

APPENDIX 5



655 Jefferson Ave.
Valley Forge Corporate Center
Horseshoe, PA 19403-2487

December 23, 2013

WA EMAIL

Mr. Joe Coia
Park Power LLC
Suite A130
Radnor, PA 19087

Dear Mr. Coia,

Park Power LLC was approved for membership on October 16, 2012. This company is currently a member in good standing and is a signatory to the PJM Reliability Assurance Agreement.

Please feel free to contact me, if further information is required.

Thank you,

A handwritten signature in black ink, appearing to read "Michele Souder".

Michèle Souder
PJM Interconnection

610.666.8980 | www.pjm.com

Attachment 9

Park Power complies with all applicable Technical Qualification requirements as set forth in Sections 451.120. ~~Park confirm.~~

Per 451.120, 451.230, 451.330, or 451.420 Park will not own, control or operate its own generation, distribution or transmission. Park has at least on individual on staff with at least two years' experience

Gruin, Michael A.

To: Gary DeSanto
Subject: RE: Membership Approval - Park Power LLC

From: egana@pjm.com [mailto:egana@pjm.com]
Sent: Tuesday, October 16, 2012 1:13 PM
To: Gary DeSanto
Cc: egana@pjm.com; jewwm@pjm.com; burdit@pjm.com
Subject: Membership Approval - Park Power LLC

Welcome to PJM!

Park Power LLC has been approved for PJM membership in the Other Supplier Sector and will be announced at the Members Committee ("MC") meeting to be held October 25, 2012. Original copies of your signed agreements will be mailed to the Members Committee representative selected by your organization, for your records.

To ensure your needs are met, your Client Manager, Tim Burdis, will be contacting you over the next 5 business days to welcome you to PJM and answer any questions you may have. You can also contact our Customer Service Center at 866-400-8980 should you have any questions in the meantime.

We offer new members the opportunity to participate in a monthly open house session covering a PJM 101 general overview hosted by your client manager. These sessions are scheduled for the second Thursday of the month from 12:00 p.m. – 3:00 p.m., and lunch will be provided. Members may participate in an open discussion of the presentation material, and will have a Mezzanine tour of the Control Room floor, if available. If you wish to schedule a visit session, please contact Chris Franks, the visit coordinator. She can be reached at 610-666-4535 or frankc@pjm.com.

Feel free to visit the following page on our site for a complete list of PJM trainings: <http://www.pjm.com/training.aspx>.

Finally, please see the attached document for your complete Welcome Kit and PJM.com guide.

Thank you,

Amanda C. Egan
PJM Interconnection, Member Support Services Analyst
Ph: 610.666.4605 / Fax: 610.666.4379 / egana@pjm.com

Home > About PJM > Member Services > Member List

Member List

Below is a sortable list of PJM's Members.
PJM Membership as of November 21, 2012

819 PJM Members
10 Ex-officio
Total = 829

Filter by Sector: or by
Type:

[Reset List](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z All		
Company	Sector	Type
Pacific Summit Energy, LLC	Other Supplier	Voting Member
Palama, LLC	Other Supplier	Voting Member
PALMco Power NJ, LLC	Other Supplier	Voting Member
Park Power LLC	Other Supplier	Voting Member
Parma Energy, LLC	Other Supplier	Voting Member
Penncat Corporation	Other Supplier	Voting Member
People's Power & Gas, LLC	Other Supplier	Voting Member
Pergee Energy, LLC	Other Supplier	Voting Member
Perspective Energy USA, LLC	Other Supplier	Voting Member
Phalanx Energy Services, LLC	Other Supplier	Voting Member
Pirin Solutions, Inc.	Other Supplier	Voting Member
PJS Capital, LLC	Other Supplier	Voting Member
Planet Energy (USA) Corp.	Other Supplier	Voting Member
Plymouth Rock Energy, LLC	Other Supplier	Voting Member
Powerex Corporation	Other Supplier	Voting Member
PowerSecure, Inc.	Other Supplier	Voting Member
Primary Power, LLC	Other Supplier	Voting Member
Public Power, LLC	Other Supplier	Voting Member
Pure Energy, Inc.	Other Supplier	Voting Member
Total: 19		

Page last modified: Wednesday, September 05, 2012
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FEDERAL ENERGY REGULATORY COMMISSION
Washington, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Park Power LLC
Docket No. ER12-2662-000

October 25, 2012

Mr. Gary DeSanto
Chief Executive Officer
Park Power LLC
150 N. Radnor Chester Road
Suite A130
Radnor, Pennsylvania 19087

Reference: Market-Based Rate Authorization

Dear Mr. DeSanto:

On September 20, 2012, as amended October 1, 2012, you filed on behalf of Park Power LLC (Park Power) an application for market-based rate authority with an accompanying tariff. The proposed market-based rate tariff provides for the sale of energy, capacity, and ancillary services at market-based rates.¹ Park Power requests waivers commonly granted to similar market-based rate applicants.

Your filings were noticed on September 21, 2012, and October 2, 2012 with comments, protests or interventions due on or before October 11, 2012, and October 22, 2012, respectively. None was filed.

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation - West, under 18 C.F.R. § 375.307, your submittals filed in the referenced docket are accepted for filing, effective October 25, 2012 as requested. Based on your

¹ Park Power requests authorization to sell ancillary services in the markets administered by PJM Interconnection, L.L.C. (PJM), New York Independent System Operator, Inc. (NYISO), ISO New England Inc. (ISO-NE), California Independent System Operator Corp. (CAISO), and Midwest Independent Transmission System Operator, Inc. (MISO). Park Power also requests authorization to engage in the sale of certain ancillary services as a third-party provider in other markets.

representations, Park Power meets the criteria for a Category 1 seller in all regions and is so designated.²

You state that Park Power is located in Radnor, Pennsylvania, and intends to act as a power marketer. You represent that Park Power is wholly owned by three individuals. You further state that Park Power and its affiliates do not own or control any generation or transmission facilities. Further, you affirmatively state that Park Power has not erected barriers to entry and will not erect barriers to entry into the relevant market.

You state that Park Power meets all of the Category 1 criteria because it and its affiliates do not own, operate, or control any generation or transmission facilities; it is not affiliated with any franchised public utility; and it does not raise any other vertical market concerns.

Market-Based Rate Authorization

The Commission allows power sales at market-based rates if the seller and its affiliates do not have, or have adequately mitigated, horizontal and vertical market power.³

Based on your representations, Park Power's submittal⁴ satisfies the Commission's requirements for market-based rate authority regarding horizontal and vertical market power.

² *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252, at P 848-50, *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh'g*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268, *clarified*, 124 FERC ¶ 61,055, *order on reh'g*, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh'g*, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh'g*, Order No. 697-D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff'd sub nom. Montana Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011), *cert. denied sub nom. Public Citizen, Inc. v. FERC*, 2012 U.S. LEXIS 4820 (U.S. June 25, 2012).

³ Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 62, 399, 408, 440.

⁴ The next time you make a market-based rate filing with the Commission, you must include a revised tariff in compliance with Appendix C – Limitations and Exemptions Regarding Market-Based Rate Authority to include appropriate citations. *Niagara Mohawk Power Corporation*, 121 FERC ¶ 61,275 (2007) at P 8. *See also*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268 at P 384.

Park Power requests blanket authorization under Part 34 of the Commission's regulations for all future issuances of securities and assumptions of liability. A separate notice was published in the Federal Register establishing a period during which protests could be filed. None was filed. Park Power is authorized to issue securities and assume obligations or liabilities as guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of Park Power, compatible with the public interest, and reasonably necessary or appropriate for such purposes.⁵

Park Power must file electronically with the Commission Electric Quarterly Reports.⁶ Park Power further must timely report to the Commission any change in status that would reflect a departure from the characteristics the Commission relied upon in granting market-based rate authority in accordance with Order No. 697.⁷

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against any of the applicants.

⁵ *Citizens Power*, 48 FERC ¶ 61,210; *Enron*, 65 FERC ¶ 61,305.

⁶ *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003). Attachments B and C of Order No. 2001 describe the required data sets for contractual and transaction information. Public utilities must submit Electric Quarterly Reports to the Commission using the EQR Submission System Software, which may be downloaded from the Commission's website at <http://www.ferc.gov/docs-filing/eqr.asp>.

⁷ *Reporting Requirement for Changes in Status for Public Utilities with Market-Based Rate Authority*, Order No. 652, FERC Stats. & Regs. ¶ 31,175, *order on reh'g*, 111 FERC ¶ 61,413 (2005); 18 C.F.R. § 35.42 (2012).

Docket No. ER12-2662-000

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This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R § 385.713.

Questions regarding the above order should be directed to:

Federal Energy Regulatory Commission
Attn: Debra Irwin
Phone: (202) 502-6253
Office of Energy Market Regulation
888 First Street, N.E.
Washington, D.C. 20426

Sincerely,

Steve P. Rodgers, Director
Division of Electric Power
Regulation - West