



PUCO USE ONLY – Version 1.07		
Date Received	Case Number	Certification Number
	12-2726 - GA-AGG	

## CERTIFICATION APPLICATION COMPETITIVE RETAIL NATURAL GAS BROKERS /AGGREGATORS

Please **type or print** all required information. Identify all attachments with an exhibit label and title (*Example: Exhibit A-16 - Company History*). 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, 13<sup>th</sup> Floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

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

### SECTION A - APPLICANT INFORMATION AND SERVICES

#### A-1 Applicant intends to be certified as: (check all that apply)

☒ Retail Natural Gas Aggregator ☒ Retail Natural Gas Broker

#### A-2 Applicant information:

Legal Name Pinnacle Energy Services, LLC  
Address 1350 Key Highway, Baltimore, MD 21230  
Telephone No. 443-799-9723 Web site Address [www.pinnacleenergyservices.com](http://www.pinnacleenergyservices.com)

#### A-3 Applicant information under which applicant will do business in Ohio:

Name Pinnacle Energy Services, LLC  
Address 1350 Key Highway, Baltimore, MD 21230  
Web site Address [www.pinnacleenergyservices.com](http://www.pinnacleenergyservices.com) Telephone No. 443-799-9723

#### A-4 List all names under which the applicant does business in North America:

Pinnacle Energy Services, LLC

#### A-5 Contact person for regulatory or emergency matters:

Name J. Bryan Erb Title President  
Business Address 1350 Key Highway, Baltimore, MD 21230  
Telephone No. 443-799-9723 Fax No. 410-558-6621 Email Address [bryan.erb@pinnacleenergyservices.com](mailto:bryan.erb@pinnacleenergyservices.com)

**A-6 Contact person for Commission Staff use in investigating customer complaints:**

Name Bryan Erb Title President  
Business address 1350 Key Highway, Baltimore, MD 21230  
Telephone No. 443-799-9723 Fax No. 410-558-6621 Email Address bryan.erb@pinnacleenergyservices.com

**A-7 Applicant's address and toll-free number for customer service and complaints**

Customer service address 1350 Key Highway, Baltimore, MD 21230  
Toll-Free Telephone No. none Fax No. 410-558-6621 Email Address bryan.erb@pinnacleenergyservices.com

**A-8 Provide "Proof of an Ohio Office and Employee," in accordance with Section 4929.22 of the Ohio Revised Code, by listing name, Ohio office address, telephone number, and Web site address of the designated Ohio Employee**

Name KBRH Statutory Agency Title Statutory Agency  
Business address 65 East State Street, Suite 1800, Columbus Ohio, 43215  
Telephone No. 614-462-5400 Fax No. 614-462-2643 Email Address n/a

**A-9 Applicant's federal employer identification number** 300698382

**A-10 Applicant's form of ownership: (Check one)**

- ☐ Sole Proprietorship ☐ Partnership  
☐ Limited Liability Partnership (LLP) ☒ Limited Liability Company (LLC)  
☐ Corporation ☐ Other

**A-11 (Check all that apply) Identify each natural gas company service area in which the applicant is currently providing service or intends to provide service, including identification of each customer class that the applicant is currently serving or intends to serve, for example: residential, small commercial, and/or large commercial/industrial (mercantile) customers.** (A mercantile customer, as defined in Section 4929.01(L)(1) of the Ohio Revised Code, means a customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within the state or consumes natural gas, other than for residential use, as part of an undertaking having more than three locations within or outside of this state. In accordance with Section 4929.01(L)(2) of the Ohio Revised Code, "Mercantile customer" excludes a not-for-profit customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within this state or consumes natural gas, other than for residential use, as part of an undertaking having more than three locations within or outside this state that has filed the necessary declaration with the Public Utilities Commission.)

Pinnacle Energy Services is not currently serving customers of any class in Ohio. Applicant intends, upon Commission approval, to provide services to the utility territories and to the customer classes as outlined below.

<input checked="" type="checkbox"/>	Columbia Gas of Ohio	<input checked="" type="checkbox"/>	Residential	<input checked="" type="checkbox"/>	Small Commercial	<input checked="" type="checkbox"/>	Large Commercial / Industrial
<input checked="" type="checkbox"/>	Dominion East Ohio	<input checked="" type="checkbox"/>	Residential	<input checked="" type="checkbox"/>	Small Commercial	<input checked="" type="checkbox"/>	Large Commercial / Industrial
<input checked="" type="checkbox"/>	Duke Energy Ohio	<input checked="" type="checkbox"/>	Residential	<input checked="" type="checkbox"/>	Small Commercial	<input checked="" type="checkbox"/>	Large Commercial / Industrial
<input checked="" type="checkbox"/>	Vectren Energy Delivery of Ohio	<input checked="" type="checkbox"/>	Residential	<input checked="" type="checkbox"/>	Small Commercial	<input checked="" type="checkbox"/>	Large Commercial / Industrial

A-12 If applicant or an affiliated interest previously participated in any of Ohio's Natural Gas Choice Programs, for each service area and customer class, provide approximate start date(s) and/or end date(s) that the applicant began delivering and/or ended services.

☐ Columbia Gas of Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

☐ Dominion East Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

☐ Duke Energy Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

☐ Vectren Energy Delivery of Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

A-13 If not currently participating in any of Ohio's four Natural Gas Choice Programs, provide the approximate start date that the applicant proposes to begin delivering services:

<input checked="" type="checkbox"/>	Columbia Gas of Ohio	Intended Start Date	11/15/12
<input checked="" type="checkbox"/>	Dominion East Ohio	Intended Start Date	11/15/12
<input checked="" type="checkbox"/>	Duke Energy Ohio	Intended Start Date	11/15/12
<input checked="" type="checkbox"/>	Vectren Energy Delivery of Ohio	Intended Start Date	11/15/12

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

- A-14 **Exhibit A-14 "Principal Officers, Directors & Partners,"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.  
Exhibit A-14
- A-15 **Exhibit A-15 "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 natural gas or electricity to customers in North America.  
Exhibit A-15
- A-16 **Exhibit A-16 "Company History,"** provide a concise description of the applicant's company history and principal business interests.  
Exhibit A-16
- A-17 **Exhibit A-17 "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.  
Exhibit A-17
- A-18 **Exhibit A-18 "Secretary of State,"** provide evidence that the applicant is currently registered with the Ohio Secretary of the State.  
Exhibit A-18

## SECTION 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 current 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 natural gas service, or retail/wholesale electric services.  
Exhibit B-1
- B-2 **Exhibit B-2 "Experience & Plans,"** provide a current 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 4929.22 of the Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.  
Exhibit B-2
- B-3 **Exhibit B-3 "Summary of Experience,"** provide a concise and current summary of the applicant's experience in providing the service(s) for which it is seeking to be certified to provide (e.g., number and types of customers served, utility service areas, volume of gas supplied, etc.).  
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, revocations 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.

Exhibit B-4

- B-5 Exhibit B-5 "Disclosure of Consumer Protection Violations,"** disclose whether the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant has 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 Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation,"** disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, or revoked, or whether the applicant or predecessor has been terminated from any of Ohio's Natural Gas Choice programs, or been in default for failure to deliver natural gas.

☒ 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.

## **SECTION 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, labeled as 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 whether 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 current financial arrangements to conduct competitive retail natural gas service (CRNGS) as a business activity (e.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 CRNGS operation, along with a list of assumptions, and the name, address, email 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 current 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 current 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 since applicant last filed for certification.
- C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant since applicant last filed for certification.

### SECTION D - APPLICANT TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

- D-1 **Exhibit D-1 "Operations,"** provide a current written description of the operational nature of the applicant's business functions.
- D-2 **Exhibit D-2 "Operations Expertise,"** given the operational nature of the applicant's business, provide evidence of the applicant's current experience and technical expertise in performing such operations.
- D-3 **Exhibit D-3 "Key Technical Personnel,"** provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant's current business.

Applicant Signature and Title

*[Signature]* President

Sworn and subscribed before me this

4<sup>th</sup> day of September

Month 2012

Year

J Bryan Erb, President

Signature of official administering oath

*[Signature]*

Notary

State

Print Name and Title

JEAN MARIE MOWERY  
Service Manager

My commission expires on

Oct 8 2013

JEAN MARIE MOWERY  
Notary Public  
Baltimore County  
Maryland  
My Commission Expires Oct 8, 2013



# The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service  
Affidavit Form  
(Version 1.07)

In the Matter of the Application of

Pinnacle Energy Services, LLC

for a Certificate or Renewal Certificate to Provide

Competitive Retail Natural Gas Service in Ohio.

Case No.

-GA-AGG

County of Baltimore

State of Maryland

Bryan Erb

[Affiant], being duly sworn/affirmed, hereby states that:

- (1) The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant.
- (2) The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.
- (3) The applicant will timely pay any assessment made pursuant to Section 4905.10 or Section 4911.18(A), Ohio Revised Code.
- (4) Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
- (5) Applicant will cooperate with the Public Utilities Commission of Ohio and its staff in the investigation of any consumer complaint regarding any service offered or provided by the applicant.
- (6) Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.
- (7) Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.
- (8) Affiant further sayeth naught.

Affiant Signature & Title

Sworn and subscribed before me this

4<sup>th</sup> day of September

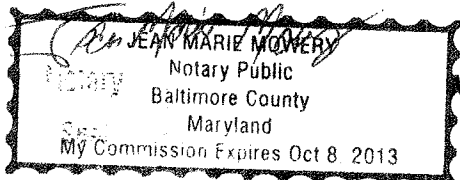
Month 2012

Year

Bryan Erb, President

Signature of Official Administering Oath

Print Name and Title



My commission expires on

JEAN MARIE MOWEY  
Service Manager  
Oct 8 2013

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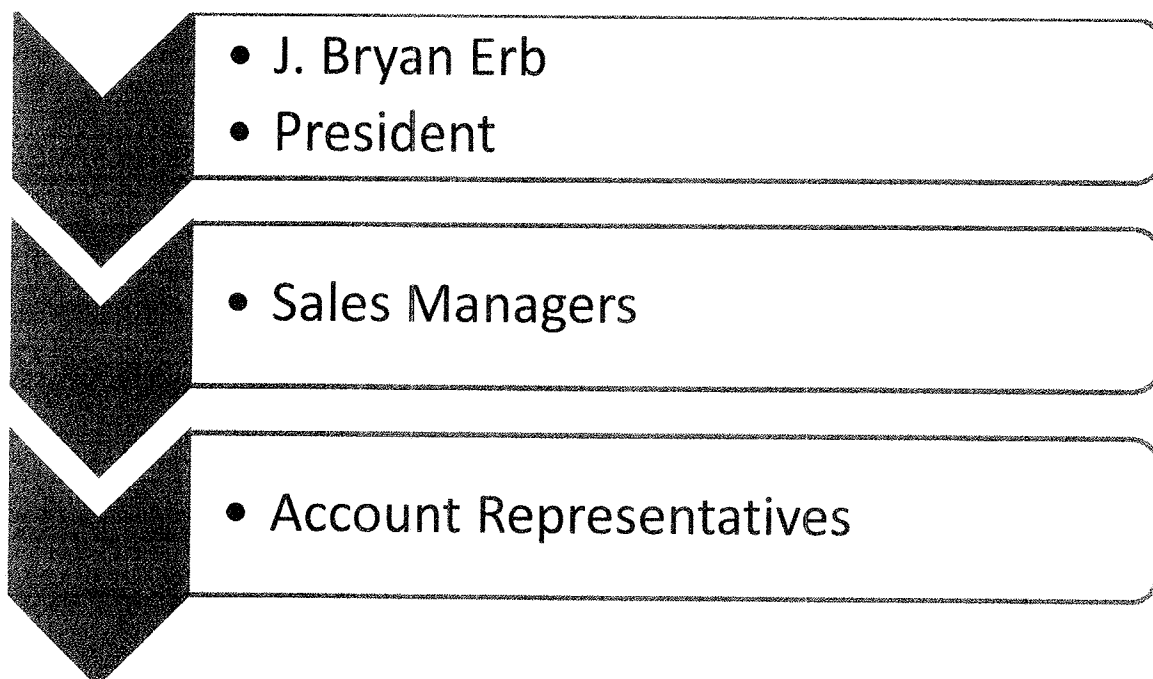
**Exhibit A-11 "Principal Officers, Directors & Partners"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.

J. Bryan Erb, President  
1350 Key Highway  
Baltimore, MD 21230  
T: 443-799-9723



**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. Note that Pinnacle Energy Services, LLC is a newly formed corporation and is a single member LLC. Any subsequent revisions will be supplied to PUCO in accordance with applicable regulations. Applicant has no affiliates or subsidiaries that supply electricity or natural gas in North America.



**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.pinnacleenergyservices.com/>

### **Our Mission**

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

To support that mission, the owner brings over 12 years of natural gas sales and management experience to our clients and customers. By employing well-trained representatives and third party marketers, ensuring stringent policies related to the industry rules, effective management, and sales techniques. PES provides a degree of excellence in the field which supports our efforts in successfully attaining our mission goals.

### **Overview**

Pinnacle Energy Services was founded in July 2011 and is currently licensed in Maryland as an electricity and natural gas Broker. Pinnacle Energy is actively seeking similar licensure in Ohio and has an active application pending in the District of Columbia. PES plans to expand throughout the competitive marketplace serving residential, commercial and industrial customers assisting them manage their natural gas costs by taking advantage of the deregulated environment.

**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.

**STATE OF MARYLAND**  
**Department of Assessments and Taxation**

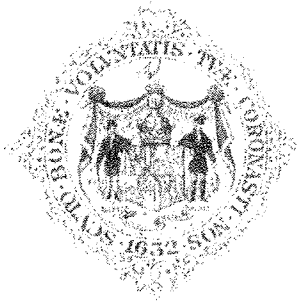
I, PAUL B. ANDERSON OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO LIMITED LIABILITY COMPANIES , OR THE RIGHTS OF LIMITED LIABILITY COMPANIES TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT PINNACLE ENERGY SERVICES, LLC , REGISTERED JULY 06, 2011, IS A LIMITED LIABILITY COMPANY EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MARYLAND, AND THAT THE LIMITED LIABILITY COMPANY IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING TO TRANSACT BUSINESS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS JULY 13, 2012.



Paul B. Anderson  
Charter Division



301 West Preston Street, Baltimore, Maryland 21201  
Telephone Balto. Metro (410) 767-1340 / Outside Balto. Metro (888) 246-5941  
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice  
Fax (410) 333-7097

crblnk

R7710181

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

**\*201227501002\***

DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/02/2012	201227501002	REGISTRATION OF FOREIGN FOR PROFIT LLC (LFP)	125.00	.00	.00	.00	.00

**Receipt**

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

PINNACLE ENERGY SERVICES LLC  
ATTN: BRYAN ERB  
1350 KEY HIGHWAY  
BALTIMORE, MD 21230

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**

**2140377**

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

**PINNACLE ENERGY SERVICES LLC**

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

Document(s):  
**REGISTRATION OF FOREIGN FOR PROFIT LLC**

Document No(s):  
**201227501002**



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  
1st day of October, A.D. 2012.

A handwritten signature in cursive script that reads "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.

Pinnacle Energy Services was duly formed under the laws of the state of Maryland in July 2011. PES is licensed in the State of Maryland as an electricity and natural gas Broker, and is actively seeking similar licensure in the District of Columbia and Ohio.

Please see attached certificate of licensure duly issued by the State of Maryland Public Service Commission.

DOUGLAS R. M. NAZARIAN  
CHAIRMAN

HAROLD D. WILLIAMS  
LAWRENCE BRENNER  
KELLY SPEAKES-BACKMAN  
W. KEVIN HUGHES

STATE OF MARYLAND



PUBLIC SERVICE COMMISSION

#8, 9/19/12 AM; ML# 141907  
License Reference No.: IR-2793

September 19, 2012

J. Bryan Erb, President  
Pinnacle Energy Services, LLC  
1350 Key Highway  
Baltimore, MD 21230

Dear Mr. Erb:

On August 9, 2012, Pinnacle Energy Services LLC ("Company") filed an Application for a license to supply electricity or electric generation services in Maryland under COMAR 20.51. The Company proposes to provide electricity supplier services in Maryland for commercial and industrial customers as described in the application.

After considering this matter at the September 19, 2012 Administrative Meeting, the Commission granted the Company a license to supply electricity or electric generation services in Maryland in accordance with its Application (License Reference Number IR-2793). The license granted by the Commission under this Letter Order is limited solely to electricity broker services to commercial and industrial customers. Additionally, the Company is directed to file marketing and training materials specific to its Maryland operations when materials become available.

Finally, the Company is reminded that it is under a continuing obligation to notify the Commission within 30 days of any changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

*/s/ David J. Collins*

David J. Collins  
Executive Secretary

DJC/st

cc: Phil Vanderheyden, Electricity Division



DOUGLAS R. M. NAZARIAN  
CHAIRMAN

HAROLD D. WILLIAMS  
LAWRENCE BRENNER  
KELLY SPEAKES-BACKMAN  
W. KEVIN HUGHES

STATE OF MARYLAND



PUBLIC SERVICE COMMISSION

#9, 9/12/12 AM; ML# 141906  
License Reference No.: IR-2795

September 19, 2012

J. Bryan Erb, President  
Pinnacle Energy Services, LLC  
1350 Key Highway  
Baltimore, MD 21230

Dear Mr. Erb:

On August 9, 2012, Pinnacle Energy Services, LLC ("Company") filed an Application for a license to supply natural gas or natural gas supply services in Maryland under COMAR 20.54. The Company proposes to provide natural gas supplier services in Maryland for commercial and industrial customers.

After considering this matter at the September 19, 2012 Administrative Meeting, the Commission granted the Company a license to supply natural gas or natural gas supply services in Maryland in accordance with its Application (License Reference Number IR-2795). The license granted by the Commission under this Letter Order is limited solely to natural gas broker services to commercial and industrial customers. Additionally, the Company is directed to file marketing and training materials specific to its Maryland operations when materials become available.

Finally, the Company is reminded that it is under a continuing obligation to notify the Commission within 30 days of any changes to the information upon which the Commission relied in granting this license. A copy of the supplemental or updated information is required to be filed concurrently with the Office of People's Counsel.

By Direction of the Commission,

*/s/ David J. Collins*

David J. Collins  
Executive Secretary

DJC/st  
cc: Gas Division

WILLIAM DONALD SCHAEFER TOWER • 6 ST. PAUL STREET • BALTIMORE, MARYLAND 21202-6806

410-767-8000 • Toll Free: 1-800-492-0474 • FAX: 410-333-6495

MDRS: 1-800-735-2258 (TTY/Voice) • Website: [www.psc.state.md.us](http://www.psc.state.md.us)

**Exhibit B-2 "Experience & Plans,"** provide a current 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 4929.22 of the Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.

J Bryan Erb, President of Pinnacle Energy Services ("PES"), brings his proven 12 year track record in the natural gas industry as broker/marketer managing East Coast operation for Glacial Energy.

PES will at no time be taking title to natural gas, nor will it be contracting directly with Retail Customers in Ohio. PES will serve only in the capacity of a natural gas Broker as defined in § 4929.20 of the Ohio Revised Code and will not be providing any billing statements to customers nor accept prepayments or deposits. Customer inquiries and/or complaints can be handled directly by PES as outlined below or through the customers Local Delivery Company.

Pinnacle Energy Services follows certain protocols and sets company policy to both monitor and control the quality of its outreach and to fulfill its duty as a natural gas Broker. First, any and all employees who will have contact with the public will be trained in the Energy Industry basics and then trained specific to each program it offers with a focus on each jurisdictions specific statutes, Commission regulations, rules and orders. Company disciplinary procedures are being promulgated based on those regulations 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.

Pinnacle Energy Services, LLC will maintain a Customer Service department dedicated to quickly resolve any customer questions or complaints that may occur.

PES has retained this office, Energy Choice Consulting, which assists them with monitoring, tracking, and keeping its licensing and other compliance obligations as an industry Broker current in each of the states it operates in, as well as assists in the internal procedures to track and ensure correct handling of sales and marketing regulations and rules as applicable to such items as Do Not Call lists and evolving each jurisdiction-specific regulatory environment.

**Exhibit B-3 "Summary of Experience,"** provide a concise and current summary of the applicant's experience in providing the service(s) for which it is seeking to be certified to provide (e.g., number and types of customers served, utility service areas, volume of gas supplied, etc.).

Pinnacle Energy Services was founded in 2011 and just received licensure in Maryland on September 19<sup>th</sup>, 2012. J. Bryan Erb, owner and operator, brings 12 years of energy management and sales experience to PES, including both electricity and natural gas.

PES is actively seeking licensure in Ohio and the District of Columbia.

As of the date of this filing, no active operations are being conducted on behalf of PES. Applicant has no figures to disclose as it relates to customers served, utility service areas, volume of gas, etc.

**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.

PES has never had any existing, pending or past ruling, 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. 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, Pinnacle Energy Services, is, as of the date of this filing, a single member LLC and does not issue reports to shareholders.

**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 corporation, 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, PES, was duly formed under the laws of the State of Maryland in July of 2011. As such, it has a limited financial history and is not currently serving customers in any jurisdiction. PES is actively seeking licensure in Ohio and the District of Columbia. Enclosed herein please find Applicants’ most recent tax return and an officer certified P&L statement. The P&L represents funds issued to J. Bryan Erb, President of Pinnacle Energy Services, as Director of East Coast sales for Glacial Energy. Please note that at no time will PES be taking title to natural gas in the state of Ohio and will only be acting as a Broker.

**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.,).

Not applicable. PES will only be acting as a natural gas Broker in Ohio.





**Exhibit C-5 “Forecasted Financials”**

Enclosed please find forecasted financial statements for Applicants projected CRNGS activity spanning 2013 and 2014.

Prepared by: J. Bryan Erb  
1350 Key Highway  
Baltimore, MD 21230  
bryan.erb@pinnacleenergyservices.com  
(443) 799-9723

**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.

Not applicable. Applicant is a newly formed entity as does not yet have a Paydex score.

**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.

Pinnacle Energy Services has not had any bankruptcy filings, 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.

Pinnacle Energy Services, LLC has not had any dissolution or merger or acquisition within the five most recent years preceding the application.

**Exhibit D-1 “Operations,”** provide a current written description of the operational nature of the applicant’s business. Please include whether the applicant’s operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas company city gate for retail customers.

Pinnacle Energy Services, LLC (“PES”) is establishing business processes and systems to manage all aspects of Brokering retail natural gas in Ohio. PES operations will not include the production of natural gas from owned assets, nor will it take title to natural gas in Ohio. Instead, PES will assist end-users identify and take full advantage of their natural gas needs through effective purchasing strategies. PES intends to enter into agreements with licensed Power Marketers and Utilities throughout Ohio giving customers a variety of options to decide which supplier best suits their specific needs based on current market conditions, historical and expected usage. All outreach done on PES’ behalf will be done with the highest degree of professionalism, a strict adherence to Ohio Commission regulations and orders, and will be focused on providing its end-users with excellent, personal, customer service.

**Exhibit D-2 “Operations Expertise,”** given the operational nature of the applicant’s business, provide evidence of the applicant’s current experience and technical expertise in performing such operations.

Though the Applicant, Pinnacle Energy Services, is a relatively new entity, their President, J. Bryan Erb, will oversee the day to day operations in each jurisdiction.

J. Bryan Erb, President and Managing Director of PES has over 20 years management experience, 12 specifically in the electric and natural gas industry; the last four of which were in the employ of Glacial Energy as Regional Director for mid-Atlantic operations. As Regional Director, Mr. Erb specialized in natural gas and electric business relationships out of their Baltimore office. He has worked closely with customers of all classes from small business, chain businesses, to Fortune 500 companies spanning every deregulated market within the aforementioned territory. Mr. Erb’s team oversaw a clientele of approximately 1500 businesses, assisting them manage their electric and natural gas costs.

Please see attached resume for Mr. J. Bryan Erb, President of Pinnacle Energy Services, LLC.

## **J. Bryan Erb**

1350 Key Highway

443-799-9725(cell)

Baltimore, MD 21230 [bryan.erb@pinnacleenergyservices.com](mailto:bryan.erb@pinnacleenergyservices.com) 410-558-6621(fax)

**Objective:** To obtain brokers licenses in all deregulated states as Pinnacle Energy Services for Natural Gas and Electricity Supply working with at least 3 key suppliers to deliver the best combination of price and customer service to commercial and industrial clients as I have done with Glacial Energy. Goal of Maryland Market launch August, 2012.

### **Experience:**

**Manager:** 2011-Present

Glacial Energy 2809 Boston Street, Baltimore, MD 21230

- ☐ Business to Business Sales Position
- ☐ Managing broker relationships
- ☐ Training brokers

**Regional Director** 2008- 2011

Glacial Energy 2809 Boston Street, Baltimore, MD 21230

- ☐ Managing Mid-Atlantic sales reps (14 Business Development Managers)
- ☐ Managing national Broker relationships
- ☐ Training brokers and new Business Development Managers

**Construction Manager/Owner/Operator** December, 1999- October, 2008

J. Bryan Erb Properties and Erb Construction Group LLC, Baltimore, MD

Designing and Remodeling of Real Estate located in Baltimore City

- Managed a team of 5-15 on various job sites
- Controlled residential and commercial projects
- Coordinated subcontractors in electric, HVAC, plumbing, masonry, and various other building trades
- Managed timelines, budgets, billing, invoicing, customer relations
- Worked with various city offices with planning and zoning issues
- Operated under my own Real Estate License (2001)

Lease and general contract negotiation

**Field Sales Associate**

May, 1998- December, 1999

Armstrong World Industries 2500 Columbia Avenue, Lancaster, PA 17603

Field Sales in the Baltimore, Washington, West Virginia territory working in Lowes Home Improvement Centers

- Managed a 28 store territory, opening 7 new stores which included the training of over 100 employees on Armstrong product uses and applications
- Worked closely with Lowes District and Store Managers to increase sales through training and inventory management
- Increased revenues on a store by store basis by analysis of sales trends to custom fit stores inventory mixes which resulted in a 6% growth in overall territory dollars
- Achieved a 98% average on training surveys

**Education:** Millersville University

1994-1997

Bachelors of Science degree in Marketing

Real Estate and continuing education courses

2001- present



**Exhibit D-3 “Key Technical Personnel”** provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant’s current business.

**J. Bryan Erb**

President

1350 Key Highway

Baltimore, MD 21230

[bryan.erb@pinnacleenergyservices.com](mailto:bryan.erb@pinnacleenergyservices.com)

T: 443-799-9723

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Summary: Application for Certification as a Competitive Retail Natural Gas Broker/Aggregator electronically filed by Ms. Margeaux Kimbrough on behalf of Pinnacle Energy Services, LLC