

**FILE**

14

## **Confidential Release**

**Case Number: 10-3115-GA-CRS**

**Date of Confidential Document:**

**December 22, 2010**

**Today's Date: April 12, 2011**

**Description – Exhibits C-6 and C-7**

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Technician SW Date Processed APR 12 2011

**Exhibit C-6 – “Credit Rating”**  
**Kansas Energy LLC**

Kansas Energy LLC is not rated. Please see Dun and Bradstreet report in **Exhibit C-7 – “Credit Report”**.



ATTN:Amanda Kenly  
Report Printed:November 29, 2010

## Live Report : KANSAS ENERGY LLC

D-U-N-S® Number: 78-791-6183

Endorsement/Billing Reference: amanda.kenly@kansasenergy.net

### D&B Address

Address 17795 W 108th St Ste  
204  
Olathe, KS - 66061

Phone 913 829-0045

Fax

Location Type Single Location

Web

Added to Portfolio:11/09/2009

Last View Date:06/08/2010

Endorsement amanda.kenly@kansasenergy.net

## Company Summary

Currency: Shown in USD unless otherwise indicated

### Score Bar

PAYDEX®

80

Commercial Credit Score Class

1

Financial Stress Class

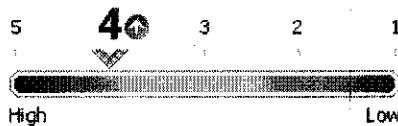
4

Credit Limit - D&B Conservative 100,000.00

D&B Rating

1R3

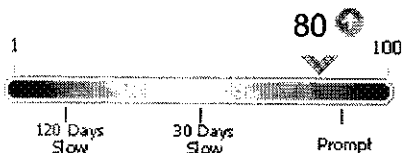
### Financial Stress Score Class



### Commercial Credit Score Class



### D&B 3-month PAYDEX®



When weighted by amount, Payments to suppliers average Within terms

### D&B Company Overview

This is a single location

Manager MARK GURLEY, MNG  
MBR

Year Started 2002

Management Control 2006

Employees 25

SIC 5172

Line of business Whol petroleum products

NAICS 424720

History Status CLEAR

6-12

## D&B PAYDEX®



When weighted by amount, Payments to suppliers average generally within terms

## Financials

Currency: Shown in USD unless otherwise indicated

### Company Financials: D&B

D&B currently has no financial information on file for this company. You can ask D&B to make a personalized request to this company on your behalf to obtain its latest financial information by clicking the Request Financial Statements button below.

### Additional Financial Data

On AUG 04 2010 Amanda Kenly, Dir, declined financial information.

As of August 4 2010 a search of Dun & Bradstreets Public Record database found no open suits, liens, judgements or UCCs to which Kansas Energy LLC at 17795 W 106th St Ste 204, Olathe KS was named defendant or debtor. Public records received hereafter will be entered into the database and will be included in reports which contain a Public Filings section.

### Request Financial Statements

Requested financials are provided by KANSAS ENERGY LLC and are not DUNSRight certified.

### Key Business Ratios

D & B has been unable to obtain sufficient financial information from this company to calculate business ratios. Our check of additional outside sources also found no information available on its financial performance.

To help you in this instance, ratios for other firms in the same industry are provided below to support your analysis of this business.

Based on this Number of Establishments

13

#### Industry Norms Based On 13 Establishments

|                            | This Business | Industry Median | Industry Quartile |
|----------------------------|---------------|-----------------|-------------------|
| <b>Profitability</b>       |               |                 |                   |
| Return on Sales            | UN            | 1.9             | UN                |
| Return on Net Worth        | UN            | 16.0            | UN                |
| <b>Short-Term Solvency</b> |               |                 |                   |
| Current Ratio              | UN            | 1.3             | UN                |
| Quick Ratio                | UN            | 0.9             | UN                |
| <b>Efficiency</b>          |               |                 |                   |

C73

|                               |    |      |    |
|-------------------------------|----|------|----|
| Assets/Sales                  | UN | 21.6 | UN |
| Sales / Net Working Capital   | UN | 23.2 | UN |
| Utilization                   |    |      |    |
| Total Liabilities / Net Worth | UN | 98.4 | UN |

UN = Unavailable

## History & Operations

Currency: Shown in USD unless otherwise indicated

### Company Overview

**Company Name:** KANSAS ENERGY LLC  
**Street Address:** 17795 W 106th St Ste 204  
 Olathe , KS 66061  
**Phone:** 913 829-0045  
**History:** Is clear  
**Present management control:** 4 years

### History

The following information was reported: **08/04/2010**

#### Officer(s):

MARK GURLEY, MNG MBR  
 DERRICK MCKENZIE, MBR  
 JOSEPH HELLER, MBR

This is a limited liability company formed in Kansas on August 2, 2002.

Ownership information provided verbally by Amanda Kenly, Dir, on Aug 04 2010.

Business started 2002. Present control succeeded Nov 2006.

This business was originally started in 2002 as Kansas Energy Partners LLC. In November 2006, Itochu International Inc, New York, NY acquired 80% of the company. The company, which now operates as a subsidiary of Itochu, subsequently changed its name to Kansas Energy LLC.

MARK GURLEY born 1963. 2002-present active here, and managing member since 2006. 1989-2002 active with Aquila Energy, Kansas City, MO.

DERRICK MCKENZIE born 1967. 2002-present active here, and member since 2006. 1990-2002 active with Aquila Energy, Kansas City, MO.

JOSEPH HELLER born 1969. 2002-present active here, and member since 2006. 1996-2002 active with Aquila Energy, Kansas City, MO.

Business address has changed from 26292 W 102nd Terrace, Olathe, KS, 66061 to 17795 W 106th St Ste 204, Olathe, KS, 66061.

### Operations

08/04/2010

Wholesales petroleum products, specializing in engine fuels or oils (100%).

#### Description:

Terms are cash and net 30 days. Sells to wholesalers. Territory : United States.

Nonseasonal.

#### Employees:

25 which includes partners.

#### Facilities:

Leases premises in a two story brick building.

#### Location:

Central business section on main street.

### SIC & NAICS

#### SIC:

Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&B's use of 8-digit SICs enables us to be more specific about a company's operations than if we use the standard 4-digit code.

The 4-digit SIC numbers link to the description on the Occupational Safety & Health Administration (OSHA) Web site. Links open in a new browser window.

5172 0200 Engine fuels and oils

#### NAICS:

**Predictive Scores**

Currency: Shown in USD unless otherwise indicated

**Credit Capacity Summary**

This credit rating was assigned because of D&B's assessment of the company's creditworthiness. For more information, see the D&B Rating Key.

**D&B Rating: 1R3**

Number of employees: 1R indicates 10 or more employees  
Composite credit appraisal: 3 is fair

The Rating was changed on September 13, 2010 because of a change in payment information appearing in D & B's file.

The 1R and 2R ratings categories reflect company size based on the total number of employees for the business. They are assigned to business files that do not contain a current financial statement. In 1R and 2R Ratings, the 2, 3, or 4 creditworthiness indicator is based on analysis by D&B of public filings, trade payments, business age and other important factors. 2 is the highest Composite Credit Appraisal a company not supplying D&B with current financial information can receive.

Below is an overview of the company's rating history since 11-07-2006

| D&B Rating | Date Applied | Number of Employees Total: |
|------------|--------------|----------------------------|
| 1R3        | 09-13-2010   | 25                         |
| 1R4        | 08-04-2010   |                            |
| 1R3        | 03-12-2009   |                            |
| --         | 11-07-2006   |                            |

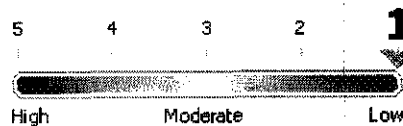
**Payment Activity: (based on 20 experiences)**

|                       |        |
|-----------------------|--------|
| Average High Credit:  | 9,433  |
| Highest Credit:       | 40,000 |
| Total Highest Credit: | 59,100 |

**D&B Credit Limit Recommendation**

|                           |         |
|---------------------------|---------|
| Conservative credit Limit | 100,000 |
| Aggressive credit Limit:  | 250,000 |

Risk category for this business : **LOW**



This recommended Credit Limit is based on the company profile and on profiles of other companies with similarities in size, industry, and credit usage.

Risk is assessed using D&B's scoring methodology and is one factor used to create the recommended limits. See Help for details.

**Financial Stress Class Summary**

The Financial Stress Score predicts the likelihood of a firm ceasing business without paying all creditors in full, or reorganization or obtaining relief from creditors under state/federal law over the next 12 months. Scores were calculated using a statistically valid model derived from D&B's extensive data files.

The Financial Stress Class of 4 for this company shows that firms with this class had a failure rate of 0.84% (84 per 10,000), which is 1.75 times higher than the average of businesses in D & B's database.

**Financial Stress Class :**



Moderate to high risk of severe financial stress, such as a bankruptcy, over the next 12 months.

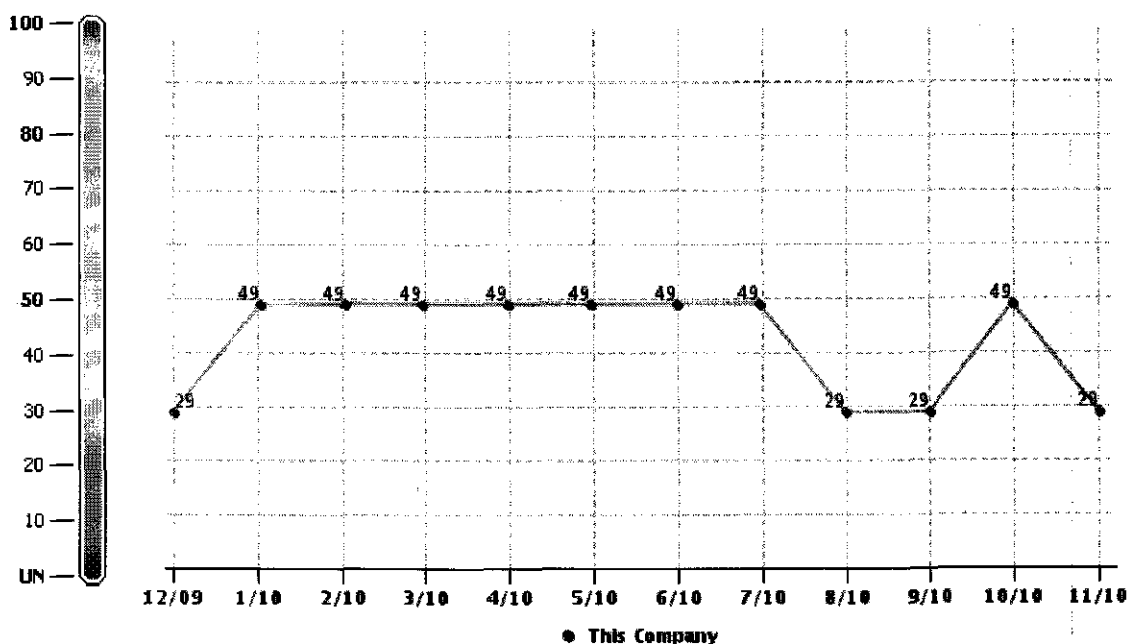
**Probability of Failure:**

- Among Businesses with this Class: **0.84 %** (84 per 10,000)
- Financial Stress National Percentile: **29** (Highest Risk: 1; Lowest Risk: 100)
- Financial Stress Score: **1436** (Highest Risk: 1,001; Lowest Risk: 1,875)
- Average of Businesses in D&Bs database: **0.48 %** (48 per 10,000)

The Financial Stress Class of this business is based on the following factors:

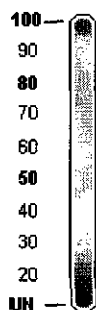
- Low proportion of satisfactory payment experiences to total payment experiences.
- High number of inquiries to D & B over last 12 months.
- Limited time under present management control.
- Unstable Paydex over last 12 months.

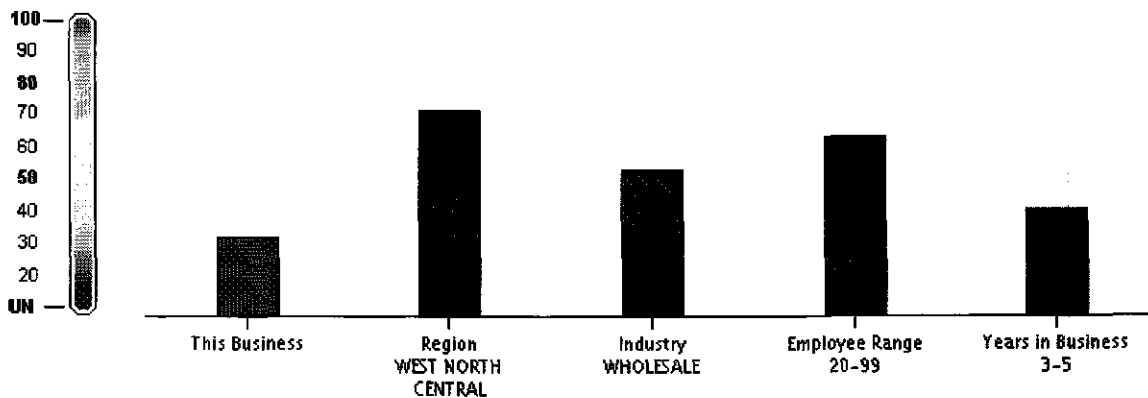
**Financial Stress Percentile Trend:**



**Notes:**

- The Financial Stress Class indicates that this firm shares some of the same business and financial characteristics of other companies with this classification. It does not mean the firm will necessarily experience financial stress.
- The Probability of Failure shows the percentage of firms in a given Class that discontinued operations over the past year with loss to creditors. The Probability of Failure - National Average represents the national failure rate and is provided for comparative purposes.
- The Financial Stress National Percentile reflects the relative ranking of a company among all scorable companies in D&Bs file.
- The Financial Stress Score offers a more precise measure of the level of risk than the Class and Percentile. It is especially helpful to customers using a scorecard approach to determining overall business performance.





| Norms                      | National % |
|----------------------------|------------|
| This Business              | 29         |
| Region: WEST NORTH CENTRAL | 76         |
| Industry: WHOLESale        | 54         |
| Employee range: 20-99      | 66         |
| Years in Business: 3-5     | 39         |

This Business has a Financial Stress Percentile that shows:

- Higher risk than other companies in the same region.
- Higher risk than other companies in the same industry.
- Higher risk than other companies in the same employee size range.
- Higher risk than other companies with a comparable number of years in business.

### Credit Score Summary

The Commercial Credit Score predicts the likelihood that a company will pay its bills in a severely delinquent manner (90 days or more past terms), obtain legal relief from creditors or cease operations without paying all creditors in full over the next 12 months. Scores are calculated using a statistically valid model derived from D&B's extensive data files.

The Credit Score class of 1 for this company shows that 6.0% of firms with this class paid one or more bills severely delinquent, which is lower than the average of businesses in D & B's database.

#### Credit Score Class :



#### Incidence of Delinquent Payment

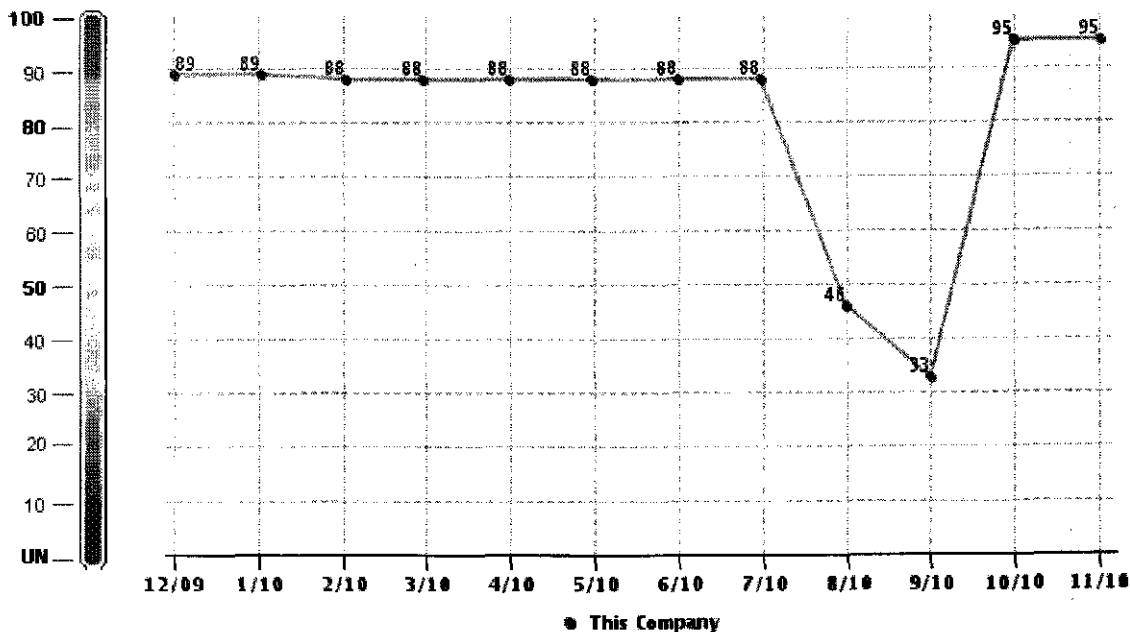
- Among Companies with this Classification: **6.00 %**
- Average compared to businesses in D&B's database: **23.50 %**
- Credit Score Percentile : **95** (Highest Risk: 1; Lowest Risk: 100)
- Credit Score : **494** (Highest Risk: 101; Lowest Risk: 670)

The Credit Score Class of this business is based on the following factors:

- Low number of satisfactory payments.
- Low proportion of satisfactory payment experiences to total payment experiences.
- Business is privately held.

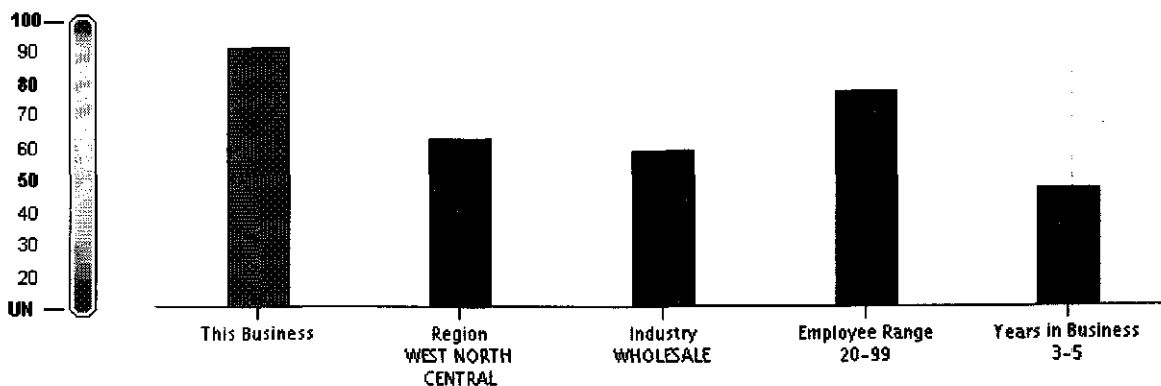
#### Credit Score Class Percentile Trend:





#### Notes:

- The Commercial Credit Score Risk Class indicates that this firm shares some of the same business and financial characteristics of other companies with this classification. It does not mean the firm will necessarily experience severe delinquency.
- The incidence of delinquency shows the percentage of firms in a given percentile that are likely to pay creditors in a severely delinquent manner. The average incidence of delinquency is based on businesses in D&B's database and is provided for comparative purposes.
- The Commercial Credit Score percentile reflects the relative ranking of a firm among all scorable companies in D&B's file.
- The Commercial Credit Score offers a more precise measure of the level of risk than the Risk Class and Percentile. It is especially helpful to customers using a scorecard approach to determining overall business performance.



| Norms                      | National % |
|----------------------------|------------|
| This Business              | 95         |
| Region: WEST NORTH CENTRAL | 62         |
| Industry: WHOLESALE        | 57         |
| Employee range: 20-99      | 79         |
| Years in Business: 3-5     | 43         |

This business has a Credit Score Percentile that shows:

- Lower risk than other companies in the same region.
- Lower risk than other companies in the same industry.
- Lower risk than other companies in the same employee size range.
- Lower risk than other companies with a comparable number of years in business.

C78

Currency: Shown in USD unless otherwise indicated

## Summary

A check of D&B's public records database indicates that no filings were found for KANSAS ENERGY LLC at 17795 W 106th St Ste 204 , Olathe KS .

D&B's extensive database of public record information is updated daily to ensure timely reporting of changes and additions. It includes business-related suits, liens, judgments, bankruptcies, UCC financing statements and business registrations from every state and the District of Columbia, as well as select filing types from Puerto Rico and the U.S. Virgin Islands.

D&B collects public records through a combination of court reporters, third parties and direct electronic links with federal and local authorities. Its database of U.S. business-related filings is now the largest of its kind.

## Government Activity

### Activity summary

|                                        |    |
|----------------------------------------|----|
| Borrower (Dir/Guar)                    | NO |
| Administrative Debt                    | NO |
| Contractor                             | NO |
| Grantee                                | NO |
| Party excluded from federal program(s) | NO |

### Possible candidate for socio-economic program consideration

|                     |            |
|---------------------|------------|
| Labour Surplus Area | N/A        |
| Small Business      | YES (2010) |
| 8(A) firm           | N/A        |

The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.

## Special Events

Currency: Shown in USD unless otherwise indicated

### Special Events

09/13/2010

A Rating change has occurred on this company.


## Trade Payments

Currency: Shown in USD unless otherwise indicated

### D&B PAYDEX®

The D&B PAYDEX is a unique, weighted indicator of payment performance based on payment experiences as reported to D&B by trader references. Learn more about the D&B PAYDEX

Timeliness of historical payments for this company.

|                            |                                                                                     |                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Current PAYDEX is          | 80                                                                                  | Equal to generally within terms ( Pays more promptly than the average for its industry of 2 days beyond terms ) |
| Industry Median is         | 79                                                                                  | Equal to 2 days beyond terms                                                                                    |
| Payment Trend currently is |  | Up, compared to payments three months ago                                                                       |

Indications of slowness can be the result of dispute over merchandise, skipped invoices etc. Accounts are sometimes placed for collection even though the existence or amount of the debt is disputed.

C7,

|                                                     |        |
|-----------------------------------------------------|--------|
| Total payment Experiences in D&Bs File (HQ)         | 20     |
| Payments Within Terms (not weighted)                | 100 %  |
| Trade Experiences with Slow or Negative Payments(%) | 0.00%  |
| Total Placed For Collection                         | 0      |
| Average High Credit                                 | 9,433  |
| Largest High Credit                                 | 40,000 |
| Highest Now Owing                                   | 0      |
| Highest Past Due                                    | 0      |

#### D&B PAYDEX



- High risk of late payment (Average 30 to 120 days beyond terms)
  - Medium risk of late payment (Average 30 days or less beyond terms)
  - Low risk of late payment (Average prompt to 30+ days sooner)
- When weighted by amount, payments to suppliers average generally within terms

#### 3-Month D&B PAYDEX



- High risk of late payment (Average 30 to 120 days beyond terms)
  - Medium risk of late payment (Average 30 days or less beyond terms)
  - Low risk of late payment (Average prompt to 30+ days sooner)
- Based on payments collected over last 3 months.

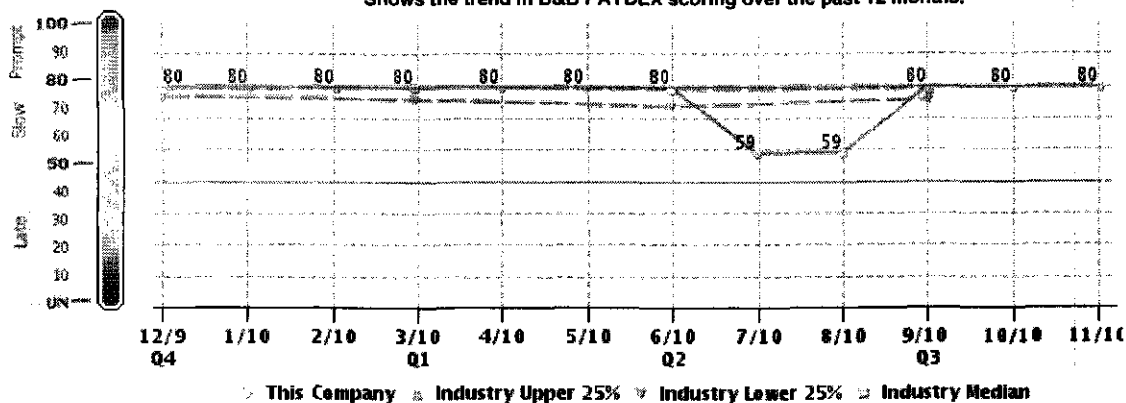
When weighted by amount, payments to suppliers average within terms

#### D&B PAYDEX® Comparison

##### Current Year

PAYDEX® of this Business compared to the Primary Industry from each of the last four quarters. The Primary Industry is Whol petroleum products , based on SIC code 5172 .

Shows the trend in D&B PAYDEX scoring over the past 12 months.



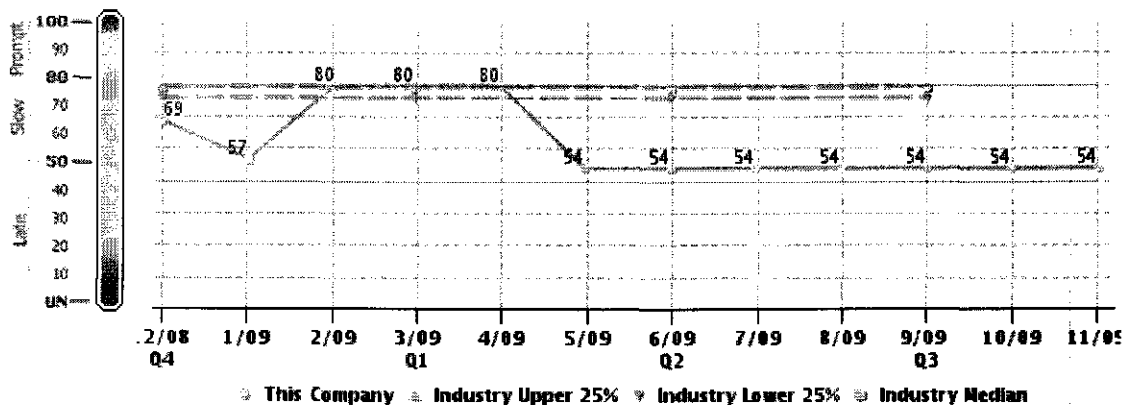
C7.10

|                           |    |    |    |    |    |    |    |    |    |    |    |    |
|---------------------------|----|----|----|----|----|----|----|----|----|----|----|----|
| <b>This Business</b>      | 80 | 80 | 80 | 80 | 80 | 80 | 80 | 59 | 59 | 80 | 80 | 80 |
| <b>Industry Quartiles</b> |    |    |    |    |    |    |    |    |    |    |    |    |
| Upper                     | .  | .  | .  | 80 | .  | .  | 80 | .  | .  | 80 | .  | .  |
| Median                    | .  | .  | .  | 80 | .  | .  | 79 | .  | .  | 79 | .  | .  |
| Lower                     | .  | .  | .  | 76 | .  | .  | 74 | .  | .  | 76 | .  | .  |

- Current PAYDEX for this Business is 80 , or equal to generally within terms
- The 12-month high is 80 , or equal to GENERALLY WITHIN terms
- The 12-month low is 59 , or equal to 23 DAYS BEYOND terms

#### Previous Year

Shows PAYDEX of this Business compared to the Primary Industry from each of the last four quarters. The Primary Industry is Whol petroleum products , based on SIC code 5172 .



#### Previous Year

|                           | 12/08 | 03/08 | 06/09 | 09/09 |
|---------------------------|-------|-------|-------|-------|
|                           | Q4/08 | Q1/09 | Q2/09 | Q3/09 |
| <b>This Business</b>      | 69    | 80    | 54    | 54    |
| <b>Industry Quartiles</b> |       |       |       |       |
| Upper                     | 80    | 80    | 80    | 80    |
| Median                    | 79    | 79    | 79    | 79    |
| Lower                     | 76    | 76    | 76    | 76    |

Based on payments collected over the last 4 quarters.

- Current PAYDEX for this Business is 80 , or equal to generally within terms
- The present industry median Score is 79 , or equal to 2 days beyond terms
- Industry upper quartile represents the performance of the payers in the 75th percentile
- Industry lower quartile represents the performance of the payers in the 25th percentile

#### Payment Habits

For all payment experiences within a given amount of credit extended, shows the percent that this Business paid within terms. Provides number of experiences to calculate the percentage, and the total credit value of the credit extended.

| \$ Credit Extended | # Payment Experiences | Total Amount | % of Payments Within Terms |
|--------------------|-----------------------|--------------|----------------------------|
| Over 100,000       | 0                     | 0            | 0%                         |
| 50,000-100,000     | 0                     | 0            | 0%                         |
| 15,000-49,999      | 0                     | 0            | 0%                         |
| 5,000-14,999       | 1                     | 40,000       | 100%                       |
| 1,000-4,999        | 2                     | 15,000       | 100%                       |
| Under 1,000        | 1                     | 1,000        | 100%                       |
|                    | 2                     | 600          | 100%                       |

Based on payments collected over last 12 months.

All Payment experiences reflect how bills are paid in relation to the terms granted. In some instances, payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.

### Payment Summary

There are 20 payment experience(s) in D&Bs file for the most recent 12 months, with 12 experience(s) reported during the last three month period.

The highest **Now Owes** on file is 0. The highest **Past Due** on file is 0

Below is an overview of the company's currency-weighted payments, segmented by it's supplier's primary industries

|                          | Total<br>Rev'd<br>(#) | Total<br>Amts | Largest High<br>Credit | Within<br>Terms<br>(%) | Days Slow<br><31 31-60 61-90<br>90+<br>(%) (%) (%) (%) |   |   |   |
|--------------------------|-----------------------|---------------|------------------------|------------------------|--------------------------------------------------------|---|---|---|
| Top Industries           |                       |               |                        |                        |                                                        |   |   |   |
| Electric services        | 1                     | 40,000        | 40,000                 | 100                    | 0                                                      | 0 | 0 | 0 |
| Admin public health      | 1                     | 10,000        | 10,000                 | 100                    | 0                                                      | 0 | 0 | 0 |
| Trucking non-local       | 1                     | 5,000         | 5,000                  | 100                    | 0                                                      | 0 | 0 | 0 |
| Nonclassified            | 1                     | 1,000         | 1,000                  | 100                    | 0                                                      | 0 | 0 | 0 |
| Whol durable goods       | 1                     | 500           | 500                    | 100                    | 0                                                      | 0 | 0 | 0 |
| Data processing svcs     | 1                     | 100           | 100                    | 100                    | 0                                                      | 0 | 0 | 0 |
| Other payment categories |                       |               |                        |                        |                                                        |   |   |   |
| Cash experiences         | 14                    | 2,500         | 1,000                  |                        |                                                        |   |   |   |
| Payment record unknown   | 0                     | 0             | 0                      |                        |                                                        |   |   |   |
| Unfavorable comments     | 0                     | 0             | 0                      |                        |                                                        |   |   |   |
| Placed for collections:  |                       |               |                        |                        |                                                        |   |   |   |
| With D&B                 | 0                     | 0             | 0                      |                        |                                                        |   |   |   |
| Other                    | 0                     | N/A           | 0                      |                        |                                                        |   |   |   |
| Total in D&Bs file       | 20                    | 59,100        | 40,000                 |                        |                                                        |   |   |   |

Accounts are sometimes placed for collection even though the existence or amount of the debt is disputed.

Indications of slowness can be result of dispute over merchandise, skipped invoices etc.

### Detailed payment history for this company

| Date<br>Reported<br>(mm/yy) | Paying Record              | High Credit | Now Owes | Past Due | Selling<br>Terms | Last Sale<br>Within<br>(month) |
|-----------------------------|----------------------------|-------------|----------|----------|------------------|--------------------------------|
| 11/10                       | (001)                      | 100         |          |          | Cash<br>account  | 1 mo                           |
|                             | (002)                      | 50          |          |          | Cash<br>account  | 1 mo                           |
| 10/10                       | Ppt                        | 40,000      | 0        | 0        | N30              | 6-12 mos                       |
|                             | Ppt                        | 500         | 0        | 0        |                  | 6-12 mos                       |
|                             | (005)                      | 50          |          |          | Cash<br>account  | 6-12 mos                       |
|                             | (006)                      | 50          |          |          | Cash<br>account  | 1 mo                           |
|                             | (007) Cash own<br>option . | 50          |          |          | Cash<br>account  | 6-12 mos                       |

C7.2

|       |       |        |   |   |              |          |
|-------|-------|--------|---|---|--------------|----------|
|       | (008) | 0      | 0 | 0 | Cash account | 6-12 mos |
|       | (009) | 0      | 0 | 0 | Cash account | 6-12 mos |
| 09/10 | (010) | 750    |   |   | Cash account | 1 mo     |
| 08/10 | (011) | 50     |   |   | Cash account | 1 mo     |
|       | (012) | 50     |   |   | Cash account | 6-12 mos |
| 07/10 | Ppt   | 100    | 0 | 0 |              | 6-12 mos |
|       | (014) | 50     |   |   | Cash account | 6-12 mos |
| 05/10 | (015) | 50     |   |   | Cash account | 6-12 mos |
| 04/10 | Ppt   | 10,000 |   |   |              | 1 mo     |
| 11/09 | Ppt   | 1,000  | 0 | 0 |              | 1 mo     |
| 03/09 | Ppt   | 5,000  | 0 | 0 |              | 6-12 mos |
| 01/09 | (019) | 1,000  |   |   | Cash account | 1 mo     |
|       | (020) | 250    |   |   | Cash account | 6-12 mos |

**Payments Detail Key:** ■ 30 or more days beyond terms

Payment experiences reflect how bills are paid in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices, etc. Each experience shown is from a separate supplier. Updated trade experiences replace those previously reported.

## View Snapshots

## View Snapshots

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