



Original AGG Case Number	Version
13 - 394 -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

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

Legal Name Atlas Commodities, LLC  
Address 24 E. Greenway Plaza, Suite 445 Houston, TX 77046  
PUCO Certificate # and Date Certified 13-653E (1) effective March 14, 2013  
Telephone # (281) 407-2438 Web site address (if any) www.atlascommodities.com

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

Legal Name Atlas Commodities, LLC  
Address 24 E. Greenway Plaza, Suite 445 Houston, TX 77046  
Telephone # (281) 407-2438 Web site address (if any) www.atlascommodities.com

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

Atlas Commodities, LLC  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Ngoc Tran  
Title Senior Account Manager  
Business address 24 E. Greenway Plaza, Suite 445 Houston, TX 77046  
Telephone # (281) 407-2438 Fax # (281) 674-8335  
E-mail address (if any) Ngoc.Tran@atlascommodities.com

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

Name Ngoc Tran  
Title Senior Account Manager  
Business address 24 E. Greenway Plaza, Suite 445 Houston, TX 77046  
Telephone # (281) 407-2438 Fax # (281) 674-8335  
E-mail address (if any) Ngoc.Tran@atlascommodities.com

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

Customer Service address 24 E. Greenway Plaza, Suite 445 Houston, TX 77046  
Toll-free Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_  
E-mail address (if any) Ngoc.Tran@atlascommodities.com

**A-7 Applicant's federal employer identification number # 743199027**

**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 _____                                |

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.

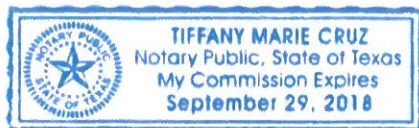
- C-4 **Exhibit C-4 "Financial Arrangements,"** provide copies of the applicant's financial arrangements to conduct CRES as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.).
- C-5 **Exhibit C-5 "Forecasted Financial Statements,"** provide two 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 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.

 MANAGING PARTNER  
Signature of Applicant & Title

Sworn and subscribed before me this 9 day of FEBRUARY, 2015  
Month Year

Tiffany Marie Cruz  
Signature of official administering oath

TIFFANY CRUZ, OFFICE MANAGER  
Print Name and Title



My commission expires on 9/29/2018



## **AFFIDAVIT**

State of Texas :

Houston ss.  
(Town)

County of Harris :

Craig Taylor, Affiant, being duly sworn/affirmed according to law, deposes and says that:

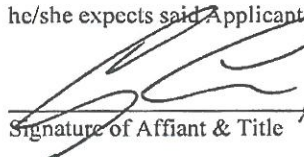
He/She is the Managing Partner (Office of Affiant) of Atlas Commodities, LLC (Name of Applicant);

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.

 **MANAGING PARTNER**  
Signature of Affiant & Title

Sworn and subscribed before me this 9 day of FEBRUARY, 2015  
Month Year

  
Signature of official administering oath

**TIFFANY CRUZ, OFFICE MANAGER**  
Print Name and Title



My commission expires on 9/29/2018

Exhibit A-9

**Principal Officers, Directors, & Partners**

Managing Partner:

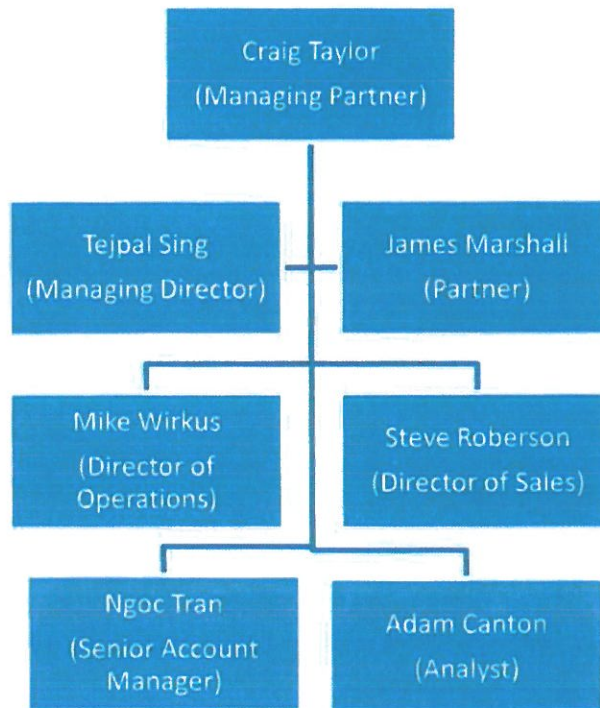
Craig Taylor  
24 E. Greenway Plaza, Suite 445  
Houston, TX 77046  
281-407-2412  
[Craig.Taylor@atlascommodities.com](mailto:Craig.Taylor@atlascommodities.com)

Partner:

James Marshall  
24 E. Greenway Plaza, Suite 445  
Houston, TX 77046  
281-407-2432  
[James.Marshall@atlascommodities.com](mailto:James.Marshall@atlascommodities.com)

Exhibit A-10

**Corporate Structure**



Atlas does not have any affiliates or subsidiary companies that supply retail or wholesale electricity or natural gas to customers and companies that aggregate customers in North America.



Exhibit B-1

**Jurisdictions of Operations**

Atlas Commodities, LLC has permission/license to provide electricity brokerage/aggregation services to the following jurisdictions:

<u>Jurisdiction</u>	<u>Certificate/Order Number:</u>	<u>Effective Date:</u>
District of Columbia PSC	Order Number 11796	2/25/2013
Delaware PSC	Order Number 8283	2/17/2013
Illinois Commerce Commission	Order Number 13-0117	3/7/2014
Massachusetts Department of Public Utilities	License Number EB-243	3/26/2014
Maryland PSC	License Number IR-2941	4/3/2013
Maine PUC	Docket Number 2013-00101	1/25/2013
New Hampshire PUC	DM 14-359	12/12/2014
New Jersey Board of Public Utilities	License Number EA-0215	4/23/2014
Pennsylvania PUC	Order Number A-2013-2348990	5/9/2013
Rhode Island Public Utilities	Docket Number D-96-6 (E6)	5/24/2013

## Exhibit B-2

### Experience and Plans

Atlas Commodities has 8 years of experience as an intermediary broker of electric and natural gas products between utilities, banks, and large funds. Atlas has been consulting for end users in the retail electric market for over 2 years in all deregulated markets in the United States.

The Atlas team is made up of experienced managers with backgrounds at major energy consulting firms. Both Steve Roberson and Mike Wirkus have 8 years of experience in the retail energy business between Atlas Commodities and Tradition Energy with senior roles at both companies. Ngoc Tran also came to Atlas with years of client services experience at companies such as Amerex. These three managers hold many training sessions for the rest of the company throughout the year ensuring all employees are providing customers best experience possible. Atlas also takes advantage of any utility sponsored training sessions in markets we serve.

Atlas plans to continue to serve as a consultant/broker in the retail energy market in OH. These services will include procurement, demand management, and data management. Once agreed upon by customer Atlas fees will typically be imbedded in the price provided by the supplier. As a result there will not be direct billing by Atlas to our customers. Electric invoices will continue to come through the local utility and selected third party energy supplier.

With the leadership of Ngoc Tran, Atlas provides our clients with experienced account managers that will assist customers with their questions in regards to their contract and/or billing from the third party supplier. In addition to these efforts, customers will also have access to the suppliers' customer service representatives. Any issues that may arise will be managed in a timely manner.

Exhibit B-3

**Disclosure of Liabilities and Investigations**

N/A Applicant does not have any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any matter that could adversely impact the applicant's financial or operation status or ability to provide the services it is seeking to be certified to provide.



Exhibit C-1

**Annual Reports**

N/A Applicant is a private company and is not required to provide annual reports.

Exhibit C-2

**SEC Filings**

N/A Applicant is not required to file with the SEC as SEC does not govern our products nor are we taking a position.

### **EXHIBIT C-3**

#### **Financial Statements**

The applicable financial statements of Atlas Commodities, LLC have been filed under seal in this case.



Exhibit C-4

**Financial Arrangements**

Atlas Commodities, LLC was established in 2006 as a wholesale intermediary; anonymously matching up buyers and sellers of financial and physical energy products. The build out of the power broker/consulting department is financed by our wholesale department. Atlas' renewal application is being finance by the wholesale department as well as operating costs until the consulting department is able to contribute to expenditures.

## **EXHIBIT C-5**

### Forecasted Financial Statements

The applicable forecasted financial statements of Atlas Commodities, LLC have been filed under seal in this case.

Exhibit C-6

**Credit Rating**

See Exhibit C-7 for credit rating on the D&B report



**EXHIBIT C-7**

Credit Report

The Dun & Bradstreet Credit Report for Atlas Commodities, LLC has been filed under seal in this case.

Exhibit C-8

**Bankruptcy Information**

N/A. Applicant has never filed for bankruptcy.

Exhibit C-9

**Merger Information**

N/A There has not been a merger or acquisition in the Applicant's history to date.



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

**Commission of Ohio Docketing Information System on**

**2/13/2015 12:07:38 PM**

**in**

**Case No(s). 13-0394-EL-AGG**

Summary: Application (Renewal) of Atlas Commodities, LLC electronically filed by Ms. Rebecca L Hussey on behalf of Atlas Commodities, LLC