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Ohio

**Public Utilities
Commission**

16-1101-EL-AGG

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Date Received	Case Number	Version
16-1101	-EL-AGG	December 2014

CERTIFICATION 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-5 Experience). 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. APPLICANT INFORMATION

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

Legal Name: Ohio Industrial Energy, LLC
Address 778 Northwest Blvd, Columbus, OH 43212
Telephone # 614.298.0800 Web site address (if any) www.ohioindustrialenergy.com

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

Legal Name Ohio Industrial Energy, LLC
Address 778 Northwest Blvd, Columbus, OH 43212
Telephone # 614.298.0800 Web site address (if any) www.ohioindustrialenergy.com

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

Ohio Industrial Energy, LLC

A-4 Contact person for regulatory or emergency matters

Name Rob Myers
Title Managing Partner

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 SM Date Processed MAY 13 2016

1 of 28

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2016 MAY 13 PM 2:49
PUCO

Business address 778 Northwest Blvd, Columbus, OH 43212
Telephone # 614.298.0800 _____ Fax # 614.298.0700 _____
E-mail address rmyers@ohioindustrial.com _____

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

Name Rob Myers _____
Title Managing Partner _____
Business address 778 Northwest Blvd, Columbus, OH 43212
Telephone # 614.298.0800 _____ Fax # 614.298.0700 _____
E-mail address rmyers@ohioindustrial.com _____

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

Customer Service address 778 Northwest Blvd, Columbus, OH 43212
Toll-free Telephone # n/a _____ Fax # 614.298.0700
E-mail address rmyers@ohioindustrial.com _____

A-7 Applicant's federal employer identification number # 464 705 469

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 _____ |

A-9 (Check all that apply) Identify each electric distribution utility certified territory in which the applicant intends to provide service, including identification of each customer class that the applicant intends to serve, for example, residential, small commercial, mercantile commercial, and industrial. (A mercantile customer, as defined in (A) (19) of Section 4928.01 of the Revised Code, is a commercial customer who consumes more than 700,000 kWh/year or is part of a national account in one or more states).

x First Energy

x Ohio Edison	x Residential	x Commercial	x Mercantile	x Industrial
x Toledo Edison	x Residential	x Commercial	x Mercantile	x Industrial
x Cleveland Electric Illuminating	x Residential	x Commercial	x Mercantile	x Industrial
x Duke Energy	x Residential	x Commercial	x Mercantile	x Industrial
x Monongahela Power	x Residential	x Commercial	x Mercantile	x Industrial
x American Electric Power				
x Ohio Power	x Residential	x Commercial	x Mercantile	x Industrial
x Columbus Southern Power	x Residential	x Commercial	x Mercantile	x Industrial
x Dayton Power and Light	x Residential	x Commercial	x Mercantile	x Industrial

A-10 Provide the approximate start date that the applicant proposes to begin delivering services

June 14, 2016

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

A-11 Exhibit A-11 "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-12 Exhibit A-12 "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.

A-13 Exhibit A-13 "Company History," provide a concise description of the applicant's company history and principal business interests.

A-14 Exhibit A-14 "Articles of Incorporation and Bylaws," if applicable, provide the articles of incorporation filed with the state or jurisdiction in which the Applicant is incorporated and any amendments thereto.

A-15 Exhibit A-15 "Secretary of State," provide evidence that the applicant has registered with the Ohio Secretary of the State.

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 "Summary of Experience," provide a concise summary of the applicant's experience in providing aggregation service(s) including contracting with customers to combine electric load and representing customers in the purchase of retail electric services. (e.g. number and types of customers served, utility service areas, amount of load, etc.).

B-4 Exhibit B-4 "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-5 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-5 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-6 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-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

C. APPLICANT 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.,).

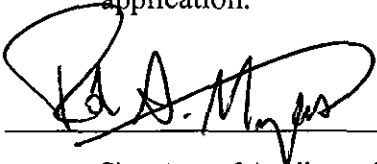
C-5 Exhibit C-5 “Forecasted Financial Statements,” provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant’s CRES operation, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer.

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 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.

 MANAGING PARTNER
Signature of Applicant & Title

Sworn and subscribed before me this 13 day of May, 2016
Month Year


Signature of official administering oath

Toni L. Quest, notary public
Print Name and Title

My commission expires on



TONI LEE QUEST
Notary Public, State of Ohio
My Comm. Expires 09-06-2017

AFFIDAVIT

State of Ohio :

____ ss.
(Town)

County of Franklin :

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


He/She is the Managing Partner (Office of Affiant) of Ohio Industrial Energy, 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 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 comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. 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.
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 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 13 day of May, 2016 Month
Year


Signature of official administering oath

Toni L. Quest, notary public
Print Name and Title

My commission expires on _____



TONI LEE QUEST
Notary Public, State of Ohio
My Comm. Expires 09-06-2017

Exhibit A-11 Principal Officers, Directors & Partners

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Rob Myers
Managing Partner
778 Northwest Blvd, Columbus, OH 43212
Telephone 614.298.0800

John Myers
Managing Partner
778 Northwest Blvd, Columbus, OH 43212
Telephone 614.298.0800

Exhibit A-12 Corporate Structure

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy, LLC is an Ohio Limited Liability Company. Ohio Industrial Energy does not currently have any affiliates or subsidiaries that supply retail or wholesale electricity or natural gas to customers nor companies that aggregate customers in North America.

Exhibit A-13 Company History

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

In the 1980's as the former national manager of the Columbia Gas System's Industrial Development Department, John Myers founded two companies, Energy Management Concepts and Interstate Gas Marketing - both extremely successful facilitators of deregulated natural gas to commercial and industrial customers.

Also, prior to deregulation of electric supply in Ohio, John helped pioneer the concept of establishing municipal electric and gas companies (along with the associated pipeline construction) that enabled municipalities to directly serve their constituents.

As successful and very active licensed industrial real estate brokers and developers, John and Rob Myers were increasingly asked by their commercial and industrial real estate clients to help with both supply and demand side energy related matters. From this market demand, Ohio Industrial Energy was formed to assist commercial and industrial clients with their energy related needs. Today, Ohio Industrial Energy provides strategic, data driven energy advisory services to commercial and industrial customers.

ORIGINAL APPOINTMENT OF AGENT

The undersigned authorized member(s), manager(s) or representative(s) of

Ohio Industrial Energy, LLC

Name of Limited Liability Company

hereby appoint the following to be Statutory Agent upon whom any process, notice or demand required or permitted by statute to be served upon the limited liability company may be served. The name and address of the agent is

Robert Myers

Name of Agent

778 Northwest Boulevard

Mailing Address

Columbus

City

Ohio

State

43212

ZIP Code

ACCEPTANCE OF APPOINTMENT

The undersigned, Robert Myers named herein as the statutory agent

Statutory Agent Name

for Ohio Industrial Energy, LLC

Name of Limited Liability Company

hereby acknowledges and accepts the appointment of agent for said limited liability company

Statutory Agent Signature

Individual Agent's Signature / Signature on Behalf of Corporate Agent

☐ If the agent is an individual and using a P.O. Box, check this box to confirm that the agent is an Ohio resident.

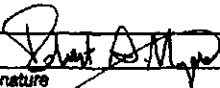
By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required

Articles and original appointment of agent must be signed by a member, manager or other representative.

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.


Signature

By (if applicable)

ROBERT S. MYERS, Member
Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
02/11/2014	201404101904	ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO. (LCP)	125.00	.00		.00	.00

Receipt

This is not a bill. Please do not remit payment.

PAPPAS GIBSON LLC
MATTHEW W. GIBSON
9999 BREWSTER LANE, #101
POWELL, OH 43065

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted**2267279**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

OHIO INDUSTRIAL ENERGY, LLC

and, that said business records show the filing and recording of:

Document(s):

ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO.

Document No(s):

201404101904

Effective Date: 02/07/2014



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus,
Ohio this 11th day of February, A.D.
2014.

Ohio Secretary of State

Exhibit B-1 Jurisdictions of Operation

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy is not currently certified, licensed, registered or otherwise authorized to provide retail or wholesale electric services including aggregation services in any jurisdictions. Ohio is the first state in which Ohio Industrial Energy is applying for certification.

Exhibit B-2 Experience & Plans

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

In the 1980's as the former national manager of the Columbia Gas System's Industrial Development Department, John Myers founded two companies, Energy Management Concepts and Interstate Gas Marketing - both extremely successful facilitators of deregulated natural gas to commercial and industrial customers.

Prior to deregulation of electric supply in Ohio, John helped pioneer the concept of establishing municipal electric and gas companies (along with the associated pipeline construction) that enabled municipalities to directly serve their constituents.

As successful and very active licensed industrial real estate brokers and developers, John and Rob Myers were increasingly asked to help their commercial and industrial real estate clients with both supply and demand side energy related matters. From this market demand, Ohio Industrial Energy was formed to assist commercial and industrial clients with their energy related needs. Today, Ohio Industrial Energy provides strategic, data driven energy advisory services to commercial and industrial customers. Those services include electricity and natural gas sourcing along with partnering with energy auditing and lighting companies to help customers manage their energy demand.

Ohio Industrial Energy plans to contract with many of its commercial and industrial real estate customers in order to provide added value advisory services such as helping them use less and procure energy at better rates and terms.

Ohio Industrial Energy does not provide a customer billing function since the energy suppliers and its demand side partners (auditing and lighting) provide this function.

Ohio Industrial Energy has helped facilitate the resolution of numerous customer complaints and inquiries. Many, if not all, complaints have concerned matters involving the local utility and/or the customer's energy supplier.

Inquiries directed to Ohio Industrial Energy are typically commercial and industrial real estate customers seeking advice on energy related matters that include determining whether to accept a supplier offer or understanding their utility bill.

Customer complaints or inquiries to Ohio Industrial Energy can be made as follows:

- By phone at 614.298.0800
- By fax at 614.298.0700
- By email at rmyers@ohioindustrial.com
- Via Ohio Industrial Energy's website at www.ohioindustrialenergy.com

Exhibit B-3 Summary of Experience

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

While Ohio Industrial Energy does not have significant aggregation experience other than its work with Municipalities mentioned previously in Exhibit B-2, Ohio Industrial Energy understands the rules, processes and procedures with Ohio aggregation. Ohio Industrial Energy will use this knowledge to ensure compliance and provide excellent customer service to aggregation customers.

Exhibit B-4 Disclosure of Liabilities and Investigations

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy does not have any existing, pending or past rulings, judgements, contingent liabilities, revocations of authority, regulatory investigations, or any other matter that could adversely impact Ohio Industrial Energy's financial or operational status or ability to provide the services it is seeking to be certified to provide.

Exhibit C-1 Annual Reports

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy does not have annual reports as it is a privately held company.

Exhibit C-2 SEC Filings

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy does not have SEC Filings as it is a privately held company.

Exhibit C-3 Financial Statements

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy does not have financial statements as it is a privately held company.

Exhibit C-4 Financial Arrangements

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy provides energy advisory services to companies and therefore does not take title to or ownership of electricity. In addition, Ohio Industrial Energy does not currently have any plans to become a CRES.

Exhibit C-5 Forecasted Financial Statements

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy does not have forecasted financial statements as it is a privately held company. In addition, Ohio Industrial Energy does not currently have any plans to become a CRES.

Exhibit C-6 Credit Rating

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy as a privately held LLC does not have a published credit rating.

Exhibit C-7 Credit Report

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy as a privately held LLC does not have a published credit report.

Exhibit C-8 Bankruptcy Information

Ohio Industrial Energy, LLC – Application for Aggregator/Power Brokers

Ohio Industrial Energy LLC has not been involved in any reorganizations, protection from creditors or made any other form of bankruptcy filings that guarantees the obligations of Ohio Industrial Energy or any officer of Ohio Industrial Energy.

Exhibit C-9 Merger Information

Ohio Industrial Energy, LLC -- Application for Aggregator/Power Brokers

Ohio Industrial Energy LLC has not been involved in a corporate dissolution or merger or acquisition.