



Public Utilities Commission

Original AGG Case Number	Version
11-5492-EL-AGG	December 2014

11-5492-EL-AGG

RENEWAL APPLICATION FOR ELECTRIC 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 The Legacy Energy Group, LLC
Address 32 Waterloo Street, Warrenton VA 20186
PUCO Certificate # and Date Certified 11-408E (2), 12-24-13
Telephone # (540) 351-0981 Web site address (if any) www.legacyenergy.com

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

Legal Name The Legacy Energy Group, LLC
Address 32 Waterloo Street, Warrenton VA 20186
Telephone # (540) 351-0981 Web site address (if any) www.legacyenergy.com

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

<u>The Legacy Energy Group, LLC</u>	<u>The Legacy Energy Group</u>
<u>Legacy</u>	<u>Legacy Energy</u>

A-4 Contact person for regulatory or emergency matters

Name Mike Stumpo
Title Energy Management Services
Business address 32 Waterloo Street, Warrenton VA 20186
Telephone # (540) 351-0981 Fax # (540) 351-0984
E-mail address mstumpo@legacyenergy.com

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 DMK Date Processed NOV 06 2015

PUCO

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RECEIVED-COMPLIANCE DIV

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

Name Michael Housley
Title President
Business address 32 Waterloo Street, Warrenton VA 20186
Telephone # (540) 351-0981 Fax # (540) 351-0984
E-mail address mhousley@legacyenergy.com

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

Customer Service address 32 Waterloo Street, Warrenton VA 20186
Toll-free Telephone # (888) 351-0981 Fax # (540) 351-0984
E-mail address info@legacyenergy.com

A-7 Applicant's federal employer identification number # 541947808

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 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 2nd day of November, 2015
Month Year


Signature of official administering oath

Cassie Scott, office Manager
Print Name and Title

My commission expires on 9/30/17

Cassie Scott
Notary Public 7531992
Commonwealth of Virginia
My Commission Expires September 30, 2017

AFFIDAVIT

State of Virginia :

Warrenton ss.
(Town)

County of Fauquier :

Michael Housley, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President (Office of Affiant) of The Legacy Energy 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.

Michael King, PRESIDENT
Signature of Affiant & Title

Sworn and subscribed before me this 2nd day of November, 2015
Month Year

Cassie Scott
Signature of official administering oath

Cassie Scott, Office Manager
Print Name and Title

My commission expires on 9/30/17

Cassie Scott
Notary Public 7531992
Commonwealth of Virginia
My Commission Expires September 30, 2017

Exhibit A-9
Principal Officers, Directors & Partners

Name:	Title:	Address/Phone:
Michael Housley	President	32 Waterloo Street, Warrenton VA 20186 540-351-0981
Delbert Roberts	Senior Vice President	32 Waterloo Street, Warrenton VA 20186 540-351-0981
Thomas Ihrig	Vice President	32 Waterloo Street, Warrenton VA 20186 540-351-0981

Exhibit A-10
Corporate Structure

The applicant is a limited liability company, formed in the state of Kentucky in June 1999. The company's daily operations are managed directly by its officers:

President – Michael Housley
Senior Vice President – Delbert Roberts
Vice President – Thomas Ihrig

The company's structure is comprised of the following personnel categories:

Sales – report directly to President
Analysts – report directly to President, Senior Vice President and Vice President
Operations – report directly to Senior Vice President
Administrative – report to President and Senior Vice President

Affiliate Company:

Affiliated Power Purchasers International, LLC (APPI)
224 Phillip Morris Drive
Suite 402
Salisbury MD 21804

APPI is an affiliate that provides electric broker services throughout North America.

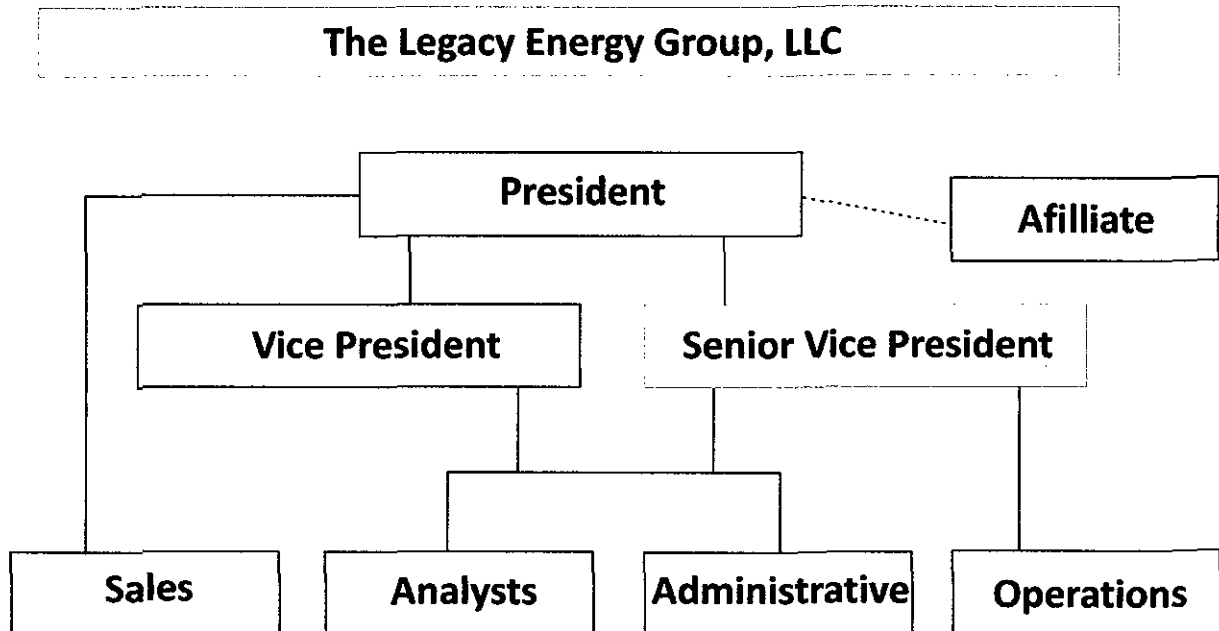


Exhibit B-1
Jurisdictions of Operation

New Hampshire
Maryland
Pennsylvania
Illinois
Maine
New Jersey
Massachusetts
Delaware
Texas
Rhode Island

Exhibit B-2
Experience & Plans

The Applicant has been successfully providing its clients with energy management services since 1998. During this time, Applicant has provided its clients with a combination of contractual choices, including time and material, fixed price, percentage of savings, and utility usage fee-based. Applicant will continue to utilize the aforementioned contractual options for its Ohio clients.

For time and material, fixed price and percentage of savings engagements, Applicant provides detailed billing statements. The detailed billing statements include, but are not limited to: service performed, contracted price of service, date that service was performed, payment due date, and payment remittance address. For those clients opting for utility usage fee-based remuneration, Applicant's fees are included in their electric supply contract and are remitted directly from the electric supplier to the Applicant, in which case Applicant does not provide a billing statement.

Applicant responds to customer inquiries and complaints within twenty-four hours of the initial enquiry. Said response is generally via telephone but may be via facsimile or email as formally requested by the enquirer.

Exhibit B-3
Disclosure of Liabilities and Investigations

None

Exhibit B-4
Disclosure of Consumer Protection Violations

None.

Exhibit B-5
Disclosure of Certification Denial, Curtailment, Suspension or Revocation

None.

**Exhibit C-1
Annual Reports**

Applicant is a privately held limited liability company and does not have annual reports.

**Exhibit C-2
SEC Filings**

Not applicable. Applicant is a privately held limited liability company and is not required to file with the SEC.

Exhibit C-3
Officer-verified Financial Statements

Confidential

Exhibit C-4
Financial Arrangements

Not applicable because applicant is applying for certification as a Electric Aggregator. Applicant does not require a credit facility because it will not take title to any electric supply.

Exhibit C-5
Forecasted Financial Statements

Confidential

Exhibit C-6
Credit Rating

Not applicable because applicant is applying for certification as an Electric Aggregator.
Applicant does not require a credit facility because it will not take title to any electric supply.

**Exhibit C-7
Credit Report**

Not applicable. Applicant is a privately held limited liability company and does not have a credit report available from Experian, Dun and Bradstreet, or a similar organization.

Exhibit C-8
Bankruptcy Information

None.

Exhibit C-9
Merger Information

None.

AFFIDAVIT

State of Virginia :
 : Warrenton SS:
County of Fauquier :

Michael Housley, Affiant, being duly sworn/affirmed according to law, deposes and says that:

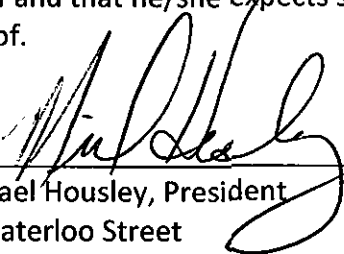
He is the President of The Legacy Energy Group, LLC, the applicant;

That He 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 that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
3. 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.
4. The information contained in pages 17, 18, 19 20, and 23 of the renewal application and previously filed are confidential. Those are five pages of financial information, including Statements of Assets, Liabilities, and Shareholder Equity – Income Tax Basis that lists the current cash balances and recent activity of payment trends. None of the information contained in these exhibits is readily available outside of the Company. The only individuals at the company who have access to this information are Company President Michael Housley, Senior Vice President, Delbert Roberts, and Vice President Thoms Ihrig. This information is password protected on the company's computers and any hard copies are locked in a filing cabinet where only Messrs. Housley, Roberts and Ihrig possess a key. This information would reveal the structure of the company which would provide competitors insight into The Legacy Energy Group's business approach. The Company has invested considerable resources in the business model which could be reversed engineered through studying this financial information. Further, this information would reveal the "savings effected" and would give competitors an unfair advantage. The Company spent a certain amount of time and money in developing this information, and the

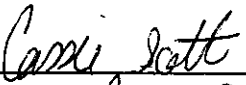
only way a competitor would acquire or duplicate this information would be if they obtained said information inappropriately. Further, public disclosure of this information will not assist the Commission in carrying out its duties under the pertinent rules and regulations.

That the facts 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.



Michael Housley, President
32 Waterloo Street
Warrenton, Virginia 20186

Sworn and subscribed before me this 2nd day of November, 2015.



Cassie Scott, Office Manager

Signature of official administering oath

Print Name and Title

My commission expires on 9/30/17

Cassie Scott
Notary Public 7531992
Commonwealth of Virginia
My Commission Expires September 30, 2017