

FILE



OFMS

Optimal Facility Management Solutions, LLC

13-1637-EL-AGG¹⁶

July 10, 2013

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43125-3793

Re: Certification Application For Aggregators/Power Brokers

Please find enclosed the following:

1. One (1) original notarized application and Request for Confidentiality for Exhibit C-3 "Financial Statements" and for Exhibit C-5 "Forecasted Financial Statements"; and
2. Three (3) copies of application and Request for Confidentiality for Exhibit C-3 "Financial Statements" and for Exhibit C-5 "Forecasted Financial Statements";

Please feel free to call me if you have any questions regarding the enclosed application (312) 755-0059.

Respectfully submitted,

Paul Rudewick
President and CEO
Optimal Facility Management Solutions, LLC
101 W. Grand Ave., Ste 325
Chicago, IL 60654
p: 312-257-3334
f: 312-257-3332

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 7/15/13

RECEIVED-DOCKETING DIV
2013 JUL 15 PM 2:41
PUCO



The Public Utilities Commission of Ohio

PUCO USE ONLY		
Date Received	Case Number	Version
	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 Optimal Facility Management Solutions, LLC
 Address 101 W. Grand Ave. 3rd Floor, Chicago, IL 60654
 Telephone # (312) 257-3331 Web site address (if any) www.optimalfms.com

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

Legal Name Optimal Facility Management Solutions, LLC
 Address 101 W. Grand Ave. 3rd Floor, Chicago, IL 60654
 Telephone # (312) 257-3331 Web site address (if any) www.optimalfms.com

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

Optimal Facility Management Solutions, LLC

A-4 Contact person for regulatory or emergency matters

Name Paul Rudewick
 Title President & CEO

PUCO

RECEIVED-DOCKETING DIV
 2013 JUL 15 PM 2:41

Business address 101 W. Grand Ave., 3rd Floor, Chicago, IL 60654
Telephone # (312) 257-3331 Fax # (312) 257-3332
E-mail address (if any) paul.rudewick@optimalfms.com

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

Name Paul Rudewick
Title President & CEO
Business address 101 W. Grand Ave., 3rd Floor, Chicago, IL 60654
Telephone # (312) 257-3331 Fax # (312) 257-3332
E-mail address (if any) paul.rudewick@optimalfms.com

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

Customer Service address 101 W. Grand Ave., 3rd Floor, Chicago, IL 60654
Toll-free Telephone # _____ Fax # (312) 257-3332
E-mail address (if any) customercare@optimalfms.com

A-7 Applicant's federal employer identification number # 800286799

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 type="checkbox"/> Ohio Edison | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input type="checkbox"/> Toledo Edison | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input type="checkbox"/> Cleveland Electric Illuminating | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Duke Energy | <input 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 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 type="checkbox"/> Ohio Power | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input type="checkbox"/> Columbus Southern Power | <input 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 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
September 1, 2013

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 Experion, 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.

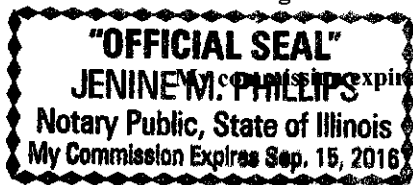
C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

Paul Rudenich PRESIDENT - CEO
Signature of Applicant & Title

Sworn and subscribed before me this 8th day of July, 2013
Month Year

Jerine M. Phillips
Signature of official administering oath

JENINE PHILLIPS
Print Name and Title



AFFIDAVIT

State of Illinois :

Chicago ss.
(Town)

County of Cook :

Paul Rudewick, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President ; CEO (Office of Affiant) of Optimal Facility Management (Name of Applicant);

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

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.

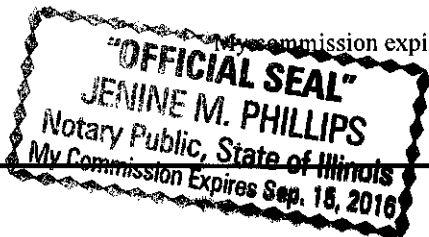
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Paul Rudewitz PRESIDENT / CEO
Signature of Affiant & Title

Sworn and subscribed before me this 8th day of July, 2013
Month Year

Jenine M. Phillips
Signature of official administering oath

JENINE PHILLIPS
Print Name and Title



Optimal Facility Management Solutions, LLC

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

Paul Rudewick
President & CEO
101 W. Grand Ave, 3rd Fl.
Chicago, IL 60654
P: 312-257-3331
F: 312-257-3332

Maria Geroulis
Executive Director
101 W. Grand Ave, 3rd Fl.
Chicago, IL 60654
P: 312-257-3331
F: 312-257-3332

Exhibit A-12 "Corporate Structure"

Optimal Facility Management Solutions, LLC
--

Optimal Facility Management Solutions, LLC ("OFMS") does not have any subsidiary or affiliate companies.

Optimal Facility Management Solutions, LLC does not take physical possession of electricity or natural gas, but advises on the procurement of as part of developing energy plans for its clients.

Exhibit A-13 "Company History"

Optimal Facility Management Solutions, LLC was formed in March 2009, in Illinois.

Optimal Facility Management Solutions, LLC provides Energy Risk Management Solutions to large energy users on a national basis.

Optimal Facility Management Solutions, LLC does not take physical possession of electricity or natural gas, but advises on the procurement of as part of developing energy plans for its clients.

Exhibit A-14 "Articles of Incorporation and Bylaws"

Not applicable

Exhibit A-15 "Secretary of State"

Optimal Facility Management Solutions, LLC has registered with the Ohio Secretary of State as evidenced herein.



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
12/09/2010	201034201278	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.

PAUL RUDEWICK
400 N. LASALLE
UNIT 1010
CHICAGO, IL 60654

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jennifer Brunner

1981659

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

OPTIMAL FACILITY MANAGEMENT SOLUTIONS, LLC

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

Document(s)

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

Document No(s):

201034201278



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 6th day of December,
A.D. 2010.

Ohio Secretary of State

Optimal Facility Management Solutions, LLC

Exhibit B-1 "Jurisdictions of Operations"

On February 10, 2010, the Illinois Commerce Commission certified and granted Optimal Facility Management Solutions, LLC authority to operate as an agent, broker and consultant for the procurement or sale of retail electricity supply for third parties in the State of Illinois.

On March 8, 2011, the Public Utilities Commission of Ohio granted Optimal Facility Management Solutions, LLC ("OFMS") authority to operate as a Power Broker and Aggregator. OFMS missed the renewal period and is re-applying for certification hereunder.

Optimal Facility Management Solutions, LLC is also operates in Michigan, Texas, California, Pennsylvania, New York, and New Jersey.

Exhibit B-2 "Experience & Plans"

Optimal Facility Management Solutions, LLC's management brings a wealth of experience from the energy industry, including, but not limited to:

- Financing the development of over 16 power plants across the US;
- Buying power from power plants and selling power to utilities across the US;
- Retail electricity portfolio management and advisory services;
- Experience transacting in the following energy markets: WSCC (including CAISO), PJM, MISO, ERCOT, NYISO, NEPOOL and AESO

Optimal Facility Management Solutions, LLC plans to provide consulting and brokering services with respect to price risk management. Optimal Facility Management Solutions, LLC provides these services by entering into contractual arrangements with various providers and large commercial and industrial consumers of electric power and natural gas. The fees received by Optimal Facility Management Solutions, LLC are normally paid by the consumers through the providers of electric power and natural gas. If there are any customer inquiries or complaints regarding our services, our in-house legal department or our in-house management serve to resolve any disputes.

Exhibit B-3 "Summary of Experience"

Optimal Facility Management Solution, LLC' management brings a wealth of experience, as described in section "Exhibit B-2" above. Optimal Facility Management Solutions, LLC provides brokering and consulting services with respect to energy procurement and price risk management for large commercial and industrial consumers of electric power and natural gas.

Exhibit B-4 "Disclosure of Liabilities and Investigations"

Optimal Facility Management Solutions, LLC has no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact Optimal Facility Management Solutions, LLC's financial or operational status or ability to provide the services it is seeking to be certified to provide.

Exhibit B-6 "Disclosure of Certification Cancellation"

Optimal Facility Management Solutions, LLC

On June 19, 2013, PUCO cancelled Certificate Number 11-340E(1) because Optimal Facility Management Solutions missed its respective renewal date. Relevant documentation attached hereto.



**Public Utilities
Commission**

John R. Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

Steven D. Lesser
Lynn Slaby
M. Beth Trombold
Varant

June 19, 2013

Optimal Facility Management Solutions, LLC
5031 N. Oriole Ave.
Harwood, IL 60706

RE: Relative to the cancellation of Certificate Number 11-340E(1)

To Whom It May Concern:

It has been determined by the Legal Department of the Public Utilities Commission of Ohio that Certificate Number 11-340E(1) will be cancelled as of June 19, 2013. This certificate will be cancelled pursuant to Case Number 11-0541-EL-AGG.

As a result of the cancellation of your operating authority, you're no longer authorized to provide public utility service in the State of Ohio.

Please contact Charles Stockhausen in the SRAD Division at 614-728-5049 if you have any questions or concerns about this action.

Sincerely yours,

Secretary of the Commission

Barcy F. McNeal, Secretary

Betty McCauley, Acting Secretary

Tanowa M. Troupe, Acting Secretary



Public Utilities
Commission

John Kasich, Governor
Todd A. Smith, Chairman

CANCELLED

Commissioners

Valerie A. Lammie
Paul A. Costello
Cheryl Roberts
Steven D. Lesser

PUBLIC UTILITIES COMMISSION OF OHIO

Certified as a Competitive Retail Electric Service Provider

Certificate Number:

11-340E (1)

Issued Pursuant to Case Number(s):

11-0541-EL-AGC

A certificate as a Competitive Retail Electric Service Provider is hereby granted to, **Optimal Facility Management Solutions, LLC** whose office or principal place of business is located at 5031 North Oriole Avenue, Harwood Heights, Illinois 60706 to provide aggregation and power broker services within the State of Ohio effective March 05, 2011.

The certification of competitive retail electric suppliers is governed by Section 4901:1-24 (01-13) of the Ohio Administrative Code, Section 4901:1-21 (01-15) of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code.

This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met.

Subject to all rules and regulations of the Commission, now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio.

Dated: March 8, 2011

By Order of

PUBLIC UTILITIES COMMISSION OF OHIO

Renee J. Jenkins, Secretary

Betty McCauley, Acting Secretary

Tanowa M. Troupe, Acting Secretary

Certificate Expires: March 05, 2013

This is to certify that the images appearing are an accurate and complete reproduction of the file document delivered in the regular course of business.
Technician Am Date Processed 3/8/11

Optimal Facility Management Solutions, LLC

Exhibit C-1 "Annual Reports"

Optimal Facility Management Solutions, LLC is an Illinois limited liability company and is not required to produce or file an annual report.

Exhibit C-2 "SEC Filings"

Optimal Facility Management Solutions, LLC is a private company and is not required to file SEC reports.

Exhibit C-3 "Financial Statements"

Optimal Facility Management Solutions, LLC balance sheet, income, and cash flow statements will be submitted under seal of confidentiality and are not to be disclosed or distributed.

Exhibit C-4 "Financial Arrangements"

Optimal Facility Management Solutions, LLC does not currently have financial arrangements to conduct CRES as a business activity. Optimal Facility Management Solutions, LLC will be operating as a broker and consultant in Ohio.

Exhibit C-5 "Forecasted Financial Statements"

Optimal Facility Management Solutions, LLC two years of forecasted financial statements will be submitted under seal of confidentiality and are not to be disclosed or distributed.

Exhibit C-6 "Credit Rating"

Optimal Facility Management Solutions, LLC does not have a credit rating.

Exhibit C-7 "Credit Report"

Optimal Facility Management Solutions, LLC is a private company and does not report its financial position or information to any credit agency.

Exhibit C-8 "Bankruptcy Information"

None

Exhibit C-9 "Merger Information"

None