

Attachment D

SUBPART D: Part 451.330 Requirements

Technical Qualifications under Subpart D

▪ It's important to note that American PowerNet Management, LP team members have actively performed ARES tasks for its sister company APN Starfirst, LP in Illinois Ameren territory since 2006. All team members below already comply with IL regulations and utility rules under sister company, APN Starfirst. All scheduling and wholesale billing is performed by American PowerNet Management, LP employees. There is no outsourcing of technical qualifications under 451.330.

- a) N/A
- b) See below for write up of scheduling experience, wholesale billing experience.
- c) 45 Commerce Drive, Wyomissing PA 19610 P:610-372-8500 F:610-372-9100
- d) Experience listed below
- e) N/A

David Butsack, VP of Operations.

- David has over 10 years of power scheduling and wholesale market transaction experience. He oversees daily ISO Day-Ahead scheduling in ISO- NE, PJM, MISO and ERCOT. David also heads a team that schedules/uploads/confirms bilateral positions in all respective ISO portals. David routinely oversees APN's power schedules and forecasting models.
- David is an expert in wholesale electric cost components and trends in all ISO's American PowerNet operates. His market knowledge translates into a thorough understanding of wholesale electric bills. In this role, David's expertise serves the company well. He currently leads a team that schedules power and bills customers in the PJM, ISO-NE, MISO and ERCOT territories.
- David's breadth of knowledge goes far beyond scheduling and wholesale transactions. David is also an expert in the EDI language that utilities implement to transfer data between interested parties.
- He also leads a team that constructs automated forecasting systems in various ISO's. The systems David helps put in place allow APN employees to easier analysis customer wholesale billing cost components and easily track power scheduling.

License or Permit Bond

License or Permit Bond No 44BSBEW7510

Hartford Fire Insurance Company
1000 Continental Drive, Suite 350
P.O. Box 61560
King of Prussia, PA 19406

KNOW ALL MEN BY THESE PRESENTS, That we, **American Powernet Management, LP** as Principal, and **Hartford Fire Insurance Company**, a **Connecticut** Corporation, and authorized to do business in Illinois, as Surety, are held and firmly bound unto THE PEOPLE OF THE STATE OF ILLINOIS as Obligee, in the sum of THREE HUNDRED THOUSAND AND NO/100 Dollars (\$300,000.00), for which sum, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business to operate as an ARES (Alternative Retail Electric Supplier) under 220 ILCS 5/16-115 and is required to execute this bond under 83 Illinois Administrative Code Part 451.50 by the Obligee.

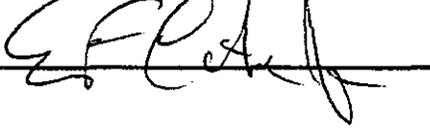
NOW, Therefore, if the Principal fully and faithfully perform all duties and obligations of the Principal as an ARES, then this obligation to be void; otherwise to remain in full force and effect.

This bond may be terminated as to future acts of the Principal upon thirty (30) days written notice by the Surety; said notice to be sent to 527 East Capitol Avenue, Springfield, Illinois 62701, of the aforesaid State of Illinois, by certified mail.

Dated this 21st day of March, 2012

Sample License or Permit Bond for ARES Applicants

American Powernet Management, LP _____ Principal

By:  _____

Hartford Fire Insurance Company _____ Surety

By:  _____

Stephanie L. Bankert, Attorney-In-Fact

POWER OF ATTORNEY

Direct Inquiries/Claims to:

**THE HARTFORD
BOND, T-4**

P.O. BOX 2103, 680 ASYLUM AVENUE
HARTFORD, CONNECTICUT 06115

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 44-410622

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of unlimited:**

David R. Bradbury, Luella G. Kauffman, Anthony M. Macinanti, Timothy C. Hoagland, Kilty A. Cassell, Heidi R. Brutko, Jamie J. Werner, Kimberly A. Homing, Brent D. Headley, Lydla A. Mantle, R. Scott Miller, Stephanie L. Bankert, Debra L. Rineer, Joseph A. Kotula, Jennifer A. Young
of
Lancaster, PA

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on January 22, 2004 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Scott Sadowsky

Scott Sadowsky, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Assistant Vice President

STATE OF CONNECTICUT }
COUNTY OF HARTFORD } ss. Hartford

On this 3rd day of March, 2008, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Scott E. Paseka

Scott E. Paseka
Notary Public

My Commission Expires October 31, 2012

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of March 21, 2012.

Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Assistant Vice President

- David is also responsible for constructing and overseeing a residential/ small commercial pricing model for various EDC's in the PJM footprint.

Resume Summary:

David's proficiencies in the energy management field are widely diverse. He is responsible for overseeing utility bill analysis including cost analysis, tariff compliance, error correction, utility contract negotiations and savings analysis. In this capacity he has been responsible for the development of numerous internal and external data management and analysis functions, and the development of innovative charting products. Utilizing his nationwide energy procurement experience David has been instrumental in grasping the many intricacies of wholesale procurement and packaging them into the first service offering of its kind in the U.S. Prior to American PowerNet, David was Vice President of EA&C. He served on the Advanced Metering Working Group of the Pennsylvania PUC, as well as the Pennsylvania Jersey Maryland Interconnection (PJM) Planning and Engineering Committee, Tariff Advisory and Operating Committee. David earned a B.S. in Finance from Millersville University.

Brian Vayda, VP Market Strategies.

- Brian has over 8 years of power scheduling and wholesale market experience. As a former PJM employee, Brian has unique knowledge into PJM market operations.
- Brian is also trained in MISO, ISO-NE, and ERCOT. He schedules and procures power for customers in all of the mentioned territories.
- Brian was instrumental in establishing American PowerNet's wholesale billing models in respective ISO's. He has been analyzing wholesale bills and cost components in all aforementioned ISO's for 8+ years.
- Brian currently heads a team of three that transacts bi-lateral positions with counterparties in the ISO-NE, PJM, MISO, and ERCOT territories. In this role, Brian along with team members oversees the monthly confirmation of schedules in all ISO's.

Resume Summary:

With over twelve years' experience in the energy industry, Brian has an extensive background in regulatory matters, securities consulting and financial reporting. His prior experience includes most recently, Manager, Regulatory Affairs for Strategic Energy and Senior Analyst, Market Settlements for PJM. In his former position, Brian was responsible for monitoring and influencing events and legislation within the energy industry at FERC, and in Pennsylvania and New Jersey, developing market rules, assisting in competitive pricing analysis for entrance into new competitive energy markets and assessing the potential impact of alternative wholesale procurement methods on sales, profit, risk and competitive position. At PJM, he provided support in the design, development, implementing and testing of new energy settlement systems, provided market settlement expertise to internal and external customers, conducted studies in the support of the development of new systems requiring a broad knowledge of the concept and

practice of PJM markets and assisted the legal department in FERC filings. Brian was also responsible for monitoring bulk power system flows for reliability in the eastern interconnected region and maintaining adherence to PJM tariff rules for virtual market bids/offers and FTR positions. Brian's education includes an M.B.A. in Finance from Temple University and a B.S. in Accounting from King's College.

Beverly Tunmer, Energy Analyst.

- Beverly has extensive experience with wholesale billing reports in PJM, MISO, ISO-NE and ERCOT. For 8 years she has headed a team that issues customer bills in all ISO's in compliance with the respective ISO billing schedule.
- Beverly provides expert knowledge to customers regarding their billing cost components/costs. She is a liaison to many customer accounts.
- Beverly has constructed numerous analytical systems used by American PowerNet Management, LP to illustrate customer cost components in a reporting and marketing role.
- Although Beverly doesn't actively serve on David's scheduling team and Brian's wholesale purchase team, she has adept knowledge to perform all related tasks.

Resume Summary:

Beverly has over twenty years' experience as a management consultant providing various consulting services for utility and energy-related clients throughout the U.S. and abroad. She is responsible for obtaining and analyzing electricity usage information for existing and potential clients, providing market pricing options and comparisons, analyzing current EDC tariffs, reconciling energy supply invoices, preparing client billing on a weekly and monthly basis, providing customer support in various markets including PJM, ISO-NE, ERCOT and MISO. Beverly was instrumental in developing a Locational Marginal Pricing (LMP) computer model to facilitate the marketing and implementation of American PowerNet's business model. Prior to joining American PowerNet, Beverly worked for Management Resources International as a management consultant to utility companies including electric, gas, steam and water. Her responsibilities included cost allocation, revenue requirements analysis, rate studies, market analysis, budgeting and forecasting, preparation of engineer's reports, software training and computer model development. Ms. Tunmer earned an M.B.A. in Financial Management from St. Joseph's University and a B.S. in Operations Management from the Pennsylvania State University.

-SEE BELOW FOR RESUMES OF QUALIFYING INDIVIDUALS:

David Butsack
555 Valley Road
Mohrsville, PA 19541
T:610-926-9690
M: 484-955-8852

1991 to Date: American Powernet (Vice President Logistics and Analysis)

Over 15 years experience in the electric and natural gas industries focusing primarily on mitigating electric costs for Commercial and Industrial clients throughout the United States in regulated and deregulated markets. In Deregulated markets focusing on wholesale power supply.

Responsible for all ISO/RTO Daily operations including but not limited to:

- Daily Hourly Load Scheduling (eMkt)
- Load Forecasting
- Billing Reconciliation
- Dispute Resolution
- Demand Bidding
- Load Response Programs
- eCapacity,
- eFTR
- OASIS
- FERC and State Reporting
- and EDI communications

Performed these functions since 2003 in PJM, 2005 in ISO-NE, and 2005 in ERCOT. In addition, in all three ISO's I serve as the Company Account Manager overseeing the management our ISO accounts.

Responsible for Client Power Cost Management including:

- Utility Bill and Rate Analysis
- Cost Analysis
- Tariff Compliance
- Error Correction
- Utility Contract Negotiations
- Electric Power Supply Aggregation

Performed these functions since 1991 throughout the expansion of deregulation across the US.

I have served on the Advanced Metering Working Group of the Pennsylvania Public Utility Commission (PUC), as well as the Pennsylvania Jersey Maryland Interconnection (PJM) Planning and Engineering Committee, Tariff Advisory and Operating Committee.

Prior to 1991 :Financial Planning for New York Life and Morgan Stanley

BS Finance: Millersville University of Pennsylvania 1988

BRIAN M. VAYDA
16 Amy Lane
Sugarloaf, PA 18249
(570) 788-7648
Email: brian_vay@yahoo.com

SUMMARY: Management level MBA with a solid background in the energy industry, regulatory consulting, and financial trading.

PROFESSIONAL EXPERIENCE: **AMERICAN POWERNET, Wyomissing, PA** **2005 – Present**

Vice President, Market Strategies

- Responsible for optimizing portfolio management trading strategy in PJM virtual markets.
- Responsible for hedging activities for wholesale power and ancillaries for customer purchases in PJM, MISO and ISO-NE.
- Accountable for analyzing and monitoring transmission system conditions to determine impact on FTR and virtual trading.
- Responsible for monitoring ISO/RTO market rules, procedures and plans to determine impact on business model.
- Responsible for optimizing the statistical forecasting of power market prices for various regions, financially analyzing various power transactions, and preparing market reports showing key market drivers/developments, price trends and impact on business model.

STRATEGIC ENERGY, Pittsburgh, PA **2004 – 2005**

Manager, Regulatory Affairs, Mid-Atlantic Region

- Responsible for monitoring, influencing, and analyzing events and legislation within the energy industry that impact or have a potential effect on the Company's business model at FERC, Pennsylvania and New Jersey.
- Responsible for analyzing intricacies of market proposals and rules, participating in the process of developing market rules, and disseminating information to internal groups for competitive pricing analyses and other business issues prior to entering new competitive energy markets.
- Conducted analysis on cost discovery and calculation for new and existing markets.
- Assisted trading desk and structure desk in assessing potential impact of alternative wholesale procurement methods on company sales volume, profitability, risk profile and competitive position.

2004 **PJM INTERCONNECTION, Norristown, PA** **2001 –**

Senior Analyst, Market Settlements

- Supported project teams in design, development, implementation and testing of new energy settlement systems, products and processes.
- Managed SAS70 outside audit for Market Settlements Department.
- Assisted PJM legal department in Federal Energy Regulatory Commission filings.

- Provide analytical and/or systems expertise in PJM market settlements to internal and external customers.
- Conducted studies in order to develop and recommend new or revised systems, methods, or procedures that require a broad knowledge of the concepts, principles, theories and practices of PJM markets.
- Monitored and analyze the power flows of the PJM bulk power system with other power systems in the NERC interconnected eastern region to ensure reliability. Monitored virtual market bids/offers and FTR positions for PJM tariff rule violations.

BRIAN M. VAYDA

Page Two

PECO ENERGY POWER TEAM, King of Prussia, PA

1999 –

2001

Principal Analyst, Energy Trading and Risk Management

- Engaged in financial energy trading and analysis within PJM Interconnect, for day-ahead electricity desk, including virtual transactions, capacity and FTR's.
- Monitored and reported risk-taking activities and ensure existence of an effective system of control over market, operational, credit and strategic business risk.
- Created, calibrated and validated risk exposure using forward curves and mark-to-market valuations.
- Prepared management reports including financial results and disclosures on financial statements detailing transactions, designated hedge vs. non-hedge, and the methods of valuation used.
- Administered, reviewed and processed specialty contracts.

DELOITTE CONSULTING, New York, NY/Philadelphia PA

1993 - 1999

Senior Consultant

- Worked extensively on securities fraud engagements in connection with SIPC Act.
- Prepared detailed procedures/control study of back office securities clearing function, trade processing and cash management of international broker/dealer.
- Provided operational and compliance audits to financial service organizations with respect to SEC Regulations 15c3-1, 15c3-3 and Regulation T.
- Prepared detailed financial analysis and evaluation of damages claimed and lost profits for intellectual property dispute.
- Engaged in electricity de-regulation risk management consulting.

**EDUCATION/
INTERNSHIP:**

MBA, Finance

TEMPLE UNIVERSITY, Philadelphia, PA – 1996
GPA: 3.91/4.0

BS, Accounting

KING'S COLLEGE, Wilkes-Barre, PA – 1992
GPA: 3.46/4.0~Cum Laude

City of Philadelphia Mayor's MBA Internship Program – **Budget Department-** 1996
Dean's List- each semester; ranked in upper 5% of graduate class

**COMMUNITY
SERVICE/BOARD
MEMBERSHIP:**

Coach Little League Baseball

Member of Board of Directors (Advisory Board) for Metropolitan Edison/Pennsylvania Electric Sustainable Development Fund – Provides financial assistance to renewable energy projects within the Metropolitan Edison/Pennsylvania Electric service territory.

Beverly A. Tunmer

81 Butlers Lane
Mohnton, PA 19540
484-995-4280

Qualifications Summary

Over 20 years' experience as management consultant and analyst in energy industry providing various consulting and support services to utility and energy-related clients. Most recent experience includes providing 'back-office' support services to various large commercial and industrial customers in deregulated energy market.

Professional Experience

Manager, Energy Markets and Analysis

AMERICAN POWERNET, Wyomissing, PA

2002 – Present

- Responsible for managing and maintaining billing and invoicing procedures between customers and energy suppliers
- Analyzes retail electricity rates in various utility regions for wholesale price comparisons in the Pennsylvania, New Jersey, Maryland, Illinois, Massachusetts, Texas and Virginia energy markets
- Interfaces with Independent Supply Operators in various markets for customer support and operations, including PJM, ERCOT, MISO and ISO-NE markets
- Created and maintains computer model utilizing Locational Marginal Pricing to evaluate hourly electric loads and energy costs for commercial and industrial customers in different energy markets
- Converts and interprets large amounts of electric load data from various sources for use in various business models

Management Consultant

MANAGEMENT RESOURCES INTERNATIONAL, Reading, PA

1985 – 1996

- Provided consulting services to electric, gas, steam and water utilities in the areas of cost allocation, rate studies, revenue requirements analysis, market analysis, engineer's reports, operating budgets and forecasting
- Developed cost-of-service computer model to facilitate cost allocation for rate studies
- Assisted project manager in several bond issues totaling over \$400M involving power sales contracts as source of repayment
- Instrumental in preparing consulting engineer's reports for various public power bond issues. Project work included facility inspections, review of operating forecasts and power contracts, risk analysis and capacity market reviews

Education

M.B.A. Financial Management
ST. JOSEPH'S UNIVERSITY 1994

B.S. Operations Management
PENNSYLVANIA STATE UNIVERSITY 1985