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RHOADS & SINON LLP

FILE NO: 11309/3

May 6, 2011

VIA FEDERAL EXPRESS

Public Utilities Commission of Ohio
Attn: Docketing Division
180 E. Broad Street, 13th Floor
Columbus, OH 43215-3793

PUCO

2011 MAY -9 AM 9:28

RECEIVED-DOCKETING DIV

**Re: Renewal Certification Application for Aggregators/Power Brokers –
On-Demand Energy, Inc. Case No. 09-402-EL-AGG**

Dear Sir or Madam:

Enclosed for filing please find an original and twelve (12) copies of the “**Renewal Certification Application of On-Demand Energy, Inc.**” for authority to provide aggregation and/or power brokering services. Please note, Exhibits C-3, C-5, and C-7 are being filed Under Seal in accordance with our Motion for Protective Order filed contemporaneously herewith pursuant to Rule 4901-1-24 of the Ohio Administrative Code.

All proprietary, confidential, or commercially sensitive information made available by On-Demand Energy, Inc. to the PUCO pursuant to the application requirements, and designated in advance as such shall not be disclosed to third parties without written consent from On-Demand Energy, Inc. and shall not be used by the PUCO for any purpose other than in support for the Renewal Certification Application for Aggregators/Power Brokers License Application.

Please return two file-stamped copies of the Renewal Certification Application to me in the enclosed postage pre-paid envelope.

Thank you for your assistance in this matter. If you have any questions regarding this renewal application or require any additional information/documentation, please contact me at (717) 237-6716.

Best regards,

RHOADS & SINON LLP

By:

Scott H. DeBroff, Esq.

Enclosures This is to certify that the images appear to be an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SM Date Processed MAY 09 2011



The Public Utilities Commission of Ohio

Original AGG Case Number	Version
09 - 402 -EL-AGG	August 2004

RENEWAL APPLICATION FOR AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-10 Corporate Structure). 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. RENEWAL INFORMATION

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

Legal Name On-Demand Energy, Inc.
Address 300 Corporate Center Drive, Suite 50 Moon Township, PA 15108
PUCO Certificate # and Date Certified 09-153E(1) , June 16, 2009
Telephone # (412) 299-8900 Web site address (if any) www.ondemandenergy.com

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

Legal Name On-Demand Energy, Inc.
Address 300 Corporate Center Drive, Suite 50 Moon Township, PA 15108
Telephone # (412) 299-8900 Web site address (if any) www.ondemandenergy.com

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

OnDemand Energy

A-4 Contact person for regulatory or emergency matters

Name John R. Morris
Title Energy Procurement Manager
Business address 300 Corporate Center Drive, Suite 50 Moon Township, PA 15108
Telephone # (412) 424-2567 Fax # (412) 299-2955
E-mail address (if any) jrmorris@ondemandenergy.com

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

Name John J. Zbihley

Title President

Business address 300 Corporate Center Drive, Suite 50 Moon Township, PA 15108

Telephone # (412) 424-2560

Fax # (412) 299-2955

E-mail address (if any) jzbihley@ondemandenergy.com

Regulatory Counsel: Scott H. DeBroff, Esq., Rhoads-Sinon LLP (sdebroff@rhoads-sinon.com)
One S. Market Sq., P.O. Box 1146, Harrisburg PA 17108 P: 717-237-6716

A-6 Applicant's address and toll-free number for customer service and complaints F: 717-231-6823

Customer Service address 300 Corporate Center Drive, Suite 50 Moon Township, PA

Toll-free Telephone # (888) 566-3362

Fax # (412) 299-2955

E-mail address (if any) solutions@ondemandenergy.com

A-7 Applicant's federal employer identification number # 82054262

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

☐ Sole Proprietorship

☒ Limited Liability Partnership (LLP)

☐ Corporation

☐ Partnership

☐ Limited Liability Company (LLC)

☐ Other _____

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

A-9 Exhibit A-9 "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-10 Exhibit A-10 "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.

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 "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-4 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-4 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-5 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-5 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

C. 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.

John J. - President
Signature of Applicant & Title

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Mary J. Applegarth, Notary Public
Moon Twp., Allegheny County
My Commission Expires March 13, 2012
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Sworn and subscribed before me this 5TH day of MAY, 2011
Month Year

Mary J. Applegarth
Signature of official administering oath

MARY J APPIEGARTH
Print Name and Title

My commission expires on MARCH 13, 2012

AFFIDAVIT

State of Pennsylvania

Man Twp. ss.
(Town)

County of Allegheny

John Zbinczyk, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President (Office of Affiant) of On Demand Energy (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 renewal 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 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.
8. 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.
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 renewal 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.

John J. - President
Signature of Affiant & Title

Sworn and subscribed before me this 4th day of MAY, 2011
Month Year

Mary J. Applegarth
Signature of official administering oath

MARY J APPIEGARTH
Print Name and Title

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Mary J. Applegarth, Notary Public
Moon Twp., Allegheny County
My Commission Expires March 13, 2012
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

My commission expires on MARCH 13, 2012

**“Exhibits to On-Demand Energy, Inc.
Renewal CRES Application”**

Exhibit A-9 Principal Officers, Directors & Partners

President

John J. Zbihley
300 Corporate Drive
Suite 50
Moon Township, PA 15108
412-424-2560
412-299-2955 fax

Vice President Operations

George Goss
300 Corporate Drive
Suite 50
Moon Township, PA 15108
412-424-2561
412-299-2955 fax

Vice President Sales & Business Development

John R. Bodine
300 Corporate Drive
Suite 50
Moon Township, PA 15108
412-424-2562
412-299-2955 fax

Vice President Corporate Development

John Welch
300 Corporate Drive
Suite 50
Moon Township, PA 15108
412-424-2575
412-299-2955 fax

Director Energy Procurement

John R. Morris
300 Corporate Drive
Suite 50
Moon Township, PA 15108
412-424-2567
412-299-2955 fax



Exhibit A-10 Corporate Structure

OnDemand Energy Organization Chart

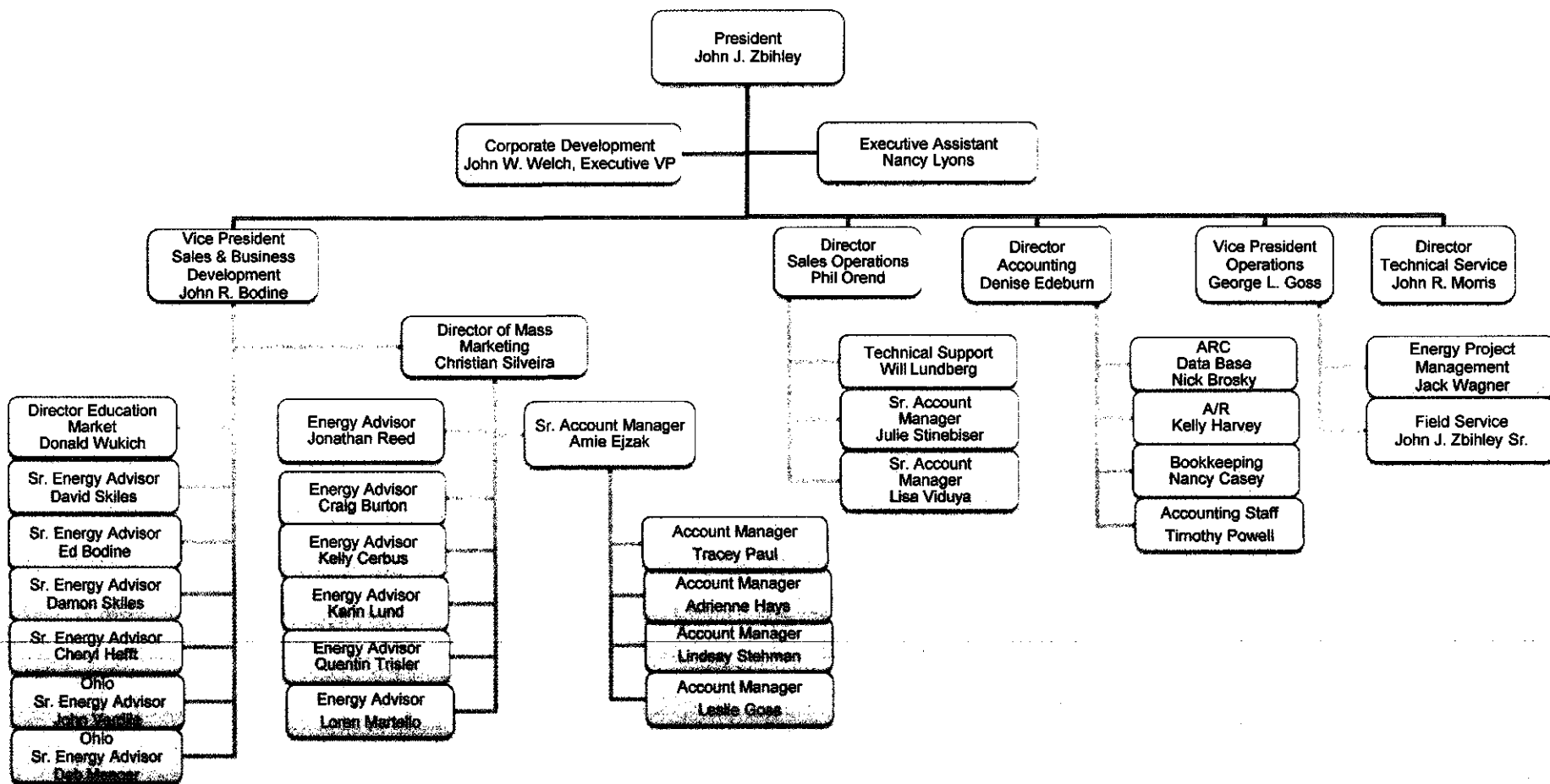


Exhibit B-1 Jurisdictions of Operation

1. Pennsylvania Electric Generation Supplier License A-110107 as a broker/marketer approved on March 4, 1999.
2. Pennsylvania Natural Gas Supplier License A-125076 as a supplier of natural gas supply services approved on April 13, 2000.
3. Delaware Electric Supplier Certificate was issued on January 7, 2009, Docket 08-402
4. Maryland license to Supply Electricity or Electric Generation Services to the Public in the State of Maryland issued July 13, 2009, IR-1442.
5. New Jersey application for Energy Agent and Private Aggregator filed November 22, 2010. Expecting approval of license on April 27, 2011
6. Illinois Agent Brokers and Consultants (ABC) license approved January 21, 2011 Order 10-0663.

Please note that OnDemand Energy has never had a formal or informal compliant filed for any jurisdiction.

Exhibit B-2 Experience & Plans

OnDemand has acted as a broker/consultant to its commercial, industrial, governmental and institutional customers to procure their electricity requirements from licensed third party suppliers for over 10 years. We recognize that electricity procurement is not a one time transaction, but is a long term process that must be managed proactively. Therefore, our business goal is to serve our customers over the long term to meet their business needs. OnDemand has been licensed by the Pennsylvania Public Utility Commission as Electric Generation Supplier, broker/marketer since April 1999 and we have never experienced an informal or formal complaint.

For provision of our services, OnDemand receives a fee from the electric supplier who ultimately contracts with the customer. Thereafter, the contractual relationship is strictly between the customer and the electric supplier. Although the contractual relationship for electricity supply is ultimately between the customer and the supplier, OnDemand is committed to its customers to guide them through the procurement process and consult with them to clarify the pricing, terms, conditions, switching rules etc. that are part of the supplier(s) contract(s). All other terms, rules, disclosures, billing issues, generation resource mix, and other customer information that is inherently the supplier(s) responsibility are not duplicated by OnDemand. However, OnDemand will consult with and assist the customer as required with any supplier specific issues.

OnDemand has assisted its customers and guided them through the procurement process for over 10 years typically through one-on-one contacts with each customer. More recently, OnDemand has held seminars to educate the customers on the concept of electric choice and opportunities to take advantage of participating in the competitive electricity market. To the extent that any winning electricity supplier receives customer complaints or inquiries, OnDemand will consult with its customers as part of our procurement service offering.

Exhibit B-3 Disclosure of Liabilities and Investigations

OnDemand is not aware of any existing, pending or past rulings, judgements, contingent liabilities, revocations of authority, regulatory investigations or any other matter that would impact OnDemand's financial or operational status or ability to provide the broker/consultant services it is seeking to be certified to provide.

Exhibit B-4 Disclosure of Consumer Protection Violations

OnDemand and its principal officers have never been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years, or for that matter since OnDemand's formation in 1995.

Exhibit B-5 Disclosure of Certification Denial, Curtailment, Suspension or Revocation

OnDemand has not 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 or anytime since OnDemand's formation in 1995.

Exhibit C-1 Annual Reports

OnDemand does not have shareholders and therefore does not issue annual reports.

Exhibit C-2 SEC Filings

OnDemand is not required to submit 10-K or 8-K filings to the SEC.

CONFIDENTIAL

Exhibit C-3 Financial Statements

This Exhibit C-3 is marked CONFIDENTIAL

The answer to this request requires Applicant to disclose privileged and confidential information. On-Demand Energy, Inc. has filed this information Under Seal in accordance with its Motion for Protective Order and Memorandum in Support Thereof filed contemporaneously with this Application.

Exhibit C-4 Financial Arrangements

OnDemand will operate as a broker/consultant and does not intend to take title to power for resale. Therefore OnDemand does not believe that the need for financial arrangements to conduct broker/consultant business is necessary.

CONFIDENTIAL

Exhibit C-5 Forecasted Financial Statements

This Exhibit C-5 is marked CONFIDENTIAL

The answer to this request requires Applicant to disclose privileged and confidential information. On-Demand Energy, Inc. has filed this information Under Seal in accordance with its Motion for Protective Order and Memorandum in Support Thereof filed contemporaneously with this Application.

Exhibit C-6 Credit Rating

OnDemand Energy is not a publicly traded company and therefore does not have credit ratings from these credit rating firms.

CONFIDENTIAL

Exhibit C-7 Credit Report

This Exhibit C-7 is marked CONFIDENTIAL

The answer to this request requires Applicant to disclose privileged and confidential information. On-Demand Energy, Inc. has filed this information Under Seal in accordance with its Motion for Protective Order and Memorandum in Support Thereof filed contemporaneously with this Application.

Exhibit C-8 Bankruptcy Information

Not applicable. OnDemand is not reorganizing, or involved in any bankruptcy proceedings

Exhibit C-9 Merger Information

OnDemand has not dissolved or participated in any acquisition or merger activities within the past five (5) years.