERGY INC. FAILED TO PAY THAT AMOUNT."

PARTIAL DRAWINGS ARE PERMITTED UNDER THIS CREDIT.

THIS LETTER OF CREDIT EXPIRES AT THIS OFFICE AT OUR CLOSE OF BUSINESS ON DECEMBER 03, 2002.

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT WILL BE AUTOMATICALLY EXTENDED FOR PERIODS OF ONE YEAR EACH FROM THE PRESENT OR ANY FUTURE EXPIRY DATE, UNLESS WE NOTIFY YOU IN WRITING AT LEAST 90 DAYS PRIOR TO SUCH EXPIRY DATE THAT WE ELECT NOT TO FURTHER EXTEND THIS LETTER OF CREDIT. UPON RECEIPT OF SUCH NOTICE, YOU MAY DRAW ON THIS LETTER OF CREDIT UP TO THE UNUSED BALANCE, BY PRESENTATION OF YOUR SIGHT DRAFT DRAWN ON MELLON BANK, N.A., PITTSBURGH, PA ON OR BEFORE THE THEN RELEVANT EXPIRY DATE.

EACH DRAFT MUST BE MARKED "DRAWN UNDER MELLON BANK, N.A., PITTSBURGH, PA, LETTER OF CREDIT NUMBER 8872867."

EXCEPT SO FAR AS OTHERWISE EXPRESSLY STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE "UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 REVISION), INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500"

WE HEREBY AGREE WITH YOU THAT DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT WILL BE DULY HONORED IF PRESENTED TO US AT OUR ADDRESS SHOWN ABOVE BEFORE OUR CLOSE OF BUSINESS ON THE ABOVE MENTIONED EXPIRATION DATE.

VERY TRULY YOURS,


AUTHORIZED SIGNATURE

Appendix C

Disclosure Statement for Community Energy, Inc.

This is an agreement for electric generation service, between Community Energy, Inc. and customer's name and full address.

Background

- We at Community Energy, Inc. (CEI) are licensed by the Pennsylvania Public Utility Commission to offer and supply wind energy and other clean energy products in Pennsylvania. Our PUC license number is A-110XXX.
- We set the generation prices and charges that you pay. The Public Utility Commission regulates distribution prices and services. The Federal Energy Regulatory Commission regulates transmission prices and services.
- If you ask us, we can bill you directly for our service.
- Right of Recision - You may cancel this agreement at any time before midnight of the third business day after receiving this disclosure.

Definitions

- Generation Charge - Charge for production of electricity.
- Transmission Charge - Charge for moving high voltage electricity from a generation facility to the distribution lines of an electric distribution company.
- Nonbasic Charges - *Define each nonbasic service being offered.*

Terms of Service

CEI markets wind energy -- as well as other clean energy products such as solar energy and time-of-day load management -- primarily to large commercial and industrial customers in Pennsylvania. As one example of our product, CEI arranges for delivery of wind energy to the regional wholesale electric grid on behalf of the customer and, at the same time, contracts to transfer all of the environmental attributes of the wind energy to the customer. As such, CEI's approach to wind energy (and other clean energy products) does not interfere with a customer's pre-existing service from a competitive electric supplier or a default provider. CEI's wind energy is in addition to conventional supply and will be billed separately.

In return for providing the economic, public relations, and environmental value of wind energy to its customers, CEI charges a retail electric premium, above the costs of purchasing conventional power, between \$12-25 per MWh, depending on the length and size of the customer purchase. The detailed rights and obligations of the customer and CEI are described in more detail in the attached sample contract. This contract includes generic dispute resolution provisions, expiration and renewal options, termination rights, and price obligations.

Contact Information

Generation Supplier Name: Community Energy, Inc.
Address: 150 Strafford Ave.
Suite 110
Philadelphia, PA 19087
Phone Number: 610-254-9800
Internet Address: www.newwindenergy.com

Electric Distribution Company Name:

Provider of Last Resort Name:

Address:

Phone Number:

Public Utility Commission (PUC)

Address:

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

Electric Competition Hotline Number:

1-888-782-3228

Universal Service Program Name:

Phone Number:

OCT 14 1999

Microfilm Number _____

Filed with the Department of State of _____

Entry Number 2902727

Kim D'Amico

Secretary of the Commonwealth

[Handwritten mark]

APPLICATION FOR CERTIFICATE OF AUTHORITY
DSCB:15-4124/812A (Rev. 90)

Indicate type of corporation (check one):

Foreign Business Corporation (15 Pa.C.S. §4124)

Foreign Nonprofit Corporation (15 Pa.C.S. §8124)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned association hereby states that

1. The name of the corporation is: Community Energy, Inc.

2. The name which the corporation adopts for use in this Commonwealth is (complete only when the corporation must adopt a corporate designator for use in Pennsylvania):

3. (If the name set forth in Paragraph 1 or 2 is not available for use in this Commonwealth, complete the following):
The fictitious name which the corporation adopts for use in transacting business in this Commonwealth is:

This corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution of the board of directors under the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) and the attached form DSCB:54-311 (Application for Registration of Fictitious Name).

4. The name of the jurisdiction under the laws of which the corporation is incorporated is:
Delaware

5. The address of its principal office under the laws of the jurisdiction in which it is incorporated is:
1209 Orange Street, Wilmington, DE 19801 New Castle
Number and Street City State Zip County

AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
COMMUNITY ENERGY, INC.

The undersigned hereby certifies that Community Energy, Inc., was incorporated in the state of Delaware on September 7, 1999; and that this amended and restated certificate of incorporation, which restates and further amends its certificate of incorporation, was duly adopted in accordance with the provisions of section 242 and 245 of the Delaware General Corporation Law:

ARTICLE I.
NAME

The name of this corporation is Community Energy, Inc.

ARTICLE II.
PURPOSE

The purpose of this corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law.

ARTICLE III.
DURATION

The corporation shall have perpetual duration.

ARTICLE IV.
REGISTERED OFFICE AND AGENT

The name and address of the registered agent and office of this corporation in Delaware is The Corporation Trust Company, 1209 Orange Street, Wilmington, New Castle County, Delaware 19801.

ARTICLE V.
AUTHORIZED CAPITAL

The total number of shares of common stock which this corporation is authorized to issue is 50,000 shares, par value \$.01 per share.

ARTICLE VI
BYLAWS

In furtherance, and not in limitation of the powers conferred by statute, the board of directors of this corporation is expressly authorized to make, amend, alter, change, add to or repeal bylaws of this corporation, without any action on the part of the stockholders. The bylaws made by the directors may be amended, altered, changed, added to or repealed by the stockholders. Any specific provision in the bylaws regarding amendment thereof shall be controlling.

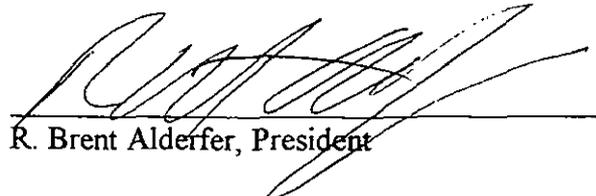
ARTICLE VII
LIMITATION OF DIRECTORS' LIABILITY

A director of the corporation shall not be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director; provided, however, that this article shall not eliminate or limit the liability of a director (a) for any breach of the director's duty of loyalty to the corporation or its stockholders; (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; (c) for the unlawful payment of dividends or unlawful stock repurchases under Section 174 of the Delaware General Corporation Law; or (d) for any transaction from which the director derived an improper personal benefit. This article shall not eliminate or limit the liability of a director for any act or omission occurring prior to the effective date of this article.

If the Delaware General Corporation Law is hereafter amended to authorize any further limitation of the liability of a director, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the Delaware General Corporation Law, as amended.

Any repeal or modification of the foregoing provisions of this article by the stockholders of the corporation shall not adversely affect any right or protection of a director of the corporation existing at the time of such repeal or modification.

Dated: May 17, 2000



R. Brent Alderfer, President

SAMPLE CUSTOMER CONTRACT

New Wind Energy Subscription Agreement

This Agreement is made and entered into this ____ day of _____, 2001 between _____ ("Customer"), and Community Energy, Inc. ("CEI"), a Delaware Corporation.

RECITALS

- A. CEI markets wind-generated electricity;
- B. Customer desires wind-generated electricity from the region to meet _____ kilowatt hours (kWh), or approximately ____ percent of Customer's anticipated total annual electrical energy use;
- C. CEI agrees to arrange for the delivery of wind-generated electricity to the PJM Wholesale Electric Market on behalf of Customer in accordance with this agreement. The wind-generated electricity will be delivered from the Exelon-Community Energy Wind Farm at Mill Run and/or the Exelon-Community Energy Wind Farm at Somerset, two windfarms under development southeast of Pittsburgh (hereinafter the Windfarms) and scheduled to begin delivery of wind generated electricity in October, 2001;
- D. The Customer's Facilities are located within the electric grid control region operated by the _____ Company (DLCO), which is expected to become part the PJM Interconnection, LLC (the PJM) wholesale electric market in January of 2002.

AGREEMENT

NOW, THEREFORE, in consideration of their mutual promises the parties agree as follows.

1. New Wind Energy Delivery CEI agrees to arrange on behalf of Customer for the delivery of wind-generated electricity from the Wind Farms to the PJM in the total amount of _____ megawatt hours of electricity over _____ months commencing in October, 2001, or such later date as electrical generation commences from the Windfarms, pursuant to the terms of the Transaction Agreement Between Customer and Exelon Generation, Company LLC (the "Exelon Supply Agreement") attached hereto.

2. New Wind Energy Premium Customer agrees over the Term of this Agreement to pay the total amount of _____ in ___ monthly payments of _____ for delivery of wind-generated electricity as specified in paragraph 1 above pursuant to the terms of the Exelon Supply Agreement.
3. Customer Turbine The total amount of wind generated electricity to be purchased under this Agreement was selected to represent ___% of Customer's electric usage, which is more than the expected energy output of ___ 1.5 megawatt turbine to be installed at the Wind Farms. In consideration of the purchase, during the term of this Agreement one turbine at the Wind Farms will be identified and referred to in public releases and announcements during the term of this Agreement as the "Customer Wind Turbine". CEI and Customer will jointly cooperate in public relations regarding the Customer Wind Turbine in accordance with a public relations plan to be jointly developed by the parties.
4. Environmental Credits and Value All wind energy attributes and environmental value and credits resulting from or associated with the production of wind-generated electricity delivered to the PJM pursuant to Agreement shall accrue to and belong exclusively to Customer.
5. Energy Commodity Value Recovery of the standard commodity energy value of the wind-generated electricity delivered to the PJM to meet the requirements of this Agreement has been deducted from the New Wind Energy Premium under this agreement and shall not accrue to Customer.
6. Certificate of Wind Energy Delivery Within sixty (60) days following the end of the term of this Agreement, CEI shall provide to Customer an Attestation of Wholesale Supply specifying the megawatt hours of wind-generated electricity delivered to the PJM on behalf of Customer pursuant to this Agreement.
7. Termination The Agreement shall terminate ___ months after the start of delivery of New Wind Energy on account of Customer under this agreement.
8. Disputes Disputes arising under this Agreement shall be resolved by binding arbitration before the American Arbitration Association in Philadelphia, Pennsylvania in accordance with its rules. This Agreement shall be interpreted and subject to the laws of Pennsylvania.

Customer:

Community Energy, Inc.

By: _____

By: _____

Print: _____

Print: _____

Title

Title

Date: _____

Date: _____

COMMUNITY ENERGY, INC.

R. Brent Alderfer, Chief Executive Officer

150 Strafford Street
Wayne, PA 19087
brent.alderfer@worldnet.att.net

tel: 610 254 9800
cell: 215 353 1373
fax: 610 254 9781

R. BRENT ALDERFER

Resume

COMMUNITY ENERGY, INC., CEO

Community Energy develops wind energy projects and markets clean electricity to utility retail providers and end-use customers. Founded in September, 1999, Community Energy, Inc., in less than six months, successfully developed the first operating commercial wind turbine installation in the competitive Pennsylvania electricity market. Alderfer scaled up the pilot wind energy project to enter long-term exclusive marketing rights to the output of two new wind farms, the largest wind generation projects in the eastern United States.

COMPETITIVE UTILITY STRATEGIES LLC, Principal

Project development and consulting in competitive utility markets. Consulting on distributed generation alternatives to traditional transmission and generation. Department of Energy Study on Barriers to Deployment of Distributed Generation.

COMMISSIONER, COLORADO PUBLIC UTILITIES COMMISSION -- 1996 to 1999.

National Leadership

Chair, Energy Resources and the Environment Committee, National Association of Regulatory Utility Commissioners, 1998-99

Chair, Market Power Drafting Committee, June, 1998. Developed consensus market power resolution passed by National Association.

Chair, Renewable Energy Subcommittee, 1996-98

Chair, Western States Model Disclosure Rule Drafting Committee, August, 1998-99

State Commission Policies

- * Emphasized free-market approach to utility services.
- * Rulemaking effort on consumer disclosure of electricity fuel source and unbundled supply cost.
- * Commission investigation of 1998 electric supply shortage led to portfolio supply hearing and settlement, including 10 megawatts DSM, and 25 megawatts wind energy.
- * Approved utility green-pricing premium tariff.
- * Approved electric utility performance-based rate-making, with earnings-sharing and quality-of-service incentives. Supported legislation for air-emission-reduction cost recovery at utility metro coal plants.

ATTORNEY—COMMERCIAL LAW PRACTICE -- 1982 to 1996.

General commercial law practice, including start-up, developmental stage and public company financing; mergers, and reorganizations. Commercial litigation and administrative proceedings. Served as director and management advisor to expanding developmental stage companies.

PREVIOUS POSITIONS

Commissioner, Colorado Air Quality Control Commission, 1995-96

Attorney, Commercial Law Practice 1982-96

**Colorado First Judicial District, Commission on Judicial Performance
1995-99 District and County Judge performance review.**

EDUCATION

Law Degree -- Georgetown University Law Center, Washington, D.C. Juris Doctor, 1977. Georgetown Law Journal (Academic Standing), Student Articles Editor 1975-1976.

Electrical Engineering Degree -- Northeastern University, Boston, Massachusetts. Bachelor Science, Electrical Engineering, 1974. Highest Honors, Tau Beta Pi, Eta Kappa Nu. Student Court Justice, Sailing Club.

High School and Home Town -- Souderton Area High School, Souderton, Pennsylvania, 1969. Honor Society President; Track and Soccer teams.

ERIC BLANK
Community Energy
1881 9th St., Suite 201
Boulder, CO 80302
(303) 544-1900

EDUCATION

Yale Law School, New Haven, CT.

J.D. awarded June 1990.

Editor-in-Chief, *Yale Journal on Regulation*. Fall 1989 - Spring 1990.

Editor, *Yale Law Journal*. Fall 1988 - Spring 1989.

Olin Scholar, awarded to students interested in law, economics, and public policy.

London School of Economics, London, England.

M.Sc. awarded with distinction in micro- and labor economics, July 1985.

Recipient of the Daniel P. Moynihan Fellowship providing full tuition and a stipend.

Haverford College, Haverford, PA.

B.A. awarded with honors in economics, May 1982.

WORK EXPERIENCE

Founder, Executive Vice President, Community Energy, January 2000 to present.

Founded a new entity, which has already brought online the first wind turbines in Pennsylvania, to promote clean energy technologies to retail electric customers in evolving competitive markets.

Developed purchase power arrangements with large generation and wholesale entities for 75 MW of wind energy. Organized a wind energy development team that is in the final stages of developing a 30 MW wind farm in Illinois and is pursuing additional wind projects in Utah, New York, and New Mexico.

Acting Executive Director, Land and Water Fund of the Rockies (LAW Fund), Boulder, CO, March 1997 to November 1997.

Directed a million dollar organization and supervised a staff of 15-17 people dedicated to finding win-win ways of protecting environmental quality in the Rocky Mountain and Desert Southwest region.

Director, Energy Project, Land and Water Fund of the Rockies, Boulder, CO, January 1995 to May 2000.

Managed and raised funds for 6-8 full-time professionals to promote clean energy policies in a six-state region in the Rocky Mountain and Desert Southwest. Helped to build the project from a small two-person outfit in 1991 into the leading regional clean energy advocacy group on energy policy issues. Examples of recent successful efforts include:

- * Worked with the several utilities in the region to develop purchase power arrangements that led directly to the development of over 300 MW of wind energy in Colorado and Wyoming.
- Created, funded, and managed the nation's largest wind marketing effort – with over 20,000 residences, 400 commercial customers, and two dozen governmental entities paying a combined premium of over \$2 million to purchase 40 MW of wind – in conjunction with several Colorado utilities.

Senior Attorney, Energy Project, Land and Water Fund, Boulder, CO, March 1991 to December 1994.

Litigated or appeared as an expert witness in over three dozen regulatory and legislative processes — involving industry restructuring, financial incentive, plant siting, and merger issues — in support of clean energy policies.

Created new approaches to energy efficiency, utility financial incentives, industry restructuring, and resource planning by adapting work done in other parts of the country to fit the needs of the Rocky Mountain west.

Helped to establish regulatory financial incentive mechanisms that encouraged regulated utilities in the LAW Fund's region to invest \$40 million annually in energy efficiency improvements from 1993 to 1996.

Associate, Energy Group, ICF Inc., Washington, D.C., Fall 1985 - Summer 1987.

Provided least cost planning studies and avoided cost forecasts to a variety of utility and non-utility clients.

Developed a new practice area, which provided economic consulting support to small power producers negotiating electricity sales contracts with electric utilities.

Research Assistant, Wharton Econometric Forecasting Associates, Philadelphia, PA,
Spring 1982 - Spring 1984.

Used Wharton's statistical models to produce baseline economic forecasts and alternative policy scenarios, primarily focusing on the economic impacts of oil price shocks.

OTHER

I have authored or co-authored over a dozen energy-related articles in trade and regulatory journals, managed the publication and release of a major report that presented a blueprint for a cleaner energy future for the region, and made presentations to numerous regional and national audiences. I was also appointed by Governor Romer to the Colorado Electric Industry Restructuring Advisory Panel in June of 1998 and the Colorado Governor's Task Force on Renewable Energy in the Summer of 1996.

Proprietary
Information
Removed

AFFIDAVIT

State of Colorado

:

:

ss.

County of Boulder

:

Eric Blank, Affiant, being duly affirmed according to law, deposes and says that:

He is the Secretary and Treasurer of Community Energy, Inc.;

That he is authorized to and does make this affidavit for said Applicant;

That Community Energy, Inc., the Applicant herein, acknowledges that it may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That Community Energy, Inc., the Applicant herein, asserts that it possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Community Energy, Inc., the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

That Community Energy, Inc., the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

Eric Blenk

Signature of Affiant

Sworn and subscribed before me this 29th day of August, 2001.

Hally Deel

Signature of official administering oath

My commission expires May 8, 2000.

AFFIDAVIT

State of Colorado :
 :
 : ss.
County of Boulder :

Eric Blank, Affiant, being duly affirmed according to law, deposes and says that:

He is the Secretary and Treasurer of Community Energy, Inc.;

That he is authorized to and does make this affidavit for said Applicant;

That the Applicant herein Community Energy, Inc. has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein Community Energy, Inc. has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein Community Energy, Inc. acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein Community Energy, Inc. acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

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



Signature of Affiant

Sworn and subscribed before me this 29th day of August, 2001.



Signature of official administering oath

My commission expires May 8, 2004.

VERIFICATION

I, Eric Blank, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Dated this 29 day of August, 2001.



ERIC BLANK

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Application, Appendices and Exhibits (excluding Exhibits D and F, which contain confidential and proprietary information) upon the participants, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant):

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

Bernard A. Ryan, Jr.
Commerce Building, Suite 1102
Small Business Advocate
300 North Second Street
Harrisburg, PA 17128-0946

Frank M. Nadolny, General
Manager of Regulatory Affairs Unit
Duquesne Light Company
411 Seventh Street
P.O. Box 1930
Pittsburgh, PA 15230-1930

Blaine W. Uplinger, Jr., Director of
Governmental and Regulatory Affairs
GPU Energy
100 APC Building
800 North Third Street
Harrisburg, PA 17102-2025

Thomas P. Hill
Vice President and Controller
PECO Energy Company
2301 Market Street
Philadelphia, PA 19101-8699

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

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

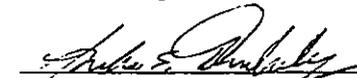
John P. Litz, Division Controller
UGI Utilities, Inc.
Electric Division
400 Stewart Road
P.O. Box 3200
Hanover Industrial Estates
Wilkes-Barre, PA 18773-3200

Paul E. Russell, Associate
General Counsel
Pennsylvania Power & Light Co.
Two North Ninth Street
Allentown, PA 18108-1179

Stephen L. Feld, Attorney
Pennsylvania Power Company
First Energy Corporation
76 South Main Street
Akron, OH 44308

John L. Munsch, Attorney
Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601-1689

Dated this 29th day of August, 2001.



Luke E. Dembosky, Esquire
Hangley Aronchick Segal & Pudlin
One Logan Square, 27th Floor
Philadelphia, PA 19103

Counsel for: Community Energy, Inc.

From

DOCUMENT
FOLDER
to

A-110152

Community Energy, Inc

EGS license application

DISK MAILER

Handle With Care

FIRST CLASS MAIL

OVER SIZED DOCUMENTS

3.5" DISK

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE
Secretary
717-772-7777

September 21, 2001

A-110152

JOSEPH A DWORETZKY
LUKE E DEMBOSKY
HANGLEY ARONCHICK SEGAL & PUDLIN
ONE LOGAN SQUARE
27TH FLOOR
PHILADELPHIA PA 19103

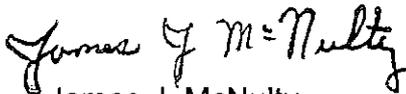
Dear Mr. Dembosky:

The Application and \$350.00 filing fee of Community Energy, Inc., received in this Office on August 30, 2001, for approval to supply Electricity or Electric Generation Services as a Broker, Marketer and Aggregator engaged in the business of supplying electricity is hereby acknowledged.

Pursuant to the Commission's Final Order, entered February 13, 1997, at M-00960890F0004, Notice of filing of this Application must be published in newspapers of general circulation covering each county in which you intend to provide service.

You have requested state-wide authority. Attached is a list of the six newspapers in which you must publish in order to meet the publication requirement. This Application will not be considered complete until a notarized Certification of Publication, along with photostatic copy of the notices, are filed with this Office.

Sincerely,


James J. McNulty
Secretary

JJM:ddt

Enclosures

DOCKETED

SEP 21 2001

**DOCUMENT
FOLDER**

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

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

COMMUNITY ENERGY INC.

150 STRATFORD AVENUE, SUITE 110
WAYNE PA 19087

RECEIPT # 250126

DATE 9/28/01

In re: Electrical Generation fees for COMMUNITY ENERGY INC.

Docket Number A-110152..... \$350.00

REVENUE ACCOUNT: 001780-017601-107

CHECK NUMBER: 1088

CHECK AMOUNT: \$ 350.00

DOCKETED

SEP 28 2001

C. Joseph Meisinger
(for Department of Revenue)

DOCUMENT
FOLDER

KJR

DATE: September 21, 2001
SUBJECT: A-110152
TO: Bureau of Fixed Utility Services
FROM: James J. McNulty, Secretary *ddt*

Attached is a copy of the Application of Community Energy, Inc., for a license to supply Electricity or Electric Generation Services as a Broker, Marketer and Aggregator engaged in the business of supplying electricity.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: Law Bureau

ddt

DOCKETED

SEP 21 2001

DOCUMENT
FOLDER