

FILE

Ohio

Public Utilities  
Commission

Original AGG Case Number	Version
EL-AGG	August 2004

15-2348-EL-AGG

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 OPTIMUM GROUP, L.L.C.

Address 34 ELLIS CT, MORGANVILLE, NJ 07751

PUCO Certificate # and Date Certified 11-356E (1) MAY 10, 2011

Telephone # (347) 219-8834 Web site address (if any) OPENERGY.NET

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

Legal Name OPTIMUM ENERGY SOLUTIONS, L.L.C

Address 34 ELLIS CT, MORGANVILLE, NJ 07751

Telephone # (347) 219-8834 Web site address (if any) OPENERGY.NET

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

OPTIMUM GROUP, LLC

OPTIMUM ENERGY SOLUTIONS

A-4 Contact person for regulatory or emergency matters

Name DARREN REED

Title EXECUTIVE VICE PRESIDENT

Business address 34 ELLIS CT, MORGANVILLE, NJ 07751

Telephone # (347) 219-8834

Fax # (732) 970-3810

E-mail address (if any) OPENERGY.NET

RECEIVED-DOCKETING DIV  
2015 MAR 11 PM 1:22  
PUCO

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 jc Date Processed - MAR 11 2015

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

Name DARREN REED

Title EVP

Business address 34 ELLIS CT, MORGANVILLE, NJ 07751

Telephone # (347) 219-8834

Fax # (732) 970-3810

E-mail address (if any) DREED@OPENENERGY.NET

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

Customer Service address 34 ELLIS CT, MORGANVILLE, NJ 07751

Toll-free Telephone # \_\_\_\_\_

Fax # (732) 970-3810

E-mail address (if any) DREED@OPENENERGY.NET

**A-7 Applicant's federal employer identification number # 030540861**

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

☐ Sole Proprietorship

☐ Partnership

☐ Limited Liability Partnership (LLP)

☒ Limited Liability Company (LLC)

☐ Corporation

☐ 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.

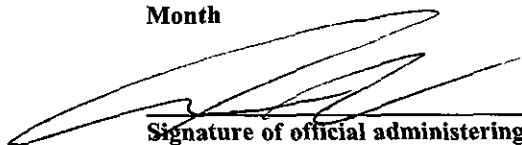
**C-2** **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 that the applicant is not required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

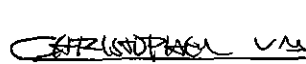
**C-3** **Exhibit C-3 "Financial Statements,"** provide copies of the applicant's two most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the 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.

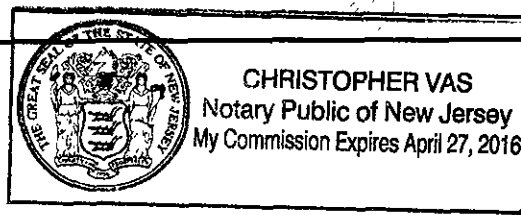
  
Signature of Applicant & Title MANAGER-MEMBER  
EXECUTIVE VICE PRESIDENT

Sworn and subscribed before me this 27<sup>th</sup> day of FEBRUARY, 2015  
Month Year

  
Signature of official administering oath

  
Print Name and Title Notary Public

My commission expires on 4-27-16



# AFFIDAVIT

State of NEW JERSEY :

MORGANVILLE ss.  
(Town)

County of MORRISTOWN :

DARREN R. DENEFURER, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the EXECUTIVE VP (Office of Affiant) of OPTIMUM GROUP, LLC (Name of Applicant);

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

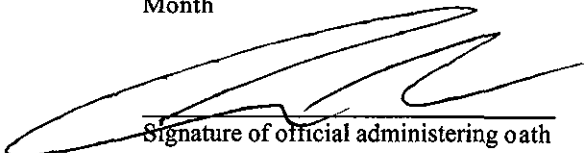
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification renewal are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in 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.

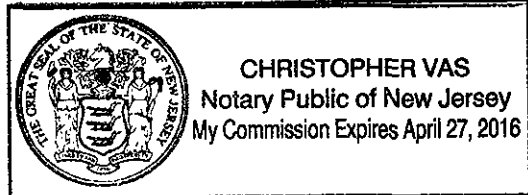
  
Signature of Affiant & Title MANAGING MEMBER  
EXECUTIVE VICE PRESIDENT

Sworn and subscribed before me this 27<sup>th</sup> day of FEBRUARY, 2015 Year  
Month

  
Signature of official administering oath

CHRISTOPHER VAS  
Print Name and Title

My commission expires on 4-27-16



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

- 1) Darren Reed , Executive Vice President, 34 Ellis Ct, Morganville, NJ 07751, 347-219-8834
- 2) Richard W Eby, Managing Partner, 42 Capica Ct, Laurence Harbor, NJ 08879 , 973-271-8400

**Exhibit A-12 "Corporate Structure"**

Optimum Group is a New Jersey, LLC that was formed in 2004. We have two managing partners, one executive assistant and one sales representative. We do not have any affiliate or subsidiary companies.

**Exhibit B-1 "Jurisdictions of Operation"**

- 1) California
- 2) Connecticut
- 3) Illinois
- 4) New Jersey
- 5) New York
- 6) Texas
- 7) Pennsylvania
- 8) Maryland
- 9) DC

**Exhibit B-2 "Experience and Plans"**

With over 14 years of experience in the energy markets, we have provided consulting services to over 100 companies in deregulated markets. We have successfully procured over \$100 million in energy supply contracts with about 15 different suppliers in several states. Our dedicated staff of energy professionals and our extensive network of energy partners have a proven track record in supply and demand side management to many of the leading companies in retail, healthcare, hospitality, manufacturing, education and real estate. We are dedicated to providing world-class customer service and are committed to developing long lasting customer relationships.

We plan on providing consulting services to our clients that have operations in the State of Ohio. We will assist our clients with purchasing electricity and natural gas and we will facilitate the purchase of electricity and natural gas with the energy supplier. We do not take title to the energy and we do not provide billing services. We are always available to our clients to assist them in resolving any issues and complaints in accordance with rules adopted pursuant to Section 4928.10 of the Revised code

**Exhibit B-3 "Disclosure of Liabilities and Investigations"**

None to disclose.

**C-1**

**Optimum Group, LLC**

**Exhibit C-1 "Annual Reports"**

Not Applicable – We are not required to file an annual report. Optimum Group is a New Jersey, L.L.C. We file a 1065 Partnership return.

**Exhibit C-2 "SEC Filings"**

We are not required to file with the SEC. We are a consulting company and we do not take title or get involved in any commodity transactions.

**Exhibit C-3 "Financial Statements"**

2013 and 2014- Partnership Returns – Federal Tax Form 1065

**Exhibit C-4 "Financial Arrangements"**

We currently do not have any financial arrangements in place. Enclosed is our banking information.

EXHIBIT C-4

"FINANCIAL ARRANGEMENTS"



**Bank**

America's Most Convenient Bank®

Wednesday, October 29, 2014

To Whom It May Concern:

Re: Optimum Group LLC

Please be informed that the above referenced depositor maintains a Business Checking Account, #7859150778 with TD Bank since 10/12/2014, and the account is in good standing.

We trust that this information is sufficient. Let me know if you need any additional information.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Patricio Martins".

Patricio Martins

Assistant Store Manager

**Exhibit C-5 "Forecasted Financial Statements"**  
**Case Number 11-2348-EL-AGG**

**Optimum Group, LLC**

**2015 Forecasted Financial Statements**

- 1) Total Revenue - \$1,000,000
- 2) Expenses - \$203,000
- 3) Net Income - \$797,000

**2016 Forecasted Financial Statements**

- 1) Total Revenue - \$1,050,000
- 2) Expenses - \$250,000
- 3) Net Income - \$800,000

**Accountant**

Steven Sewald and Company  
242 Route 79 North – Suite 3  
Morganville, NJ 07751  
Phone – 732-332-1700

**Dun & Bradstreet**  
CREDIBILITY CORP[VIEW MY PRODUCTS / SERVICES](#)[Product List](#) | [D&B Data Quality](#) | [Glossary](#) | [FAQs](#) | [Refund Policy](#)**OPTIMUM GROUP, LLC**  
34 ELLIS CT  
MORGANVILLE, NJ 077512852

D-U-N-S Number: 98-545-2548

Company Details - Last Updated on:

3/28/2011

3/28/2011

80

Lower  
RiskHigher  
Risk

PAYDEX Score

Risk of Late  
Payment

These scores are based on your original report purchase.  
Please refer to the Alerts Summary section for changes to  
scores.

**Purchased Reports****Available Until**

Available until 09/26/2011

**Report Type**

Credit eValuator Plus Report

➤ Purchase D&B's most up-to-date Credit eValuator Plus  
Report on OPTIMUM GROUP, LLC.

**Alerts Summary****Alerts Detail**

You have no alerts issued on this company in the last 60 days.

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EXHIBIT C-7 "CREDIT REPORT"

Credit eValuator Plus Report

**Optimum Group, LLC**  
34 Ellis Ct  
Morganville, NJ 7751  
Phone: 347 219-8834  
D-U-N-S Number: 96-545-2548

**Report as of : March 28, 2011 \*\***  
  
Want the most **up-to-date** information? **Upgrade** to Auto-Refresh and keep this report current for a year.



**Need more in-depth information and analysis?**  
Upgrade to the Comprehensive Insight Plus Report and receive the credit for the amount of your evaluator purchase


[>Learn more](#)

Credit Information

Payment Trend

\*\*Included with this Credit eValuator Report are continuous tracking of key business changes and free Alert messages in the View My Reports/Alerts page. You can also choose to receive e-mail notifications of the important changes. **IMPORTANT NOTE:** You will not receive e-mail alerts if you have opted out of receiving communications from D&B.

**Risk Summary**



- Unavailable -

**Risk of Late Payment**

Risk of late payment is based on the following prioritized factors in addition to other information in D&B's files:

- No factors available

Indications of slowness can be the result of disputes over merchandise, skipped invoices, etc.

**Payment Performance Trend**

The payment performance trend for this company is Unavailable. The most recent payment information in D&B's files is:

- Payments currently: on terms.
- Payments 3 months ago: Unavailable.
- Industry average: on terms.

\*Note: Payments to suppliers are averaged weighted by dollar amounts.

**Credit Limit Recommendation**

Recommendation **MAR 28**  
Date: **2011**

**D&B's Recommendations:**  
Conservative

Risk category for this business: **LOW**

C-7  
 Exhibit C-7 "Credit Report"

Credit Limit: **\$2,500**  
 Aggressive Credit Limit: **\$10,000**



Risk is assessed using D&B's scoring methodology and is one factor used to create the recommended limits. See [Help](#) for details.

### Company Profile

<b>Chief Executive:</b>	Darren Dingfelder, Mng Mbr	<b>Line of business:</b>	Management Consulting Services
<b>Type of business:</b>	Partnership		Business Services, Nec
<b>Years in business:</b>	7		
<b>Employees total:</b>	1		

### Legal Filings and Other Important Information

<b>Bankruptcies:</b>	None
<b>Judgments:</b>	None
<b>Liens:</b>	None
<b>Suits:</b>	None
<b>Negative Payment Experiences:</b>	None
<b>Payments Placed for Collection:</b>	None

\*\*Included with this Payment Trend Report are continuous tracking of key business changes and free Alert messages in the View My Reports/Alerts page. You can also choose to receive e-mail notifications of the important changes. IMPORTANT NOTE: You will not receive e-mail alerts if you have opted out of receiving communications from D&B.

### Summary

**OPTIMUM GROUP, LLC**  
**34 Ellis Ct**  
**Morganville, NJ 07751**

This is a **single** location.

**D-U-N-S Number:** 96-545-2548

**Primary Industry SIC:** 8742

**Description:** Management consulting services

### PAYMENT ACTIVITY:

<b>Total Payment Experiences in D&amp;B's File:</b>	5
<b>Payments Within Terms:</b> (not dollar weighted)	100%
<b>Total Placed For Collection:</b>	0
<b>Average Highest Credit:</b>	\$270
<b>Largest High Credit:</b>	\$500

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**C-8**

**Optimum Group, LLC**

**Exhibit C-8 "Bankruptcy Information"**

We have not had any bankruptcy filings within the two most recent years preceding this application.

**Exhibit C-9 "Merger Information"**

We have not had any dissolutions or merger within the five most recent years preceding the application.