

FILE



The Public Utilities Commission of Ohio

| Original AGG<br>Case Number | Version     |
|-----------------------------|-------------|
| 12 - 1749EL-AGG             | August 2004 |

## RENEWAL APPLICATION FOR AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-10 Corporate Structure). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division; 180 East Broad Street, Columbus, Ohio 43215-3793.

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

### A. RENEWAL INFORMATION

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

Legal Name America Approved Commercial, LLC  
 Address 13451 McGregor Boulevard, Unit 29, Fort Myers, FL 33919  
 PUCO Certificate # and Date Certified 12-533E (1) July 6, 2012  
 Telephone # (239) 689-4337 Web site address (if any) www.americaapproved.com

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

Legal Name America Approved Commercial, LLC  
 Address 13451 McGregor Boulevard, Unit 29, Fort Myers, FL 33919  
 Telephone # (239) 689-4337 Web site address (if any) www.americaapproved.com

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

America Approved Commercial, LLC

\_\_\_\_\_  
 \_\_\_\_\_

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

Name Paula Batz  
 Title COO, Director of Pricing  
 Business address 13451 McGregor Boulevard, Unit 29, Fort Myers, FL 33919  
 Telephone # (239) 689-4337 Fax # (866) 355-7432  
 E-mail address (if any) pbatz@americaapproved.com

PUCO

2014 MAY 28 PM 2:07

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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 TN Date Processed MAY 28 2014

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

Name (Same Contact as Regulatory or Emergency.....A-4)

Title \_\_\_\_\_

Business address \_\_\_\_\_

Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_

E-mail address (if any) \_\_\_\_\_

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

Customer Service address 13451 McGregor Boulevard, Unit 29, Fort Myers, FL 339

Toll-free Telephone # (866) 930-1555 Fax # (866) 355-7432

E-mail address (if any) pbatz@americaapproved.com

**A-7 Applicant's federal employer identification number # 272291448**

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

☐ Sole Proprietorship

☐ Limited Liability Partnership (LLP)

☐ Corporation

☐ Partnership

☒ Limited Liability Company (LLC)

☐ Other \_\_\_\_\_

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

**A-9 Exhibit A-9 "Principal Officers, Directors & Partners"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.

**A-10 Exhibit A-10 "Corporate Structure,"** provide a description of the applicant's corporate structure, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers and companies that aggregate customers in North America.

**B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

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

**B-1 Exhibit B-1 "Jurisdictions of Operation,"** provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services including aggregation services.

**B-2 Exhibit B-2 "Experience & Plans,"** provide a description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.

**B-3** **Exhibit B-3 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

**B-4** Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

☒ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-4 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

**B-5** Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☒ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-5 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

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

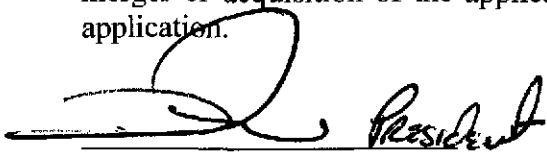
**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

**C-1** **Exhibit C-1 "Annual Reports,"** provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information in Exhibit C-1 or indicate that Exhibit C-1 is not applicable and why.

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

**C-3** **Exhibit C-3 "Financial Statements,"** provide copies of the applicant's two most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business.

- C-4 **Exhibit C-4 "Financial Arrangements,"** provide copies of the applicant's financial arrangements to conduct CRES as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.).
- C-5 **Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's CRES operation, along with a list of assumptions, and the name, address, e-mail address, and telephone number of the preparer.
- C-6 **Exhibit C-6 "Credit Rating,"** provide a statement disclosing the applicant's credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant.
- C-7 **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from Experian, Dun and Bradstreet or a similar organization.
- C-8 **Exhibit C-8 "Bankruptcy Information,"** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.
- C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.



Signature of Applicant & Title

Sworn and subscribed before me this 23 day of May, 2014  
Month Year

  
Signature of official administering oath

Lisa Marie Klinger, Notary  
Print Name and Title

My commission expires on 3.20.2015



# **AFFIDAVIT**

State of Florida :

Fort Myers  
(Town)

County of Lee :

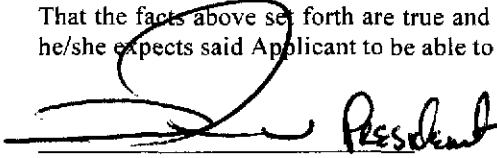
Jon Gilbert, Affiant, being duly sworn/affirmed according to law, deposes and says that:  
~~He/~~~~she~~ is the President (Office of Affiant) of America Approved Commercial, LLC (Name of Applicant);

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

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

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

  
Signature of Affiant & Title

Sworn and subscribed before me this 23 day of May, 2014  
Month Year

  
Signature of official administering oath

Lisa Marie Klinger, Notary  
Print Name and Title

My commission expires on 3.20.2015



**A-9    "Principal Officers, Directors & Partners"**

Jon Gilbert, President, 239-470-8816

Paula Batz, COO, Director of Pricing, 239-689-4337

Both Located at: 13451 McGregor Boulevard, Unit 29, Fort Myers, FL 33919

## **OUR SERVICES**

### **AMERICA APPROVED COMMERCIAL, LLC**

America Approved Commercial, LLC (AAC) was established to give commercial, industrial and governmental entities in all 50 states access to a variety of energy providers and products that cater to their specific needs. In today's confusing energy environment every business must implement cost savings strategies to mitigate risk by structuring their energy expenditures.

### **HOW WE CAN HELP**

AAC is one of the largest licensed, most experienced and trusted energy consulting firms in the nation. We are able to secure price protection for our clients with a simple and objective process based on proven strategies that help eliminate uncertainty and volatility risk.

### **ENERGY AUDIT**

AAC provides, upon customer request, a Level 1, 2 or 3 energy audit to determine the opportunities of increased reduction in expensive energy usage to further maximize savings from a demand side management perspective.

### **UTILITY BILL AUDIT**

One of the first steps in energy saving process is to conduct a utility audit. This will give our consultants a comprehensive understanding of our clients' energy portfolio. Often utility bill auditing discovers billing discrepancies between suppliers and utilities. AAC will review on a monthly basis and any necessary corrections will be managed by AAC on the customer's behalf.

### **ENERGY PROCUREMENT STRATEGIES/SUPPLY**

As a result of energy deregulation, organizations can now manage and control their energy costs in ways never before thought possible. Our consultants will work with the customer to review standard practices and make recommendations to improve efficiency, procure agreements for natural gas and electricity supply as well as structuring those agreements to provide maximum benefit.



## DEMAND RESPONSE

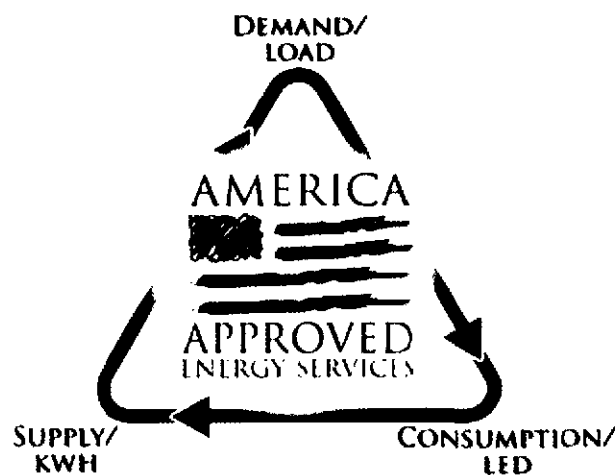
AAC works within the guidelines of the local utility's programs to assist customers in managing their consumption of electricity in response to supply conditions. Often these programs provide a revenue stream to the customer for participating through the use of the company's electricity assets.

## EnergyMizer™

This technology is available for residential and commercial applications. It flattens demand by capturing spikes and surges, cleaning, storing them and then releasing that energy to supply inductive loads. There is a guaranteed 8% savings on your electricity bill.

## LIGHTING AUDIT

Today's technological advances in lighting can yield reductions in consumption up to 75% while extending the life cycle of the fixtures up to 25 times longer which then reduces maintenance expenses. Our consultants are available to audit commercial businesses and recommend lighting solutions.



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

Energy Broker Licensed in the following Jurisdictions;

District of Columbia

Delaware

Illinois

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

Ohio

Pennsylvania

Rhode Island

Foreign LLC Licensed in the following Jurisdictions;

Colorado

Connecticut

District of Columbia

Delaware

Illinois

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

New York

Ohio

Pennsylvania

Rhode Island

Virginia

- B-2     Exhibit B-2 "Experience & Plans"  
We will not be billing customers as we are not a supplier.
- B-3     Exhibit B-3 "Disclosure of Liabilities and Investigations"  
N/A
- B-4     The "NO" box was checked
- B-5     The "NO" box was checked
- C-1     Exhibit C-1 "Annual Reports"  
N/A as we do not have shareholders
- C-2     Exhibit C-2 "SEC Filings"  
N/A as we are not a private company
- C-3     See attached C-3
- C-4     Exhibit C-4 "Financial Arrangements"  
As a broker we will not be taking to the power.
- C-5     Exhibit C-5 "Forecasted Financial Statements"  
We do not have this as part of our normal business operations
- C-6     Exhibit C-6 "Credit Rating"  
We do not have this as part of our normal business operations
- C-7     Exhibit C-7 "Credit Report"  
We do not have this as part of our normal business operations
- C-8     Exhibit C-8 "Bankruptcy Information"  
N/A
- C-9     Exhibit C-9 "Merger Information"  
N/A

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## America Approved Commercial, LLC

## BALANCE SHEET

As of May 16, 2014

|  | TOTAL                |
|--|----------------------|
| <b>ASSETS</b>                                    |                      |
| <b>Current Assets</b>                            |                      |
| <b>Bank Accounts</b>                             |                      |
| America Approved Commissions Account             | 449.68               |
| America Approved Merchant Account                | 1,945.62             |
| America Approved Merchant Fund                   | 18,900.00            |
| America Approved Merchant Fund Account (deleted) | 0.00                 |
| America Approved Operating Account               | 14,253.40            |
| <b>Total Bank Accounts</b>                       | <b>\$35,548.70</b>   |
| <b>Accounts Receivable</b>                       |                      |
| Accounts Receivable (A/R)                        | 24,274.68            |
| <b>Total Accounts Receivable</b>                 | <b>\$24,274.68</b>   |
| <b>Other current assets</b>                      |                      |
| Computer Programming & Software                  | 229,510.44           |
| Loan to Chris W                                  | 2,000.00             |
| <b>Total Other current assets</b>                | <b>\$231,510.44</b>  |
| <b>Total Current Assets</b>                      | <b>\$291,333.82</b>  |
| <b>Fixed Assets</b>                              |                      |
| Accum. Depreciation                              | -18,474.33           |
| <b>Computer Equipment</b>                        | 14,617.33            |
| Original Cost                                    | 558.38               |
| <b>Total Computer Equipment</b>                  | <b>15,175.71</b>     |
| <b>Furniture &amp; Fixtures</b>                  | 4,409.47             |
| <b>Total Fixed Assets</b>                        | <b>\$1,110.85</b>    |
| <b>Other Assets</b>                              |                      |
| Loan - AAICF                                     | 8,368.73             |
| <b>Total Other Assets</b>                        | <b>\$8,368.73</b>    |
| <b>TOTAL ASSETS</b>                              | <b>\$300,813.40</b>  |
| <b>LIABILITIES AND EQUITY</b>                    |                      |
| <b>Liabilities</b>                               |                      |
| <b>Current Liabilities</b>                       |                      |
| <b>Accounts Payable</b>                          |                      |
| Accounts Payable (A/P)                           | -6.95                |
| <b>Total Accounts Payable</b>                    | <b>\$ -6.95</b>      |
| <b>Credit Cards</b>                              |                      |
| American Express - Plum                          | -17,356.68           |
| <b>Total Credit Cards</b>                        | <b>\$ -17,356.68</b> |
| <b>Other Current Liabilities</b>                 |                      |

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|   |                     |
|---|---------------------|
| Loan - AACR                               | -135.87             |
| Loan - Joe Galluzzo                       | -200.00             |
| Loan - Peter Jensen                       | 0.00                |
| Loan - Rapid Advance                      | 0.18                |
| Loan - Relationship Energy                | -1,159.00           |
| Loan - Relationship Energy & Services LLC | -100.00             |
| loan Dixie Management                     | 673.10              |
| Loan from Gries Investment Fund           | 3,072.49            |
| Loan from Investors                       | 10,390.00           |
| Loan from Knights                         | 0.00                |
| Loan from Melissa Jensen                  | 0.00                |
| Loan From Peter Jensen                    | 9,500.00            |
| Loan from Ray Jensen                      | 5,000.00            |
| Loan to AAEDS                             | 0.00                |
| Loan to Joe Galluzzo                      | 0.00                |
| <b>Total Other Current Liabilities</b>    | <b>\$27,040.90</b>  |
| <b>Total Current Liabilities</b>          | <b>\$9,677.27</b>   |
| <b>Total Liabilities</b>                  | <b>\$9,677.27</b>   |
| <b>Equity</b>                             |                     |
| Distribution - Jon Gilbert                | -209,563.69         |
| Distribution - Peter Jensen               | -204,124.49         |
| Opening Balance Equity                    | -48,950.00          |
| Retained Earnings                         | 668,597.96          |
| Net Income                                | 85,176.35           |
| <b>Total Equity</b>                       | <b>\$291,136.13</b> |
| <b>TOTAL LIABILITIES AND EQUITY</b>       | <b>\$300,813.40</b> |

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## America Approved Commercial, LLC

## PROFIT AND LOSS

January 1 - May 16, 2014

|                                  | TOTAL               |
|----------------------------------|---------------------|
| <b>Income</b>                    |                     |
| Commission Income                | 434,310.18          |
| Discount                         | 1.73                |
| Fees Billed                      | 945.78              |
| Refunds-Allowances               | 750.00              |
| Sales of Product                 | 13,019.92           |
| Sales of Product Income          | 437.05              |
| Services                         | 14,770.50           |
| <b>Total Income</b>              | <b>\$464,235.16</b> |
| <b>Cost of Goods Sold</b>        |                     |
| Cost of Goods Sold               | -552.43             |
| <b>Total Cost of Goods Sold</b>  | <b>\$ -552.43</b>   |
| <b>Gross Profit</b>              | <b>\$464,787.59</b> |
| <b>Expenses</b>                  |                     |
| Bank Charges                     | 1,885.33            |
| BFFF                             | 850.00              |
| Commission Bonus                 | 2,361.60            |
| Commissions & Fees               | 193,951.89          |
| Contract Labor                   | 58,762.36           |
| Donation                         | 350.00              |
| Dues & Subscriptions             | 19.99               |
| Insurance                        | 6,421.85            |
| Legal & Professional Fees        | 1,500.00            |
| Life Insurance Premium           | 10,209.37           |
| Marketing Materials              | 7,380.28            |
| Meals and Entertainment          | 296.78              |
| Office Expenses                  | 4,579.74            |
| Other General and Admin Expenses | 59.97               |
| Payroll Services                 | 63,017.42           |
| Postage                          | 575.34              |
| Promotional                      | 485.46              |
| Purchase of Product for Client   | 11,669.31           |
| Rent or Lease                    | 6,654.80            |
| Repair & Maintenance             | 63.42               |
| Taxes & Licenses                 | 1,227.00            |
| Telephone                        | 2,417.58            |
| Travel                           | 3,604.36            |
| Utilities                        | 659.62              |
| <b>Total Expenses</b>            | <b>\$379,003.47</b> |
| <b>Net Operating Income</b>      |                     |

C-3

|                                     |                    |
|-------------------------------------|--------------------|
|                                     | <b>\$85,784.12</b> |
| <b>Other Expenses</b>               |                    |
| <b>Miscellaneous</b>                | 107.77             |
| <b>Reconciliation Discrepancies</b> | 500.00             |
| <b>Total Other Expenses</b>         | <b>\$607.77</b>    |
| <b>Net Other Income</b>             | <b>\$ -607.77</b>  |
| <b>Net Income</b>                   | <b>\$85,176.35</b> |

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