

SURETY BOND

STATE OF _____

COUNTY OF: _____

Bond required by N.J.S.A. 48:3-78 c (4) and/or N.J.S.A. 48:3-79 c (4)

KNOW ALL PEOPLE BY THIS DOCUMENT, that we _____

_____ hereinafter referred to as the Principal, with principal offices and place of business located at _____ and _____

_____ a corporation organized and existing under the laws of the State of _____, and authorized to do business in the State of New Jersey, hereinafter referred to as Surety, are held and firmly bound unto TREASURER, STATE OF NEW JERSEY, hereinafter referred to as Obligee, for the use and benefit of all persons establishing legal rights hereinunder, in the sum of TWO HUNDRED FIFTY THOUSAND AND NO/100 (\$250,000) lawful money of the United States of America, to the payments of which sum, well and truly to be made, we bind ourselves, our executors, administrators, successors, and assigns, firmly by this document.

WHEREAS, the Principal has made application to the New Jersey Board of Public Utilities for a license to provide electric generation service and/or gas supply service to retail customers in the State of New Jersey, and

WHEREAS, pursuant to the Electric Discount and Energy Competition Act of 1999, N.J.S.A. 48:3-49 et seq., the Principal is required to maintain a bond to ensure against certain failures.

NOW, THEREFORE, if the Principal shall faithfully pay taxes and assessments and shall faithfully and truly fulfill all of its service or product contracts and other contractual commitments to deliver ("electric generation services" or "gas supply services"), and not file for bankruptcy or for similar protection under law, then this obligation shall be void, otherwise to remain in full force and effect as security for the use of the State of New Jersey and/or the Board of Public Utilities for failure to pay taxes or assessments and/or of any person or entity, who after entering into a service or product contract or third party supplier agreement for service in the State of New Jersey with the above named principal is damaged or suffers any loss by reason of failure to pay taxes or assessments or by breach of contract or bankruptcy by this principal.

The aggregate liability of the Surety is limited to the foregoing sum which sum shall be reduced by any payment made in good faith hereunder.

The term of this bond is for the period beginning (_____) and terminating (_____), and may be continued for an annual period by a Continuation Certificate signed by the Principal and Surety, a copy of which must be served by registered mail upon the Secretary of the Board of Public Utilities.

In order to draw funds on this Bond, the Secretary of the New Jersey Board of Public Utilities shall present the following document to the Surety:

Affidavit sworn to and signed by the Secretary of the New Jersey Board of Public Utilities, stating that at its public agenda meeting of _____(date) _____, the Board of Public Utilities determined that _____(principal)

_____ has not satisfactorily performed its obligations to a person or entity, who has been damaged or suffered a loss by means of failure to pay taxes or assessments, as required by law, or by reason of breach of contract or violation of N.J.S.A. 48:3-49 et seq. and/or regulations, rules or standards promulgated pursuant thereto.

SIGNED, SEALED AND DATED this _____ day of _____

(Principal)

By:

(Surety)

(Address of Surety)

By: _____, Attorney in Fact

Notarization Required

Corporate Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ of _____, a corporation, and that s/he as such _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as _____.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Individual Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person(s) whose name(s) _____ subscribed to the within instrument, and acknowledged that she/he/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Limited Liability Company Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be (the manager) (a member) of _____, a Limited Liability Company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself/herself as (the manager) (a member).

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Surety Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, before me _____, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the Attorney-in-Fact of _____, a corporation, and that s/he as such Attorney-in-Fact, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as Attorney-in-Fact.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: