



3 March 2016

Hon. Kathleen H. Burgess  
Secretary  
NY State Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

Re: Case 15-M-0127 – In the Matter of Eligibility Criteria for Energy Service Companies.  
Case 12-M-0476 – Proceeding on Motion if the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State.  
Case 98-M-1343 – In the Matter of Retail Access Business Rules.

Dear Secretary Burgess:

Per the Order Resetting Retail Energy Markets and Establishing Further Process, Ordering Clause No. 3, all ESCO's that intend to enroll or renew mass market customers once Ordering Clause No. 1 goes into effect, the CEO (or equivalent) must make a filing certifying that any enrollments will comply with the conditions of the above mentioned Order.

This letter is to certify that as of the effect date of Ordering Clause No. 1 in the aforementioned Order, any enrollments of mass market customers by American Power & Gas LLC in New York State will comply with the conditions of the Order Resetting Retail Energy Markets and Establishing Further Process.

Sincerely,

Tom Cummins  
CEO

STATE OF FLORIDA  
COUNTY OF PINELLAS

Sworn to and subscribed before me this 3<sup>rd</sup> day of March, 2016, by Tom Cummins, personally known to me.

