



*The Public Utilities Commission of Ohio*

PUCO USE ONLY		
Date Received	Case Number	Version
	12-23-06 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 Commercial and Industrial Energy Solutions, LLC  
Address One Marshall Street, Suite 205, Norwalk, CT 06854  
Telephone # (203) 663-9750 Web site address (if any) www.cienergysolutions.com

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

Legal Name Commercial and Industrial Energy Solutions, LLC  
Address One Marshall Street, Suite 205, Norwalk, CT 06854  
Telephone # (203) 663-9750 Web site address (if any) www.cienergysolutions.com

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

Commercial and Industrial Energy Solutions, LLC  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Rick Beckwith  
Title Director

Business address One Marshall Street, Suite 205, Norwalk CT 06854  
Telephone # (203) 663-9750 Fax # (203) 663-8616  
E-mail address (if any) rick@cienergysolutions.com

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

Name Rick Beckwith  
Title Director  
Business address One Marshall Street, Suite 205, Norwalk, CT 06854  
Telephone # (203) 663-9750 Fax # (203) 663-8616  
E-mail address (if any) rick@cienergysolutions.com

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

Customer Service address One Marshall Street, Suite 205, Norwalk, CT 06854  
Toll-free Telephone # - Fax # (203) 663-8616  
E-mail address (if any) rick@cienergysolutions.com

**A-7 Applicant's federal employer identification number # 272232938**

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

- |  |   |
|--|---|
| <input type="checkbox"/> Sole Proprietorship                 | <input type="checkbox"/> Partnership                                |
| <input type="checkbox"/> Limited Liability Partnership (LLP) | <input checked="" type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Corporation                         | <input type="checkbox"/> 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).**

- |   |   |  |  |  |
|---|---|--|--|--|
| <input checked="" type="checkbox"/> First Energy                    |   |  |  |  |
| <input checked="" type="checkbox"/> Ohio Edison                     | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Toledo Edison                   | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Cleveland Electric Illuminating | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Cincinnati Gas & Electric       | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Monongahela Power               | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> American Electric Power         |   |  |  |  |
| <input checked="" type="checkbox"/> Ohio Power                      | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Columbus Southern Power         | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Dayton Power and Light          | <input checked="" type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |

- A-10** Provide the approximate start date that the applicant proposes to begin delivering services  
October 1, 2012

**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.  
See Exhibit A-11
- 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.  
See Exhibit A-12
- A-13** **Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.  
See Exhibit A-13
- 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.  
See Exhibit A-14
- A-15** **Exhibit A-15 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.  
See Exhibit A-15

**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.  
See Exhibit B-1
- 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.  
See Exhibit B-2

**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.). See Exhibit B-3

**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.

not applicable

**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.

See Exhibit B-5

**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.

See Exhibit C-1

**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.

See Exhibit C-2

- 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.

See Exhibit C-3

- C-4 Exhibit C-4 “Financial Arrangements,”** provide copies of the applicant's financial arrangements to conduct CRES as a business activity (c.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.,).

See Exhibit C-4

- 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.

See Exhibit C-5

- 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.

See Exhibit C-6

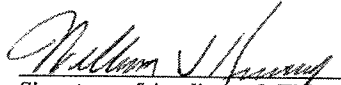
- C-7 Exhibit C-7 “Credit Report,”** provide a copy of the applicant’s credit report from Experion, Dun and Bradstreet or a similar organization.

See Exhibit C-7


- 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.

See Exhibit C-8

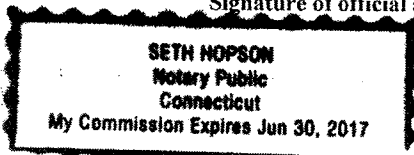
C-9 Exhibit C-9 "Merger Information," provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

  
Signature of Applicant & Title

Sworn and subscribed before me this 25 day of July, 2012  
Month Year

  
Signature of official administering oath

William Kinneary, President  
Print Name and Title



My commission expires on \_\_\_\_\_

# **AFFIDAVIT**

State of CT :

Norwalk ss.  
(Town)

County of Fairfield :

William Kinneary, Affiant, being duly sworn/affirmed according to law, deposes and says that:

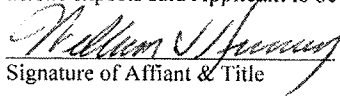
He/She is the President (Office of Affiant) of C&I Energy Solutions, LLC (Name of Applicant);

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

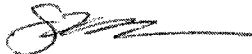
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.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

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

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

  
Signature of Affiant & Title

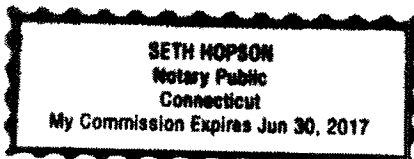
Sworn and subscribed before me this 25 day of July, 2012  
Month Year



Signature of official administering oath

William Kinneary, President

Print Name and Title



My commission expires on \_\_\_\_\_



**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.

William Kinneary, President  
One Marshall Street, Suite 205  
Norwalk, CT 06854  
T: 203.663.9751

Cary Turnbull, Founder and Chairman  
One Marshall Street, Suite 205  
Norwalk, CT 06854  
T: 203.663.9751

Kerry Breitbart, CEO  
One Marshall Street, Suite 205  
Norwalk, CT 06854  
T: 203.663.9751

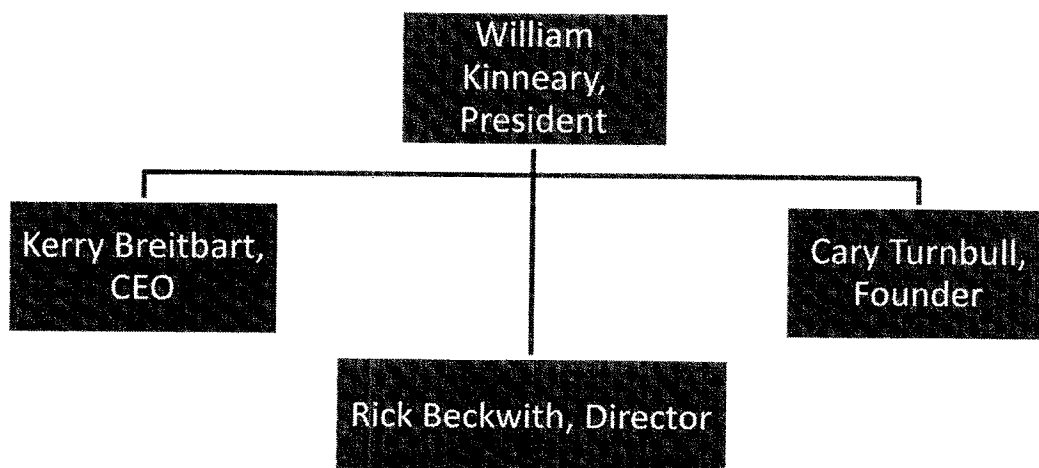
Rick Beckwith, Director  
One Marshall Street, Suite 205  
Norwalk, CT 06854  
T: 203.663.9751

**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.

Please find applicant's corporate structure as represented by the organizational chart below. Rick Beckwith, Director of Operations, is responsible for the day-to-day operational activities of the Applicant.

Applicant, Commercial and Industrial Energy Solutions, has common ownership with North American Power and Gas, LLC, but is a separate legal entity and therefore not affiliated with any other company that supplies retail or wholesale electricity or natural gas to customers in North America.

COMMERCIAL AND INDUSTRIAL ENERGY SOLUTIONS ORGANIZATIONAL CHART  
OF KEY PERSONNEL



**Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.

Please visit us at: <http://www.cienergysolutions.com/>

### **Our Mission**

Our mission is to be the most effective Brokering agent available to the energy marketing industry and to help the consumer manage their energy costs through effective energy purchasing strategies.

To support that mission, the officers bring over 100 years of combined energy experience to our clients and customers. By employing well-trained representatives, stringent policies related to the industry rules, effective management, and sales techniques, C&I guarantees a degree of excellence in the field which supports our efforts in successfully attaining our goals while providing superior service to our customers.

### **Overview**

We accomplish our mission statement by continuous research into the energy markets around the country. C&I has built over the last several years a successful team of Sales Managers and Sales Consultants who are well educated in the Energy Broker services industry, and is proud to serve the industry and its customers in maintaining and ensuring a degree of excellence and competence by training all those who work within C&I on the important issues in the energy industry to provide the best services possible.

**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.

Applicant, Commercial and Industrial Energy Solutions was duly formed under the laws of the State of Delaware on June 3, 2010. Please see attached certificate of formation.

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "COMMERCIAL AND INDUSTRIAL ENERGY SOLUTIONS LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRD DAY OF JUNE, A.D. 2010.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "COMMERCIAL AND INDUSTRIAL ENERGY SOLUTIONS LLC" WAS FORMED ON THE TWENTY-NINTH DAY OF MARCH, A.D. 2010.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

4805112 8300

100625328

You may verify this certificate online  
at [corp.delaware.gov/authvar.shtml](http://corp.delaware.gov/authvar.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 8033002

DATE: 06-03-10

**Exhibit A-15 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.

Please see attached

**\*201222701134\***

DATE: 08/15/2012	DOCUMENT ID 201222701134	DESCRIPTION REGISTRATION OF FOREIGN FOR PROFIT LLC (LFP)	FILING 125.00	EXPED .00	PENALTY .00	CERT .00	COPY .00
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**Receipt**

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

COMMERICAL AND INDUSTRIAL ENERGY SOOLUTIONS LLC  
ATTN: RICK BECKWITH  
ONE MARSHALL STREET, SUITE 205  
NORWALK, CT 06854

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**

**2128254**

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

**COMMERCIAL AND INDUSTRIAL ENERGY SOLUTIONS LLC**

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

Document(s):

**REGISTRATION OF FOREIGN FOR PROFIT LLC**

Document No(s):

**201222701134**



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 August, A.D. 2012.

*Jon Husted*

Ohio Secretary of State

## **B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

**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.

Commercial and Industrial Energy Solutions LLC is currently licensed as a broker/marketer serving the Energy Supplier Markets Maryland and New Jersey. Applicant is also actively seeking licensure and has submitted applications in the Commonwealth of Pennsylvania.



**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.

Commercial and Industrial Energy Solutions LLC ("C&I") has a proven track record in the electric and natural gas industry as broker/marketer licensed in and serving the Energy Supplier Markets in Maryland and New Jersey.

C&I will at no time be taking title to electric energy, nor will it be contracting directly with Retail Customers in Ohio. C&I will serve only in the capacity of a Power Broker and will not be providing any billing statements to customers nor will it be accepting prepayments or deposits. Customer inquiries and/or complaints can be handled directly by C&I as outlined below or through the customers Local Delivery Company.

Commercial and Industrial Energy Solutions follows certain protocols and sets company policy to both monitor and control the quality of its outreach and to fulfill its duty as a Power Broker. First, any and all employees who will have contact with the public are trained in the Energy Industry basics and then are trained specific to each program it offers to the consumer within each specific program guideline. Company disciplinary procedures and implementation of those procedures are also keyed to the industry and designed from the view of complete professionalism on the part of every company employee.

C&I will, at all times, handle customer inquiries and complaints in accordance with any and all applicable Commission rules, regulations and orders pursuant to Section 4928.10 or the Ohio Revised Code.

**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.).

Commercial and Industrial Energy Solutions was founded in 2010 and has enrolled thousands of industrial and commercial customers in Maryland and New Jersey. C&I has agreements with customers in all service territories in the above mentioned jurisdictions.

With a focus primarily on assisting business customers effectively manage their energy costs, C&I does not aggregate its end-use customers; rather it works with individual consumers on a case-by-case basis with a focus on their individual needs and circumstances.

**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.

C&I has never had any investigations, pending or past rulings or judgments, liabilities or any other matter that could adversely impact its financial or operational status or ability to provide Power Broker services for which it is seeking to be certified herein.

## **Exhibit B-5: "Disclosure of Consumer Protection Violations"**

Although completely separate and non-legally affiliated, three of the members of Commercial and Industrial Energy Solutions, LLC, are also members of North American Power and Gas, LLC ("NAP"), specifically Cary Turnbull, Kerry Breitbart, and William Kinneary. As members of NAP, they were involved in a regulatory proceeding in Maryland which has since been resolved.

Please see attached documentation and synopsis below:

### **Maryland**

In early 2011 The Maryland PSC did initiate an investigation against NAP and eventually imposed a \$100,000 penalty against NAP which NAP immediately paid. The Maryland Commission recognized that NAP fully cooperated with the Maryland Staff and Commission investigation. The Maryland Commission also specifically found that NAP did not intentionally violate any Maryland provision, but rather that the violations resulted from issues created by rapid expansion into Maryland's electricity supply market. NAP has learned from its Maryland experience and has implemented numerous measures to ensure full compliance in all states of operation, including:

Many steps have been taken including hiring additional executives with lengthy experience in the energy business to provide additional depth and oversight of marketing and related competitive supply operations.

Those executives are:

Bill Kinneary, President and Chief Compliance Officer, who has over 38 years of experience in the energy industry, including specific experience with both the technical and managerial requirements of operating an alternative electric supplier; and Michael D'Angelo, Esq., General Counsel, who has over 19 years of compliance experience with 10 years of compliance experience in the energy industry.

NAP engaged local Maryland counsel (two law firms) to assist with review and approval of all Maryland-specific marketing materials and operations. We created a compliance Department dedicated toward ensuring full compliance with all federal, state, and local laws, regulations policies and procedures.

NAP implemented a zero tolerance anti-slammings policy.

**Currently all Maryland issues have been resolved and there are no pending complaints and/or investigations.**

All of NAP's above-referenced resources and protocols designed to minimize potential customer problems associated with marketing will apply equally to all states of operation.

### **C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE**

**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.

Applicant, Commercial and Industrial Energy Solutions, is a limited liability company, it does not have shareholders and does not issue annual reports.

Please see Exhibit C-3 for financial reports.

**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.

As a privately held company, Applicant is not required to file with the Securities and Exchange Commission.

**CONFIDENTIAL**

**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.

Applicant, Commercial and Industrial Energy Solutions, was formed on June 3<sup>rd</sup>, 2010.  
Attached please find all available financial statements certified by an officer of the Company.



**CONFIDENTIAL**

**Officer Certified Financials**

**Verification**

I, Rick Beckwith, Director of Commercial and Industrial Energy Solutions, hereby certify that the attached financial statements are true, accurate and correct to the best of my knowledge and belief.

COMMERCIAL AND INDUSTRIAL ENERGY SOLUTIONS, LLC

RICK BECKWITH, DIRECTOR

By: 

**REDACTED**



**Commercial and Industrial Energy Solutions, Inc.**  
**Balance Sheet**  
FY 2010



**CONFIDENTIAL**

**ASSETS**

**Current Assets**

**Bank Accounts**

**Accounts Receivable**

**Total Current Assets**

**TOTAL ASSETS**

**LIABILITIES AND EQUITY**

**Total Other Current Liabilities**

**Total Equity**

**TOTAL LIABILITIES AND EQUITY**

**REDACTED**

**Commercial and Industrial Energy Solutions, Inc.**  
**Profit & Loss**  
FY 2010



**CONFIDENTIAL**

Income  
    Broker Fees  
Total Income  
Gross Profit  
Expenses  
    Payroll  
    SG&A  
Total Expenses  
Net Operating Income  
Net Income

**REDACTED**

**Commercial and Industrial Energy Solutions, Inc.**  
**Balance Sheet**  
FY 2011



**CONFIDENTIAL**

**ASSETS**

Current Assets

Bank Accounts

Accounts Receivable

Total Current Assets

**TOTAL ASSETS**

**REDACTED**

**LIABILITIES AND EQUITY**

Total Other Current Liabilities

Total Equity

**TOTAL LIABILITIES AND EQUITY**

**Commercial and Industrial Energy Solutions, Inc.**  
**Profit & Loss**  
FY 2011



**CONFIDENTIAL**

Income  
    Broker Fees  
Total Income  
Gross Profit  
Expenses  
    Payroll  
    SG&A  
Total Expenses  
Net Operating Income  
Net Income

**REDACTED**

**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.).

Please see additional evidence of financial capability.



**CONFIDENTIAL**



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February 3, 2012

To Whom it May Concern:

**REDACTED**

Wells Fargo Bank, N.A.



**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, email address, and telephone number of the preparer.

The attached were prepared by:

Randall Therssen  
One Marshall Street  
Suite 205  
Norwalk, CT 06854  
T: 203.663.9750



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Commercial and Industrial Energy Solutions, Inc.  
Pro Forma Income Statement - Ohio Electric Market, 2012 - 2014

*Meters*

*Usage (MWh)*

Average Price

Revenue

**REDACTED**

Gross Profit

Marketing & Sales

Operations

Other

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Operating Income





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**REDACTED**

**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.

Applicant does not subscribe to the above mentioned organizations.

**Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from Experian, Dun and Bradstreet or a similar organization.

Applicant does not have an active subscription to any corporate credit agencies.

**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.

Applicant has not had any bankruptcy filings or reorganizations within the most recent two preceding years.

**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.

Commercial and Industrial Energy Solutions, LLC has not had any dissolution or merger or acquisition within the five most recent years preceding the application.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/28/2012 2:35:56 PM**

**in**

**Case No(s). 12-2386-EL-AGG**

Summary: Application for Certification as an Aggregator/Power Broker electronically filed by Ms. Margeaux Kimbrough on behalf of Commercial and Industrial Energy Solutions, LLC