Joshua E. Schwartz
Law Clerk for Jason W. Graham, Esq.
Direct: 727 599 5888
ischwartz@grahamjensen.com

February 9, 2015

<u>VIA CERTIFIED FIRST CLASS MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Public Utilities Commission of Ohio Docketing Division 180 East Broad Street Columbus, Ohio 43215-3793

Re: The Energy Link, LLC

Renewal Application for Aggregator/Power Brokers Original AGG Case Number: 13-0413-EL-AGG

Dear Public Utilities Commission of Ohio:

Enclosed, please find the following items for filing The Energy Link, LLC's Renewal Application for Aggregator/Power Brokers:

An <u>original</u> and four (4) copies of an executed Renewal Application for Aggregator/Power Brokers: One (1) "<u>client copy</u>" to be stamped filed and returned in the self-addressed stamped envelope provided herein, two (2) unredacted copies, and one (1) "<u>redacted copy</u>" for the Commission's review.

An <u>original</u> and one (1) "<u>client copy</u>" of the Energy Link, LLC's Motion For Protective Order and Memorandum In Support of Motion For Protective Order, simultaneously filed with the Renewal Application mentioned above. Please stamp filed on the "<u>client copy</u>" and return to our office in the self-addressed stamped envelope provided herein.

Thank you for your assistance in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

Joshua E. Schwartz

Enclosures

This is to certify that the images appearing are accurate and complete reproduction of a care of

RECEIVED-DOCKETING DIV

ORIGINAL



Original AGG Case Number	Version
13 -0413-EL-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

E-mail address (if any) dnovich@theenergylink.com

A-1	Applicant's legal name, address, te web site address	lephone number, PUCO certificate numbe	r, and
	Legal Name The Energy Link, LLC		
	Address 1640PowersFerry Road, Bldg. 1		
	PUCO Certificate # and Date Certified 1: Telephone # (678)403-1246 Web site add		
A-2	The state of the s	ber and web site address under which Ap	plicant
	will do business in Ohio		
	Legal Name Consultant, Energy Link, LLC Address 1640 Powers Ferry Road, Bldg. 1	9, Ste.300, Marietta, GA 30067	2015 FEB 12 PH 12: 55
	Telephone # (678)403-1246 Web site ad	dress (if any) www.theenergylink.com	
A-3	List all names under which the appl	licant does business in North America	7-00 3 12
	The Energy Link, LLC	Consultant, Energy Link, LLC	20
		O	CKETING DI P h 12: 55
			. J. 5
A-4	Contact person for regulatory or en	nergency matters	S
	Name Darren Novich		
	Title Owner/President		
	Business address 1640PowersFerry Rd.,		
	Telephone # (678)403-1246	Fax # <u>(404)420-2957</u>	

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A-5	Contact person for Commission Staff us	e in investigating customer complaints	
	Name <u>Darren Novich</u> Title <u>Owner/President</u> Business address <u>1640PowersFerry Rd., Bldg.</u> Telephone # <u>(678)403-1246</u> E-mail address (if any) <u>dnovich@theenergylin</u>	19, Ste.300, Marietta, GA 30067 Fax # (404)420-2957 k.com	
A-6	Applicant's address and toll-free number for customer service and complaints		
	Customer Service address 1640 Powers Ferr Toll-free Telephone # (678)403-1246 E-mail address (if any) dnovich@theenergyling		
A-7	Applicant's federal employer identification number # 262670491		
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	CATTACHMENTS 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," pr	ovide a description of the applicant's corporate	

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

customers and companies that aggregate customers in North America.

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

- **B-1** Exhibit B-1 "Jurisdictions of Operation," provide a 1st 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 <u>Exhibit B-2 "Experience & Plans,"</u> 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.
 ZNo □ 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. <u>FINANCIAL CAPABILITY AND EXPERIENCE</u>

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- C-1 <u>Exhibit C-1 "Annual Reports,"</u> 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 <u>Exhibit C-2 "SEC Filings,"</u> 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 <u>Exhibit C-4 "Financial Arrangements,"</u> 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, email 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 <u>Exhibit C-7 "Credit Report,"</u> provide a copy of the applicant's credit report from Experion, Dun and Bradstreet or a similar organization.
- C-8 <u>Exhibit C-8 "Bankruptcy Information,"</u> 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 C9 "Merger Information," provide a statement describing any dissolution or
	merger or acquisition of the applicant within the five most recent years preceding the
	application.
	// <i>GD</i> //
	Owner/Resident
	Signature of Applicant & Title
	Sworn and subscribed before me this 2 9th day of June 1815.
	Sworn and subscribed before me this day of day of
	Month Year Month
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	Muly A Atouthe Many L. Houston in solicing the lice
	Signature of official administering oath Print Name and Title
	SEPTEMBER 記 Z 三
	22 " " =
	My commission expires on A dd, dd c 2016

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<u>AFFIDAVIT</u>

State of Georgia	<u></u> :
	Atlanta ss. (Town)
County of Fulton	: (10wn)
Darren Novich	, Affiant, being duly sworn/affirmed according to law, deposes and says that:
He/She is the Owner	President (Office of Affiant) of The Energy Link, LLC (Name of Applicant)

- That he/she is authorized to and does make this affidavit for said Applicant,
 - 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.
 - 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 Aday of Manay. All Management of Household Signature difficial administering oath

Print Name and Title SEPTEMBER 18.

My commission expires on Sept. Adaption of the same at any hearing hereof.

My commission expires on Sept. Adaption of the same at any hearing hereof.

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

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.

Response: Darren M. Novich is the Principal Officer and President of The Energy Link, LLC. The Energy Link, LLC's address: 1640 Powers Ferry Road, Building 19, Suite 300, Marietta, Georgia 30067. Business telephone number: 678-403-1246 and fax number: 404-420-2957.

Exhibit A-10 "Corporate Structure"

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.

<u>Response</u>: The Energy Link, LLC is a single member limited liability company formed in the State of Georgia. The Applicant is not engaged with any affiliates of any utility-related services, such as retail sale of electricity, gas, water or cable. The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of electricity and who does not take title to electricity.

Exhibit B-1 "Jurisdictions of Operation"

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 or wholesale electric services including aggregation services.

Response: The Energy Link, LLC is interested with all deregulated electric jurisdictions of the State of Ohio. The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of electricity and who does not take title to electricity.

Exhibit B-2 "Experience & Plans"

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.

Response: The Energy Link, LLC is a broker acting as agent or intermediary on behalf of customers in the sale and purchase of electricity supply and who does not take title to electricity. The service territory for The Energy Link, LLC will cover all deregulated electric jurisdictions. The customer service person for The Energy Link is Darren Novich, 1640 Powers Ferry Road, Bldg. 19, Ste. 300, Marietta, Georgia 30067. Telephone number is 678-403-1246, website: www.theenergylink.com.

Exhibit B-3 "Disclosure of Liabilities and Investigations"

Exhibit B-3 "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.

Response: The Energy Link, LLC has no convictions or liability findings of fraud, any past or pending judgments, regulatory investigations or violations of any customer protection or deceptive trade laws in any state against the registering party, its principals to report or disclose.

The Energy Link, LLC does not have any criminal or civil investigation either in the State of Ohio or in another State or jurisdiction for violation of any customer protection law or regulation to disclose or report.

Exhibit C-1 "Annual Reports"

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.

Response: The Energy Link, LLC is a single member limited liability company. The applicant does not generate annual reports. Therefore Exhibit C-1 is not applicable to applicant.

Exhibit C-2 "SEC Filings"

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.

<u>Response</u>: The Energy Link, LLC is a single member limited liability company. The applicant does not file 10-K/8-K filings with the SEC. Therefore, Exhibit C-2 is not applicable to applicant.

Exhibit C-4 "Financial Arrangements"

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.)

Response: The Energy Link, LLC is a broker acting as agent or intermediary on behalf of customers in the sale and purchase of electricity supply and who does not take title to the actual commodity (electricity) nor do we sale to retail customers.

Exhibit C-5 "Forecasted Financial Statements"

Exhibit C-5 "Forecasted Financial Statements," provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's CRES operation, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer.

Response: The Energy Link is neither conducting nor providing competitive electricity service as a business activity. The Energy Link, LLC is a broker acting as agent or intermediary on behalf of customers in the sale and purchase of electricity supply and who does not take title to the actual commodity (electricity) nor does The Energy Link, LLC sale to retail customers.

Exhibit C-6 "Credit Rating"

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.

Response: The Energy Link, LLC is a single member limited liability company. The applicant does not have a credit rating with the above mentioned organizations. Therefore, Exhibit C-6 is not applicable to applicant.

Exhibit C-7 "Credit Report"

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

Response: The Energy Link, LLC is a single member limited liability company. The applicant does not have a credit rating with the above mentioned organizations. Therefore, Exhibit C-7 is not applicable to applicant.

Exhibit C-8 "Bankruptcy Information"

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.

Response: The Energy Link, LLC does not have any bankruptcy filings or liquidation proceedings to disclose.

Exhibit C-9 "Merger Information"

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

Response: The Energy Link, LLC is not involved with any merger, dissolution or acquisition within the past five years or years preceding the application. Applicant does not have a statement to disclose.