

STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY

PURA INVESTIGATION INTO NORTH : Docket No. 13-02-06
AMERICAN POWER AND GAS' :
TRADE PRACTICES : June 15, 2015

JOINT MOTION TO ACCEPT SETTLEMENT AND CLOSE PROCEEDINGS

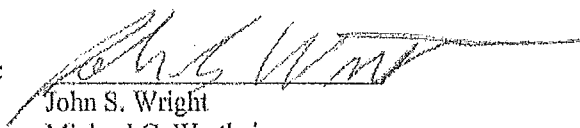
George Jepsen, Attorney General for the State of Connecticut ("Attorney General"), Elin Swanson Katz, Consumer Counsel, the Prosecutorial Unit of the Public Utilities Regulatory Authority ("Pro"), and North American Power, LLC, (the "Settling Parties") hereby move to have the Public Utilities Regulatory Authority ("PURA" or "Authority") accept the settlement agreement ("Settlement Agreement") attached as Exhibit A, and, upon acceptance, request that the Authority close this proceeding. This request is made pursuant to an agreement whereby North American Power will make a \$2.6 million voluntary charitable contribution to Operation Fuel. The \$2.6 million shall be paid in equal monthly installments of \$100,000 over a term of twenty six months. The first payment shall be made within thirty days following the Authority's final decision approving this settlement and closing this proceeding.

With this donation, the Settling Parties consider this matter fully and adequately resolved. This matter has been thoroughly litigated for over two years, the Authority has conducted all of the scheduled hearings,¹ and the record is fully developed. The Settling Parties therefore represent that this Settlement is in the public interest and waive their right to conduct any further hearings or proceedings.

¹ The Authority held hearings on September 30 and November 27, 2013.

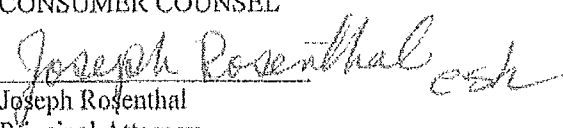
Respectfully submitted,

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Service is hereby
certified to all parties and
intervenor on this agency's
service list for this proceeding.

John S. Wright
John S. Wright
Assistant Attorney General

Exhibit A

STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

PURA INVESTIGATION INTO NORTH	:	Docket No. 13-02-06
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SETTLEMENT AGREEMENT

STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

PURA INVESTIGATION INTO NORTH : Docket No. 13-02-06
AMERICAN POWER AND GAS' :
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SETTLEMENT AGREEMENT

WHEREAS, this Settlement Agreement is entered into by and between North American Power, LLC ("NAP" or the "Company"), George Jepsen, Attorney General for the State of Connecticut ("Attorney General"), and Elin Swanson Katz, Consumer Counsel, on behalf of the State of Connecticut, Office of Consumer Counsel ("OCC") and the Prosecutorial Unit of the Public Utilities Regulatory Authority ("Pro") (collectively, the "Settling Parties"), in connection with the above-captioned matter pending before the Public Utilities Regulatory Authority ("Authority");

WHEREAS, the Authority opened this proceeding on February 13, 2013, to investigate NAP's trade practices, held hearings on September 30, 2013 and November 27, 2013, and the Settling Parties subsequently have engaged in discovery and negotiations concerning the matters addressed in this proceeding;

WHEREAS, the Settling Parties have raised competing and disputed claims with regard to the various issues raised herein, but wish to resolve those issues on mutually agreeable terms, and without establishing any precedent or principles applicable to any other proceedings; and

WHEREAS, it is the policy of the Authority, consistent with Conn. Gen. Stat. §16-19jj, to encourage the use of settlements to resolve contested cases and proceedings.

NOW THEREFORE, in consideration of the exchange of promises and covenants herein contained, the legal sufficiency of which is hereby acknowledged, the Settling Parties agree, subject to approval by the Authority, as follows:

ARTICLE I: FINANCIAL CONDITIONS

- 1 Voluntary Donation: North American Power shall make a voluntary charitable contribution of \$2.6 million to Operation Fuel. The payments shall be made in twenty six equal monthly installments of \$100,000. These payments are voluntary and do not constitute restitution, civil penalty or disgorgement. The first payment shall be made within thirty (30) days following the Authority's final decision approving this settlement and closing this docket.

ARTICLE 2: RELEASE OF CLAIMS

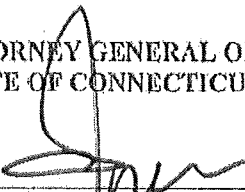
- 2 Release of Claims: The Attorney General, the Consumer Counsel and Prosecutorial withdraw and release all claims against North American Power and its members, directors, officers, employees, affiliates, successors and assigns, arising out of or relating to any matter that is the subject of, or referred to in the above-referenced proceeding. The Attorney General, the Consumer Counsel and Prosecutorial shall move to terminate this proceeding. With this voluntary donation, the Attorney General, the Consumer Counsel and Prosecutorial consider this matter fully and adequately resolved.

ARTICLE 3: AUTHORITY APPROVALS AND OTHER CONDITIONS


- 3.1 Settlement Approval: The Settling Parties assert that, if the Authority does not approve this Settlement Agreement in its entirety, this filing shall be deemed to be withdrawn, the releases of claims referred to in paragraph 2 shall be deemed rescinded, and the Settlement Agreement shall not constitute a part of the record in any proceeding or used for any other purpose.
- 3.2 The provisions of this Settlement Agreement are not severable. This Settlement Agreement is conditioned on its full approval by the Authority without additional conditions or requirements.
- 3.3 This Settlement Agreement shall not be deemed in any respect to constitute an admission by any party that any allegation or contention in this proceeding is true or false. The entry of an order by the Authority approving the Settlement Agreement shall not in any respect constitute a determination by the Authority as to the merits of any other issue raised in this proceeding.
- 3.4 The making of this Settlement Agreement establishes no principles and shall not be deemed to foreclose any party from making any contention in any proceeding or investigation, except as to those issues and proceedings that are stated in this Settlement Agreement as being specifically resolved and terminated by approval of this Settlement Agreement.

The signatories listed below represent that they are authorized on behalf of their principals to enter into this Settlement Agreement.

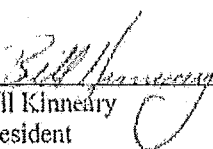
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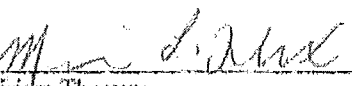
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Dated: June 15, 2015