

FILE

PUCO USE ONLY		
Date Received	Case Number	Version
11-4367	- 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 The Energy Consulting Group, LLC  
Address 1498 Reisterstown Rd, Suite 313, Baltimore, MD, 21208  
Telephone # (347) 585-1278 Web site address (if any) none at this time

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

Legal Name The Energy Consulting Group, LLC  
Address 1498 Reisterstown Rd, Suite 313, Baltimore, MD, 21208  
Telephone # (347) 585-1278 Web site address (if any) none at this time

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

The Energy Consulting Group, LLC  
\_\_\_\_\_  
\_\_\_\_\_

#### A-4 Contact person for regulatory or emergency matters

Name Jonathan Burns  
Title CEO/President

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 AM Date Processed 7/19/11

RECEIVED-DOCKETING DIV  
2011 JUL 18 PM 12:39  
PUCO

Business address 1498 Reisterstown Rd, Suite 313, Baltimore, MD, 21208

Telephone # (347) 585-1278

Fax # There is no fax number at this time.

E-mail address (if any) burns@energyconsultinggroupplc.com

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

Name Jonathan Burns

Title CEO/President

Business address 1498 Reisterstown Rd, Suite 313, Baltimore, MD, 21208

Telephone # (347) 585-1278

Fax # There is no fax number at this time.

E-mail address (if any) burns@energyconsultinggroupplc.com

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

Customer Service address 1498 Reisterstown Rd, Suite 313, Baltimore, MD, 21208

Toll-free Telephone # no toll-free # at this time

Fax # There is no fax number at this time

E-mail address (if any) no email address for customer service at this time.

**A-7 Applicant's federal employer identification number # 275033096**

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

☐ Sole Proprietorship

☐ Partnership

☐ Limited Liability Partnership (LLP)

☒ Limited Liability Company (LLC)

☐ Corporation

☐ 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

☒ Residential

☒ Residential

☒ Residential

☒ Residential

☒ Residential

☒ Residential

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

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

Mid-August 2011

**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**

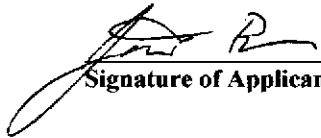
**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

**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.

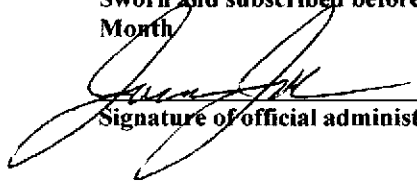
**C-2** **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 that the applicant is not required 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.

 CEO  
Signature of Applicant & Title

Sworn and subscribed before me this 13<sup>th</sup> day of July, 2011  
Month Year

  
Signature of official administering oath

Jason L. Johnson Notary  
Print Name and Title

My commission expires on 1/14/2014

---

# **AFFIDAVIT**

State of Maryland :

Pikerville ss.  
(Town)

County of Baltimore : County

Jonathan Burns, Affiant, being duly sworn/affirmed according to law, deposes and says that:


He/She is the CEO (Office of Affiant) of The Energy Council Group<sup>LLC</sup> (Name of Applicant);

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

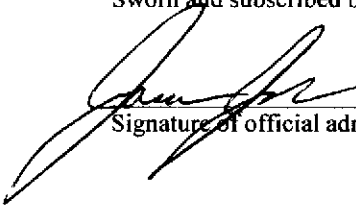
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
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.

 CEO  
Signature of Affiant & Title

Sworn and subscribed before me this 13<sup>th</sup> day of July, 2011  
Month Year

  
Signature of official administering oath

Jason L. Johnson Notary  
Print Name and Title

My commission expires on 1/14/2014



## **Exhibit A-11 "Principal Officers, Directors & Partners"**

The company has one primary employee at this point, Mr. Jonathan Burns. Mr. Burns is the CEO/President, with contact details:-

1498 Reisterstown Rd, Suite 313  
Baltimore, MD 21208  
(347)-585-1278  
[burns@energyconsultinggroupllc.com](mailto:burns@energyconsultinggroupllc.com)

Mr. Burns owns 91% of the company. Mrs. C. Burns owns the remaining 9% of the company. However, she is not active in the day to day activities of the company, and thus does not have any title nor position. She very occasionally acts as Mr. Burns' administrative assistant. She can also be contacted at:-

1498 Reisterstown Rd, Suite 313  
Baltimore, MD 21208  
(347)-585-1278

## **Exhibit A-12 "Corporate Structure"**

As stated above in Exhibit A-11, the company has one primary employee at this point, Mr. Jonathan Burns. Mr. Burns is the CEO/President. The company has no affiliate nor subsidiary companies.



### **Exhibit A-13 "Company History"**

The company is a start-up, formed in Feb 2011. The company was formed to provide retail energy brokerage services in Ohio and other states. At this point, the company has no revenue. The company so far has been involved in development and research preparatory work, including preparing and submitting state licensing applications.



## Exhibit A-14 "Articles of Incorporation and Bylaws"

### ARTICLES OF ORGANIZATION OF THE ENERGY CONSULTING GROUP, LLC

THESE ARTICLES OF ORGANIZATION are made this 16th day of February, 2011.

The undersigned, an authorized agent of one or more persons desiring to organize a limited liability company under and pursuant to the provisions of the Maryland Limited Liability Company Act (Title 4A of the Corporations and Associations Article of the Annotated Code of Maryland) (hereinafter referred to as the "Act"), hereby organizes a limited liability company (the "Company") for the purposes and on the terms and conditions hereinafter set forth and hereby certifies to the Maryland State Department of Assessments and Taxation as follows:

**FIRST:** The name of the Company is:

**THE ENERGY CONSULTING GROUP, LLC**

**SECOND:** Subject to the terms of the written operating agreement of the Company, as amended from time to time, the purposes for which the Company is formed are (a) to take any and all actions permitted of a limited liability company in Maryland; and (b) to perform all necessary or desirable business in connection therewith. The Company shall have no other purpose.

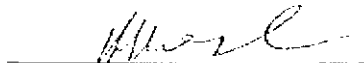
**THIRD:** the address of the principal office of the Company is 2712 Jeremy Court, Unit E, Baltimore, Maryland 21209. The name and address of the resident agent of the Company are Jonathan Burns, 2712 Jeremy Court, Unit E, Baltimore, Maryland 21209.

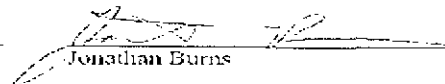
**FOURTH:** The relations of the members and the affairs of the Company shall be governed by the Act as well as the Operating Agreement of the Company, which may be amended from time to time as set forth therein.

**FIFTH:** As permitted in section 4A-401(a)(3) of the Act, the authority of members to act for the Company solely by virtue of their being members is limited and is as set forth in the operating agreement of the Company.

**IN WITNESS WHEREOF,** the undersigned acknowledges that these Articles of Organization are his act and that he has executed these Articles of Organization under seal as of the day and year first above written and further acknowledges, under penalties of perjury, that to the best of his knowledge, information, and belief (i) he has been authorized by the persons forming the Company to execute these Articles and (ii) the matters and facts set forth herein are true in all material respects.

WITNESS:



 (SEAL)  
Jonathan Burns

302751

STATE OF MARYLAND	
I hereby certify that this is a true and complete copy of the _____ page document on file in this office, DATED <u>2-17-11</u>	
STATE DEPARTMENT OF ASSESSMENTS AND TAXATION	
BY: <u>Kintley Johnson</u>	<u>Jonathan Burns</u>
This stamp replaces our previous certification system. Effective: 2/25	

State of Maryland  
Department of  
Assessments and Taxation

Charter Division



Martin O'Malley  
Governor

C. John Sullivan, Jr.  
Director

Paul B. Anderson  
Administrator

Date: 02/17/2011

NEUBERGER, QUINN, GIELEN, RUBIN & GIBBER  
ROBERT ERCOLE  
27TH FLOOR  
ONE SOUTH STREET  
BALTIMORE MD 21202-3298

THIS LETTER IS TO CONFIRM ACCEPTANCE OF THE FOLLOWING FILING:

ENTITY NAME : THE ENERGY CONSULTING GROUP, LLC  
DEPARTMENT ID : W13965884  
TYPE OF REQUEST : ARTICLES OF ORGANIZATION  
DATE FILED : 02-17-2011  
TIME FILED : 11:35 AM  
RECORDING FEE : \$100.00  
EXPEDITED FEE : \$70.00  
COPY FEE : \$22.00  
POSTAGE FEE : \$5.00  
FILING NUMBER : 1000362001267105  
CUSTOMER ID : 0002546989  
WORK ORDER NUMBER : 0003763569

PLEASE VERIFY THE INFORMATION CONTAINED IN THIS LETTER. NOTIFY THIS DEPARTMENT IN WRITING IF ANY INFORMATION IS INCORRECT. INCLUDE THE CUSTOMER ID AND THE WORK ORDER NUMBER ON ANY INQUIRIES. EVERY YEAR THIS ENTITY MUST FILE A PERSONAL PROPERTY RETURN IN ORDER TO MAINTAIN ITS EXISTENCE EVEN IF IT DOES NOT OWN PERSONAL PROPERTY. A BLANK RETURN WILL BE MAILED BY FEBRUARY OF THE YEAR FOR WHICH THE RETURN IS DUE.

Charter Division  
Baltimore Metro Area (410) 767-1350  
Outside Metro Area (888) 246-5941

301 West Preston Street-Room 801-Baltimore, Maryland 21201-2395  
Telephone (410)767-4950 / Toll free in Maryland (888)246-5941  
MRS (Maryland Relay Service) (800)735-2253 TTY/Voice- Fax (410)333-7097  
Website: [www.dat.state.md.us](http://www.dat.state.md.us)

0006885850

CACCP

The Energy Consulting Group, LLC

**Exhibit A-15 "Secretary of State"**

**\*201116001074\***

DATE	DOCUMENT ID	DESCRIPTION	FILING	EXFED	PENALTY	CERT	COPY
06/10/2011	201116001074	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.

THE ENERGY CONSULTING GROUP LLC  
1458 REISTERSTOWN RD  
SUITE 313  
BALTIMORE, MD 21208

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**

**2027004**

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

**THE ENERGY CONSULTING GROUP, LLC**

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

Document(s)

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

Document No(s)

**201116001074**



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 9th day of June, A.D.  
2011

*Jon Husted*

Ohio Secretary of State

### **Exhibit B-1 “Jurisdictions of Operation”**

The company is currently not licensed in any state at this time. However, TX, NY and MI do not require licensing for brokers and the company is planning on pursuing doing business in these states. This is dependent on having a functional website and developing contracts with suppliers. The company estimates to be in a position to start doing business in said states within one to two months.

The company is also pursuing a license application with MD.

## **Exhibit B-2 "Experience & Plans"**

Mr. Burns, CEO, has had over 5 years of experience working for an internet lead generation business. During his time in the lead generation company, Mr. Burns has been involved in a wide variety of activities, including, but not limited to, management, business development and analysis. He has developed a very good sense and experience of internet marketing. He plans on using this knowledge to attract customers to the energy consulting group's website, where they will be provided with the opportunity to sign up with a CRES provider.

The company is planning to initially target and focus on residential consumers in all regions governed by the PUCO. However, given the marketing method, we anticipate some indirect business from small commercial and may do some direct marketing to small commercial. As the company develops, we are open to expansion to mercantile and industrial; hence, all options in Section A-9 have been checked.

With regard to billing statements, we will not be providing billing statements. We will be working with providers who will due the consolidated billing with the utility company.

Good customer relations and goodwill is extremely important to the company and, as such, the company plans on responding to customer inquiries, questions and complaints within a reasonable and timely fashion.





### **Exhibit B-3 "Summary of Experience"**

The company will just be providing brokerage services.

#### **Exhibit B-4 "Disclosure of Liabilities and Investigations"**

The company has no such liabilities nor investigations.

### **Exhibit C-1 “Annual Reports”**

The company has no annuals reports. The company is a start-up, formed in Feb 2011. At this point, the company has no revenue. The company so far has been involved in development and research preparatory work, including preparing and submitting state licensing applications.

## **Exhibit C-2 “SEC Filings”**

The company has no SEC Filings. The company is a start-up, formed in Feb 2011. At this point, the company has no revenue. It is not a public company.

### Exhibit C-3 "Financial Statements"

The company is a startup and was formed in February of 2011. At this point in time, the company has not conducted any business. We are merely in developmental stage which includes getting licensing and building the website. As of such, we have done no business and there are no financial statements. We do however have a business relationship with Wachovia Bank. As part of this exhibit, please find proof of this relationship from Wachovia. We are also providing a copy of the check sent to the State of Ohio to register the company as further proof of the relationship we have with Wachovia.

Re Energy Consulting Group LLC 1748 Reisterstown Rd, Suite 303 Baltimore, MD 21208		091 05-21-11
DATE 6/7/11		
PAY TO THE ORDER OF	The Ohio Secretary of State	\$ 125.00
One Hundred Twenty Five		DOLLARS
<input checked="" type="checkbox"/> WACHOVIA		
FOR Business Registration		
000091 00550032010200005288327		00000012500

51 03 028 311 00302011 0011061819 03	607080605041
For Dep Clerk Josh Mandel Ohio Treas Rev Mont	

Wachovia Bank, N.A.  
MD9080  
1807 Reisterstown Road  
Baltimore, MD 21208

Tel 410 486 4748  
Fax 410 486-8698



**WACHOVIA**

June 1, 2011

To Whom It May Concern:

This letter is verification that Jonathan Burns D/B/A The Energy Consulting Group LLC has established a business checking account with Wachovia Bank. The routing number is 055003201 and the account # is 2000053288327. Please feel free to contact me at the number below if any further information is required.

Sincerely,

A handwritten signature in black ink that reads "Brian K Bettick". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian Bettick  
Personal Banker  
Wachovia Bank  
410-580-0416

---

The Energy Consulting Group, LLC

#### **Exhibit C-4 “Financial Arrangements”**

The company is a startup and was formed in February of 2011. At this point in time, the company has not conducted any business. We do however have a business relationship with Wachovia Bank. As part of this exhibit, please find proof of this relationship from Wachovia. We are also providing a copy of the check sent to the State of Ohio to register the company as further proof of the relationship we have with Wachovia. Both of these items were provided above in the documentation for Exhibit C-3 “Financial Statements”.

### Exhibit C-5 "Forecasted Financial Statements"

The following residential switching rate data was obtained from the PUCO website. The 2010 numbers are as of June 19, 2011.

As addressed in Exhibit B-2, the company plans on initially focusing on residential; as a result, the forecasting results below are based solely on business from residential customers.

#### Cres Providers Sales

EDU Service Area	31-Dec-09	31-Dec-10	Raw Change	% Change
CEI	262399	355624	93225	35.53%
DUKE	54842	160952	106110	193.48%
CSP	0	1	1	N/A
DPL	0	65	65	N/A
OEC	258271	477048	218777	84.71%
OP	0	0	0	N/A
TE	109866	119121	9255	8.42%
Total	685378	1112811	427433	62.36%

#### Total Sales

EDU Service Area	31-Dec-09	31-Dec-10	Raw Change	% Change
CEI	483365	493414	10049	2.08%
DUKE	620814	627854	7040	1.13%
CSP	587595	616432	28837	4.91%
DPL	460883	331516	-129367	-28.07%
OEC	791628	824784	33156	4.19%
OP	622424	628585	6161	0.99%
TE	219358	221651	2293	1.05%





Total	3786067	3744236	-41831	-1.10%
-------	---------	---------	--------	--------

#### **Cres Provider Percentage of Sales**

EDU Service Area	31-Dec-09	31-Dec-10	Raw Change	% Change
CEI	54.29%	72.07%	17.79 percentage points	32.77%
DUKE	8.83%	25.64%	16.8 percentage points	190.19%
CSP	0.00%	0.00%	0 percentage points	N/A
DPL	0.00%	0.02%	0.02 percentage points	N/A
OEC	32.63%	57.84%	25.21 percentage points	77.28%
OP	0.00%	0.00%	0 percentage points	N/A
TE	50.09%	53.74%	3.66 percentage points	7.30%
Total	18.10%	29.72%	11.62 percentage points	64.18%

From this data, we can see that over the course of 2010, there was considerable overall growth in CRES sales.

Of the 7 EDU service areas, there are two groups – those where CRES providers have penetration (CEI, DUKE, OEC and TE) and those where, as of Dec 2010, there was essentially no CRES provider penetration (CSP, DPL, OP).

#### *Revenue Calculations*

##### Areas with Current CRES Penetration

CEI has the current highest level of penetration. We expect to see some growth, but not at the rate seen in 2010. We assume that growth will slow down. We do not expect 100% penetration in any given region, as there will always be people resistant to change. We assume, though, a steady growth rate that will bring levels to 90% penetration in two years time, which is an increase of 18 percentage points. As we are now towards the end of the June, 2011, our estimate is that current levels are around 76% (an increase of 4 percentage points), leaving 14 percentage point increase for the remaining two years. We assume 7 point percentage increase for year 1 and 7 point percentage increase in year 2. Based on the monthly numbers for Dec 2010, this represents an annual usage of 414467 MWh for both years 1 and 2.



There is competition in the marketplace. We estimate to be able to capture 5% of the market share. We expect our payment rate to be from \$0.005 to \$0.01 per KWh. Using the more conservative figure, we estimate annual revenue from new customers to be \$103,616.75.

We also anticipate that some current customers will also be looking to switch. We expect that most we stay with their current provider, but we expect in any year for 15% of the current customers to be looking to switch. We expect to capture a similar percentage, ie. 5%, of the customers looking to switch. If we assume that in the beginning of Year 1, by mid-2011, there will be 76% penetration, which, again, based on the monthly usage in Dec 2010 comes to an annual amount of 4499936 MWh, 5% of 15% of that comes to 33749.52 MWh. Using the more conservative payment rate of \$0.005 per KWh, this comes to \$168,747.60. Based on our estimates above, we expect by the beginning of year 2, total penetration will be 83%, which translates into an annual usage of 4914403 MWh. Using 5% of 15% comes to 36858.03 MWh and based on a conservative payment rate of \$0.005 per KWh, comes to \$184,290.10 revenue for Year 2.

OEC has the next highest level of penetration with the 2<sup>nd</sup> highest growth in the region. We expect continued growth, reaching the 80% penetration level in 2 years. As we are now towards the end of the June, 2011, our estimate is that current levels are around 65% (an increase of 4 percentage points), leaving 15 percentage point increase for the remaining two years. We assume 7.5 point percentage increase for year 1 and 7.5 point percentage increase in year 2. Based on the monthly numbers for Dec 2010, this represents an annual usage of 742305.6 MWh for both years 1 and 2.

We estimate to be able to capture 5% of the market share. We expect our payment rate to be from \$0.005 to \$0.01 per KWh. Using the more conservative figure, we estimate annual revenue from new customers to be \$185,576.40.

We also anticipate that some current customers will also be looking to switch. We expect that most we stay with their current provider, but we expect in any year for 15% of the current customers to be looking to switch. We expect to capture a similar percentage, ie. 5%, of the customers looking to switch. If we assume that in the beginning of Year 1, by mid-2011, there will be 65% penetration, which, again, based on the monthly usage in Dec 2010 comes to an annual amount of 536109.6 MWh, 5% of 15% of that comes to 48249.86 MWh. Using the more conservative payment rate of \$0.005 per KWh, this comes to \$241,249.30. Based on our estimates above, we expect by the beginning of year 2, total penetration will be 72.5%, which translates into an annual usage of 597968.40 MWh. Using 5% of 15% comes to 53817.16 MWh and based on a conservative payment rate of \$0.005 per KWh, comes to \$269,085.80 revenue for Year 2.

TE has the next highest level of penetration, but showed very slow growth in 2010. We assume that growth will continue at a similar rate, reaching 56% penetration by end of June, 2010. However, we predict that our marketing techniques may be more effective than current methods and thus anticipate a 5 percentage point increase in penetration each of the following two years, but anticipate being able to capture 10% of that growth. Using the annual numbers of December 2010 and assuming a payment rate of \$0.005 per KWh, this comes to \$66495.30 in revenue for both Years 1 and 2.

We continue our assumption that 15% of current users will be interesting in switching and we assume we can capture 5% of those current users desiring to switch. Using the same calculations as above, we find that this will result in \$55856.05 in revenue in Year 1 and \$60843.20 in revenue in Year 2.

**DUKE** showed rapid growth in 2010. We assume that strong growth levels will continue, reaching 60% penetration by the end of two years. By the end of June, 2010, we assume that penetration will have reached 32% and for there to be a 14 percentage point increase in both years 1 and 2. We assume to capture 5% of the market share and, based on usage numbers from Dec 2010, we anticipate \$263698.70 in revenue from new customers in both Years 1 and 2.

As above, we assume that 15% of current users will be interesting in switching and we assume we can capture 5% of those current users desiring to switch. Using the same calculations as above, we find that this will result in \$ 90410.98 in revenue in Year 1 and \$ 129965.80 in revenue in Year 2.

#### Areas without Current CRES Penetration

**CSP, DPL and OP** all had essentially 0% penetration by the end of 2010. We have observed that many of the main suppliers are not offering electric services in these regions, which thus accounts for the very low penetration in residential. That being said, there is penetration in commercial (excluding OP) and there are some suppliers (such as Duke) with current residential offerings in some of these regions. Given that there is tremendous potential here, we anticipate that other suppliers will move into these areas in the future. We will be very conservative and forecast an initial penetration in the next two years of 1% each year. Given that no one has been successful at this point and we feel that our marketing approach has potential to reach in these areas, we will forecast that we will be able to capture 10% of the market share. Based on the Dec 2010 monthly numbers, assuming the conservative revenue rate of \$0.005/KWh, revenues from these three regions comes to \$94591.98 in both years 1 and 2.

#### Total Revenue Projections

Based on the above figures, we project \$1,270,243.06 revenue for Year 1 and \$1,358,164.03 for Year 2.

#### Gross Income Projections

The marketing platform is ROI based. We are targeting a platform that will return at least a 30% gross profit margin. Thus, based on the revenue figures, we anticipate \$381,072.92 in gross income in Year 1 and \$407,449.21 in gross income in Year 2.

This forecasting was prepared by

Jonathan Burns

CEO/President, The Energy Consulting Group, LLC

1498 Reisterstown Rd, Suite 313 Baltimore, MD 21208

(347)-585-1278

[burns@energyconsultinggroupllc.com](mailto:burns@energyconsultinggroupllc.com)

## **Exhibit C-6 “Credit Rating”**

The company is a start-up, formed in Feb 2011. At this point, the company has no revenue. The company so far has been involved in development and research preparatory work, including preparing and submitting state licensing applications. The company has no significant expenses of this point; the only upcoming expense of significance will be the website design and development. At the current time, we are not aware of the company being followed by any of the aforementioned credit organizations and, thus, we are not aware of the company having a credit rating.

As of 7/6/2011, in response to an inquiry from the company, Dun and Bradstreet told Mr. Burns that the credit report for the company is “incomplete”.

Please find below the two email responses from credit rating agencies to the question as to whether or not a credit report on the Energy Consulting Group exists.

Dear Jonathan,

Thank you for your enquiry and for your patience.

However please be advised that the below referenced company is not available on our system.

Please let me know if you have any additional questions.

Kind regards,

**Usmaan Rashid**

Client Service & Support Generalist  
+44 (0)20 7772 5454  
[usmaan.rashid@moodys.com](mailto:usmaan.rashid@moodys.com)

Moodys Analytics  
One Canada Square  
Canary Wharf  
London, UK E14 5FA

**Learn about the Moody's Analytics Risk Practitioner Conference 2011**

**Chicago, USA | October 3 - 6**

For conference details, go to <http://www.moodysanalytics.com/rpc2011>

Dear Jonathan Burns,

Thank you for contacting Standard & Poor's for your information needs.



The Energy Consulting Group, LLC

Your company is currently not rated by Standard & Poor's. In order to be rated, you need to speak to a member of our Ratings Origination team. They will explain the process of having your company rated by S&P. Please contact Steven Rosenzweig at 415-371-5028 or via e-mail at [steven\\_rosenzweig@standardandpoors.com](mailto:steven_rosenzweig@standardandpoors.com).

Should you have any further questions or concerns, please feel free to contact me.

Thank you,

Deborah Moore  
**Standard & Poor's**  
**Client Services Research Department**  
55 Water Street , 34th floor  
New York , NY 10041

## Exhibit C-7 "Credit Report"

The company is a start-up, formed in Feb 2011. At this point, the company has no revenue. The company so far has been involved in development and research preparatory work, including preparing and submitting state licensing applications. The company has no significant expenses of this point; the only upcoming expense of significance will be the website design and development. We inquired with Experian and found that they do have a file on the company, which is furnished below. Please note that they only have the company on file as of June 2011, when we registered with Ohio, and thus there is very little information provided.



---

### BizVerify<sup>SM</sup> Report

as of 07/10/11 15:43 ET

#### The Energy Consulting Group, LLC

---

<b>Address:</b>	1408 Reisterstown Rd Ste 313 Baltimore, MD 21208-3817 United States	<b>Business Type:</b>	Unavailable
		<b>Experian File Established:</b>	June 2011
		<b>Experian Years on File:</b>	Less than 1 Year
<b>Experian BIN:</b>	949054778	<b>Filing Data Provided by:</b>	Ohio
<b>Agent:</b>	Michael J. Cowitch	<b>Date of Incorporation:</b>	05/09/2011
<b>Agent Address:</b>	1976 Revere RD Cleveland OH		

---

---

This location does not yet have an estimated Days Beyond Terms (DBT) or a Payment Trend Indicator. This is often the result of too few Payment Tradelines.

---

✓ Bankruptcies:	0
✓ Liens:	0
✓ Judgments Filed:	0
✓ Collections:	0

\* The information herein is furnished in confidence for your exclusive use for legitimate business purposes and shall not be reproduced. Neither Experian nor its sources or distributors warrant such information nor shall they be liable for your use or reliance upon it.

© 2011 Experian Information Solutions Inc.

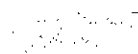
Experian and the Experian marks hereon are service marks or registered trademarks of Experian.

---

The Energy Consulting Group, LLC

### **Exhibit C-8 “Bankruptcy Information”**

The company is a start-up, formed in Feb 2011. It has never filed for any type of bankruptcy procedures of any type or kind.



## **Exhibit C-9 “Merger Information”**

The company is a start-up, formed in Feb 2011. It has not undergone any mergers or acquisitions.

