

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 EMEX Power, LLC
Address 11011 Richmond Avenue, Suite 500, Houston, Texas 77042
PUCO Certificate # and Date Certified 11-414E(1), December 9, 2011
Telephone # (713) 521-9797 Web site address (if any) www.EnergyMarketExchange.com

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

Legal Name EMEX Power, LLC
Address 11011 Richmond Avenue, Suite 500, Houston, Texas 77042
Telephone # (713) 521-9797 Web site address (if any) www.EnergyMarketExchange.com

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

<u>EMEX, LLC</u>	<u>EMEX Power, LLC</u>
<u>Energy Market Exchange</u>	

A-4 Contact person for regulatory or emergency matters

Name Todd Segmond
Title CEO
Business address 11011 Richmond Avenue, Suite 500, Houston, Texas 77042
Telephone # (713) 521-9797 Fax # (713) 583-9519
E-mail address segmond.t@energymarketexchang

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PUCO

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

Name Todd Segmond
Title CEO
Business address 11011 Richmond Avenue, Suite 500, Houston, Texas 77042
Telephone # (713) 521-9797 Fax # (713) 583-9519
E-mail address segmond.t@energymarketexchange.com

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

Customer Service address 11011 Richmond Avenue, Suite 500, Houston, Texas 77042
Toll-free Telephone # (877) 459-4728 Fax # (713) 583-9519
E-mail address contact@energymarketexchange.com

A-7 Applicant's federal employer identification number # 208168985

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.

 CEO
 Signature of Applicant & Title

Sworn and subscribed before me this 5th day of NOV, 2015
 Month Year


 Signature of official administering oath

Angela Kilgore, Notary
 Print Name and Title



My commission expires on 9-29-2019

AFFIDAVIT

State of Texas :

Houstonss.
(Town)

County of Harris :



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

He/She is the CEO (Office of Affiant) of Todd Segmond (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]
Signature of Applicant & Title

CEO

Sworn and subscribed before me this 5th day of NOV, 2015
Month Year



[Signature]
Signature of official administering oath

Angela Kilgore Notary
Print Name and Title

My commission expires on 9/29/2019

EMEX Power, LLC

Exhibit A-9 “Principal Officers, Directors and Partners”

Todd Segmond, CEO, 11011 Richmond Ave., Suite 500, Houston, TX 77042

Dan Marzuola, President, 11011 Richmond Ave., Suite 500, Houston, TX 77042

Pam Segmond, Treasurer, 11011 Richmond Ave., Suite 500, Houston, TX 77042

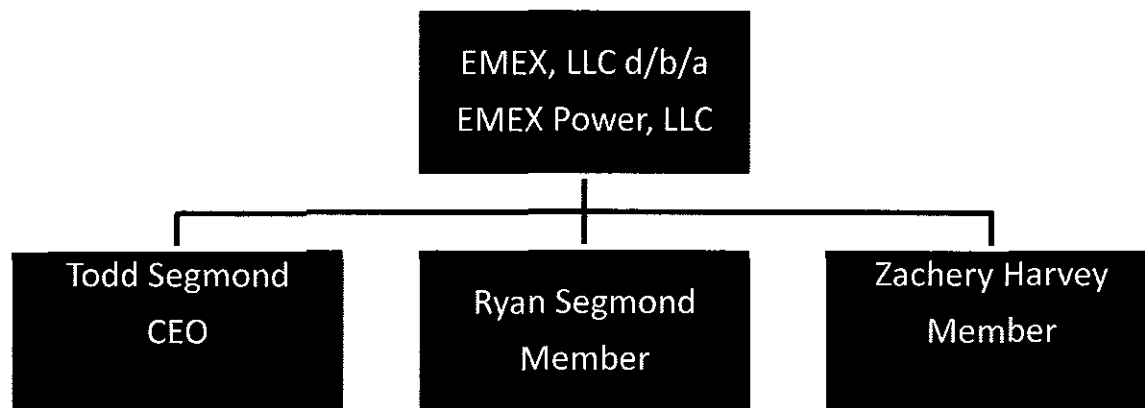
Ryan Segmond, Vice President, 11011 Richmond Ave., Suite 500, Houston, TX 77042

Zachery Harvey, National Sales Director, 11011 Richmond Ave., Suite 500, Houston, TX 77042

EMEX Power, LLC

Exhibit A-10 “Corporate Structure”

Applicant is a Texas limited liability company. Todd Segmond is the managing member. Ryan Segmond and Zachery Harvey are the members. Applicant does not have any affiliates or subsidiaries.



EMEX Power, LLC

Exhibit B-1 “Jurisdictions of Operation”

Applicants web based electric (and gas) brokerage business operates similarly in every state in which it operates.

Texas: On January 5, 2007, Applicant started doing business in Texas as a web-based electricity brokerage business (no license is required in Texas for electricity brokers). On December 5, 2012, Applicant was registered as an aggregator in Texas under number 80368.

Illinois: On September 9, 2010, the Illinois Commerce Commission granted Applicant a Certificate of Service Authority to operate as an agent, broker or consultant for electric and gas customers pursuant to order number 10-0455.

New Jersey: On October 5, 2010, the New Jersey Board of Public Utilities registered Applicant to be an Energy Agent and Energy Consultant under registration numbers EA-0083 and EC-0024. On November 9, 2011, the New Jersey Division of Local Government Services of the Department of Community Affairs approved Applicant as a vendor pursuant to the Local Unit Electronic Technology Pilot Program, P.L. 2001, c. 30, to offer its reverse auction platform for the purchase of energy generate services by local contracting units, waiver number EMEX LLC-1. On February 20, 2013, Applicant was registered to conduct business in the State of New Jersey as a Private Aggregator. Applicant is approved to provide both electric and natural gas services to both residential and commercial customers in New Jersey.

Maryland: On October 13, 2010, the Maryland Public Service Commission granted Applicant a license to provide electricity broker services under license reference number IR-2065. On May 1, 2013, the Applicant's license was amended to include acting as an aggregator of electricity. On July 17, 2013, the Maryland Public Service Commission granted Applicant a license to supply natural gas or natural gas supply services in Maryland under License Reference Number IR-3115.

Pennsylvania: On October 21, 2010, the Pennsylvania Public Utility Commission granted Applicant a License for Electric Generation Supplier as a broker/marketer in the matter of the application of A-2010-2179537. On August 29, 2013, the Pennsylvania Public Utility Commission granted Applicant a license to operate as a broker / marketer engaged in the business of supplying natural gas services in Pennsylvania under Docket Number A-2013-2365773.

Massachusetts: On January 24, 2011, The Commonwealth of Massachusetts Department of Public Utilities granted Applicant's Application an Electricity Broker license under license number EB-176. On July 26, 2013, the Commonwealth of

Massachusetts Department of Public Utilities approved Applicant's application for a Gas Retail Agent under license number RA-101.

District of Columbia: On May 5, 2011, the Public Service Commission of the District of Columbia granted Applicant a license to function as an electricity supplier to operate as a broker of electricity in order number 16355. On July 18, 2013, the Public Service Commission of the District of Columbia granted Applicant a license to function as a natural gas supplier in the District of Columbia under Order No. 17189.

Ohio: On December 12, 2011, the Public Utilities Commission of Ohio certified Applicant as a Competitive Retail Electric Service Provider certificate number 11-414E (1) issued pursuant to case number 11-5707-EL-AGG to provide aggregation and power broker services. On June 21, 2013, the Public Utilities Commission of Ohio granted certificate number 13-309G(1) for Applicant to provide retail natural gas aggregator / broker services.

Delaware: Delaware granted Applicant's Electric Supplier Certificate Order No. 8147 on May 15, 2012.

Maine: On April 27, 2012, Maine granted Applicant's Application for License to operate as a Competitive Electricity Provider, Docket No. 2012-163.

New Hampshire: On June 29, 2012, New Hampshire approved Applicant's application to provide electric aggregation service.

New York: Applicant is registered to do business in New York. Brokers are not required to be licensed in that state.

Connecticut: Applicant is registered to do business in Connecticut. Brokers are not required to be licensed in that state.

Florida: Applicant is registered to do business in Florida. Brokers are not required to be licensed in that state.

Georgia: Applicant is registered to do business in Georgia. Brokers are not required to be licensed in that state.

Indiana: Applicant is registered to do business in Indiana. Brokers are not required to be licensed in that state.

Michigan: Applicant is registered to do business in Michigan. Brokers are not required to be licensed in that state.

EMEX Power, LLC

Exhibit B-2 “Experience & Plans”

Founded in 2007, Todd Segmond, CEO realized there was a need in the energy space for an easy-to-use online platform to procure electricity through the wholesale market. Along with three other people and a small amount of capital, EMEX has grown to one of the leading energy procurement and analysis services within the deregulated states.

EMEX, LLC is a privately held firm providing energy procurement and analysis services in deregulated regions of the United States. EMEX’s complete portfolio of services and proprietary, online platforms are entirely focused on reducing the cost of energy in real-time for:

- commercial and industrial businesses
- municipalities and government agencies
- public and private schools and universities
- non-profit organizations.

EMEX enables its customers to compare prices with a reverse auction platform, instant online pricing features, receive automated custom quotes and historical analysis, aggregation and the ability to offer executable contracts from over 71 National Suppliers. EMEX’s electricity and gas brokerage business allows customers, free of charge and without any obligation to EMEX, to shop and contract directly with retail electricity and gas suppliers. The retail electricity and gas suppliers, not EMEX’s contract with the customers, provide contracted services, billing statements and respond to customer inquiries.

EMEX’s mission is to put the *power* to save money in the hands of its clients with smart, ground-breaking technology designed to dramatically simplify energy procurement. Core to EMEX is the Flagship product brand EMEX™ Reverse Auction Platform, nationally recognized for its innovation and excellence.

Headquartered in Houston, Texas, EMEX’s offices houses teams for sales, analysis, marketing, customer services, and finance. EMEX’s reach ensures it is well positioned to leverage opportunities as they occur — when they occur — with employees throughout the 50 states. EMEX’s activities continue to stretch as states become deregulated, able to react quickly to wherever there is a need to accurately and efficiently manage energy procurement.

EMEX Power, LLC

Exhibit B-3 “Disclosure of Liabilities and Investigations”

Applicant has no existing, pending or past rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations, or any other matter that could adversely impact Applicant’s financial or operational status or ability to provide the services it is seeking to be certified.

EMEX Power, LLC

Exhibit C-1 “Annual Reports”

Applicant’s members are intimately involved in Applicant’s day to day business and thus annual reports are not prepared. If the Commission requires any additional information, please advise, and it will be provided promptly.

EMEX Power, LLC

Exhibit C-2 “SEC Filings”

Applicant is not required to file with the SEC as Applicant is a privately owned entity.

CONFIDENTIAL

EMEX Power, LLC

Exhibit C-3 “Financial Statements”

Officer-certified financial statements for the periods ending September, 2015 are being provided under seal with this renewal application.

CONFIDENTIAL

EMEX Power, LLC

Exhibit C-4 “Financial Arrangements”

A line of credit from Post Oak Bank is being provided under seal with this renewal application.

CONFIDENTIAL

EMEX Power, LLC

Exhibit C-5 “Forecasted Financial Statements”

Projected Financials for EMEX, LLC that were prepared by Brad Smith, CFO of EMEX Power, LLC are being provided under seal with this renewal application. Mr. Smith's contact information are as follows:

EMEC, LLC d/b/a EMEX Power, LLC
11011 Richmond Ave., Suite 500
Houston, TX 77042
Phone: 713-521-9797
Email: smith.b@energymarketexchange.com

CONFIDENTIAL

EMEX Power, LLC

Exhibit C-6 “Credit Rating”

Please see the attached Dunn & Bradstreet report for EMEX, LLC. Applicant has no other credit rating reports, nor does it have a parent or affiliate organization related to it.

CONFIDENTIAL

EMEX Power, LLC

Exhibit C-7 “Credit Report”

Please see the attached Dunn & Bradstreet report attached as Exhibit C-6.

EMEX Power, LLC

Exhibit C-8 “Bankruptcy Information”

None.

EMEX Power, LLC

Exhibit C-9 “Merger Information”

None.