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The Public Utilities Commission of Ohio

PUCO USE ONLY		
Date Received	Case Number	Version
	10-451-EL-AGG	August 2004

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-5 Experience). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division; 180 East Broad Street, Columbus, Ohio 43215-3793.

This PDF form is designed so that you may input information directly onto the form.
You may also download the form, by saving it to your local disk, for later use.

A. APPLICANT INFORMATION

A-1 Applicant's legal name, address, telephone number and web site address

Legal Name Eisenbach Consulting, LLC
 Address 921 Shiloh Road, B300 Tyler, TX 75703
 Telephone # (800) 977-4020 Web site address (if any) http://www.eisenbachconsulting.com/

A-2 List name, address, telephone number and web site address under which Applicant will do business in Ohio

Legal Name Eisenbach Consulting, LLC
 Address 921 Shiloh Road, B300 Tyler, TX 75703
 Telephone # (800) 977-4020 Web site address (if any) http://www.eisenbachconsulting.com/

A-3 List all names under which the applicant does business in North America

Eisenbach Consulting, LLC

A-4 Contact person for regulatory or emergency matters

Name Sandy Eisenbach
 Title Managing Director

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician SM Date Processed APR 07 2010

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Business address 921 Shiloh Road, B300 Tyler, TX 75703

Telephone # (800) 977-4020

Fax # (800) 977-4020

E-mail address (if any) sandy@eisenbachconsulting.com

A-5 Contact person for Commission Staff use in investigating customer complaints

Name Sandy Eisenbach

Title Managing Director

Business address 921 Shiloh Road B300 Tyler, TX 75703

Telephone # (800) 977-4020

Fax # (800) 977-4020

E-mail address (if any) sandy@eisenbachconsulting.com

A-6 Applicant's address and toll-free number for customer service and complaints

Customer Service address 921 Shiloh Road, B300 Tyler TX 75703

Toll-free Telephone # (800) 977-4020

Fax # (800) 977-4020

E-mail address (if any) customerservice@eisenbachconsulting.com

A-7 Applicant's federal employer identification number # 200984239

A-8 Applicant's form of ownership (check one)

☐ Sole Proprietorship

☐ Limited Liability Partnership (LLP)

☐ Corporation

☐ Partnership

☐ Limited Liability Company (LLC)

☐ Other

A-9 (Check all that apply) Identify each electric distribution utility certified territory in which the applicant intends to provide service, including identification of each customer class that the applicant intends to serve, for example, residential, small commercial, mercantile commercial, and industrial. (A mercantile customer, as defined in (A) (19) of Section 4928.01 of the Revised Code, is a commercial customer who consumes more than 700,000 kWh/year or is part of a national account in one or more states).

☐ First Energy

☐ Ohio Edison

☐ Toledo Edison

☐ Cleveland Electric Illuminating

☐ Cincinnati Gas & Electric

☐ Monongahela Power

☐ American Electric Power

☐ Ohio Power

☐ Columbus Southern Power

☐ Dayton Power and Light

☐ Residential

☐ Residential

☐ Residential

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☐ Mercantile

☐ Industrial

☐ Industrial

☐ Industrial

☐ Industrial

☐ Industrial

☐ Industrial

☐ Industrial

☐ Industrial

- A-10** Provide the approximate start date that the applicant proposes to begin delivering services

April 1, 2010

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- A-11** **Exhibit A-11 "Principal Officers, Directors & Partners"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
- A-12** **Exhibit A-12 "Corporate Structure,"** provide a description of the applicant's corporate structure, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers and companies that aggregate customers in North America.
- A-13** **Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.
- A-14** **Exhibit A-14 "Articles of Incorporation and Bylaws,"** if applicable, provide the articles of incorporation filed with the state or jurisdiction in which the Applicant is incorporated and any amendments thereto.
- A-15** **Exhibit A-15 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- B-1** **Exhibit B-1 "Jurisdictions of Operation,"** provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services including aggregation services.
- B-2** **Exhibit B-2 "Experience & Plans,"** provide a description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.

- B-3** **Exhibit B-3 "Summary of Experience,"** provide a concise summary of the applicant's experience in providing aggregation service(s) including contracting with customers to combine electric load and representing customers in the purchase of retail electric services. (e.g. number and types of customers served, utility service areas, amount of load, etc.).
- B-4** **Exhibit B-4 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.
- B-5** Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.
☒ No ☐ Yes
- If yes, provide a separate attachment labeled as **Exhibit B-5 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.
- B-6** Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.
☒ No ☐ Yes
- If yes, provide a separate attachment labeled as **Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- C-1** **Exhibit C-1 "Annual Reports,"** provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information in Exhibit C-1 or indicate that Exhibit C-1 is not applicable and why.
- C-2** **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 that the applicant is not required to file with the SEC and why.

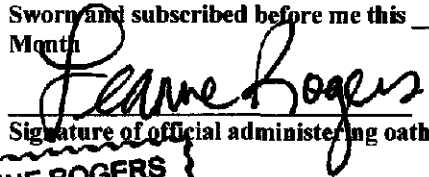
- C-3 **Exhibit C-3 "Financial Statements,"** provide copies of the applicant's two most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business.
- C-4 **Exhibit C-4 "Financial Arrangements,"** provide copies of the applicant's financial arrangements to conduct CRES as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.,).
- C-5 **Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's CRES operation, along with a list of assumptions, and the name, address, e-mail address, and telephone number of the preparer.
- C-6 **Exhibit C-6 "Credit Rating,"** provide a statement disclosing the applicant's credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant.
- C-7 **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from Experian, Dun and Bradstreet or a similar organization.
- C-8 **Exhibit C-8 "Bankruptcy Information,"** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.

C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

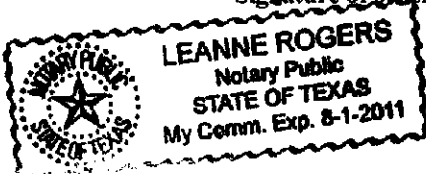


Signature of Applicant & Title

Sworn and subscribed before me this 5th day of April, 2010
Month Year


Signature of official administering oath

Leanne Rogers - Lending Asst.
Print Name and Title



My commission expires on 8-1-2011

AFFIDAVIT

State of Texas :

Tyler ss.
(Town)

County of Smith :

Sandy Eisenbach, Affiant, being duly sworn/affirmed according to law, deposes and says that:

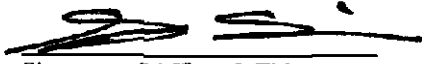
He/She is the Managing Director (Office of Affiant) of Eisenbach Consulting, LLC (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant,

1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt -hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
5. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
6. The Applicant herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)

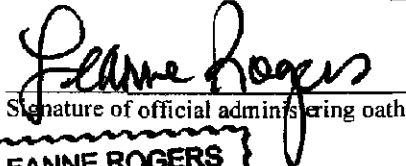
11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

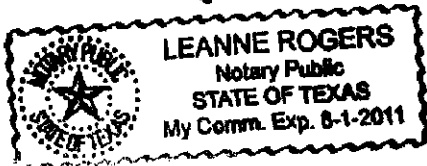


Signature of Affiant & Title

Sworn and subscribed before me this 5th day of April, 2010
Month Year


Signature of official administering oath

Leanne Rogers - Lending Asst.
Print Name and Title



My commission expires on 8-1-2011

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit A-11

Principal Officers, Directors & Partners

Sandy Eisenbach
Managing Director
921 Shiloh Road, B300
Tyler, TX 75703
817-966-8603

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit A-12

Corporate Structure

Eisenbach Consulting, LLC owns no affiliated companies or subsidiaries.



Eisenbach Consulting, LLC

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit A-13

Company History

Organized in 2002 and located in Tyler, Texas, Eisenbach Consulting, LLC began working to help the newly deregulated Texas electric market take advantage of energy savings made possible by deregulation.

Being one of the first entities licensed by the Public Utility Commission as an "Aggregator" (license #80156), Eisenbach Consulting quickly built a reputation for helping organizations, associations and independently formed groups cooperatively procure power.

Our expertise is proven in the savings we continue to achieve for our clients as the Texas deregulated market matures and companies seek more knowledgeable and effective sources for power procurement.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit A-14

Articles of Incorporation and Bylaws

Eisenbach Consulting, LLC is a Limited Liability Company and not "Incorporated". Therefore, "Articles of Incorporation and Bylaws" do not exist and this Exhibit is not applicable.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit A-15

Secretary of State

Attached On Next Page



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
03/12/2010	201007000770	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

EISENBACH CONSULTING, LLC
921 SHILOH ROAD, D300
TYLER, TX 75703

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jennifer Brunner

1920838

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

EISENBACH CONSULTING, LLC

and, that said business records show the filing and recording of:

Document(s):

REG. OF FOR. PROFIT LIM. LIAB. CO.

Document No(s):

201007000770



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 8th day of March, A.D. 2010.

Ohio Secretary of State

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit B-1

Jurisdictions of Operation

Texas
New York
New Jersey
Pennsylvania
Connecticut
Maryland

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit B-2

Experience & Plans

Eisenbach Consulting, LLC has over 70 years combined experience in the energy services industry, specializing in procurement of electricity and natural gas.

Our company plans on representing electricity and natural gas customers as an advocate and consultant in the solicitation and purchase of electricity from suppliers approved to do business in Ohio.

Eisenbach Consulting, LLC does not take title to power, and will therefore not be producing billing statements for customers.

Eisenbach Consulting, LLC will make every effort to timely respond to any customer complaints in accordance with rules adopted pursuant to Section 4928.10 of the Revised Code.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit B-3

Summary of Experience

Eisenbach Consulting, LLC has provided procurement services to customers in Texas and other markets for many years. We were one of the first aggregators licensed by the State of Texas after deregulation in 2002 and plan on continuing to provide the high level of service to customers in Ohio as we have in our home state.

Eisenbach Consulting, LLC has helped well over 40,000 residential, commercial and industrial customers procure electricity in the state of Texas (Centerpoint, Oncor, AEP, TNMP) alone. The combined load of the customers that have utilized our services totals well over 400mW of demand and 720,000 mWh of consumption in Texas.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit B-4

Disclosure of Liabilities and Investigations

Eisenbach Consulting, LLC has no pending or past ruling, judgements, contingent liabilities, revocation of authority, regulatory investigations or any other matters that could adversely impact our financial or operation status or ability to provide services we are seeking to be certified to provide.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-1

Annual Reports

As a Limited Liability Company, Eisenbach Consulting, LLC has no shareholder annual reports. Therefore, Exhibit C-1 is not applicable.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-2

SEC Filings

As a Limited Liability Company, Eisenbach Consulting, LLC has no SEC Filings. Therefore, Exhibit C-2 is not applicable.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-4

Financial Arrangements

Eisenbach Consulting, LLC does not intend to take title to the power our customers will use, but only act as an aggregator/broker. Therefore, financial arrangements have not been made to conduct CRES as a business activity and Exhibit C-4 is not applicable.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-5

Forecasted Financial Statements

Eisenbach Consulting, LLC does not intend to take title to the power our customers will use, but only act as an aggregator/broker. Therefore, forecasted financial statements have not been provided and Exhibit C-5 is not applicable.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-6

Credit Rating

D&B PAYDEX: 80 out of 100

Score Class: 2 (1 - Lowest Risk, 5 - Highest Risk)

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-8

Bankruptcy Information

Eisenbach Consulting, LLC has not reorganized, filed for protection from creditors or made any other form of bankruptcy filing within the two most recent years preceding the application, therefore Exhibit C-8 is not applicable.

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Exhibit C-9

Merger Information

Eisenbach Consulting, LLC has not had any dissolutions, mergers or acquisitions within the five most recent years preceding this application.