



# Public Utilities Commission

Original AGG Case Number	Version
10 - 1081 -EL-AGG	May 2016

## 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 C-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 intends to be certified as: (check all that apply)

☒ Power Broker      ☒ Aggregator

#### A-2 Applicant's legal name, address, telephone number, PUCO certificate number, and web site address

Legal Name Palmer Energy Company, Inc.  
Address 5577 Airport Highway, Suite 101, Toledo, Ohio 43615  
PUCO Certificate # and Date Certified 10-265E(2); September 5, 2010  
Telephone # (419) 539-9180 Web site address (if any) www.palmerenergy.com

#### A-3 List name, address, telephone number and web site address under which Applicant will do business in Ohio

Legal Name Palmer Energy Company, Inc.  
Address 5577 Airport Highway, Suite 101, Toledo, Ohio 43615  
Telephone # (419) 539-9180 Web site address (if any) www.palmerenergy.com

#### A-4 List all names under which the applicant does business in North America

<u>Alternative Gas &amp; Electric Solutions</u>	<u>Growers Energy Solutions</u>
<u>CCAOSC Energy Solutions</u>	<u>Palmer Conservation Consulting</u>
<u>Chamber Energy Solutions</u>	

#### A-5 Contact person for regulatory or emergency matters

Name Mark R. Frye  
Title President  
Business address 5577 Airport Highway, Suite 101, Toledo, Ohio 43615  
Telephone # (419) 539-9180 Fax # (419) 539-9185  
E-mail address mfrye@palmerenergy.com

**A-6 Contact person for Commission Staff use in investigating customer complaints**

Name Mark R. Frye  
Title President  
Business address 5577 Airport Highway, Suite 101, Toledo, Ohio 43615  
Telephone # (419) 539-9180 Fax # (419) 539-9185  
E-mail address mfrye@palmerenergy.com

**A-7 Applicant's address and toll-free number for customer service and complaints**

Customer Service address 5577 Airport Highway, Suite 101, Toledo, Ohio 43615  
Toll-free Telephone # (419) 539-9180 Fax # (419) 539-9185  
E-mail address mfrye@palmerenergy.com

**A-8 Applicant's federal employer identification number # 341323368**

**A-9 Applicant's form of ownership (check one)**

- |  |  |
|--|--|
| <input type="checkbox"/> Sole Proprietorship                 | <input type="checkbox"/> Partnership                     |
| <input type="checkbox"/> Limited Liability Partnership (LLP) | <input type="checkbox"/> Limited Liability Company (LLC) |
| <input checked="" type="checkbox"/> Corporation              | <input type="checkbox"/> Other _____                     |

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

- A-10 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.

**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. (This is generally only applicable to publicly traded companies who publish annual reports.)

**C-2** **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If the applicant does not have such filings, it may submit those of its parent company. An applicant may submit a current link to the filings or provide them in paper form. 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. If the applicant does not have a balance sheet, income statement, and cash flow statement, the applicant may provide a copy of its two most recent years of tax returns (with social security numbers and account numbers redacted).

**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.).

Renewal applicants can fulfill the requirements of Exhibit C-4 by providing a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU’s collateral requirements.

First time applicants or applicants whose certificate has expired as well as renewal applicants can meet the requirement by one of the following methods:

1. The applicant itself stating that it is investment grade rated by Moody’s, Standard & Poor’s or Fitch and provide evidence of rating from the rating agencies.
2. Have a parent company or third party that is investment grade rated by Moody’s, Standard & Poor’s or Fitch guarantee the financial obligations of the applicant to the LDU(s).
3. Have a parent company or third party that is not investment grade rated by Moody’s, Standard & Poor’s or Fitch but has substantial financial wherewithal in the opinion of the Staff reviewer to guarantee the financial obligations of the applicant to the LDU(s). The guarantor company’s financials must be included in the application if the applicant is relying on this option.
4. Posting a Letter of Credit with the LDU(s) as the beneficiary.

If the applicant is not taking title to the electricity or natural gas, enter "N/A" in Exhibit C-4. An N/A response is only applicable for applicants seeking to be certified as an aggregator or broker.

- C-5 **Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted income statements for the applicant's **ELECTRIC related business activities in the state of Ohio Only**, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecasts should be in an annualized format for the two years succeeding the Application year.
- 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, Fitch IBCA, Moody's Investors Service, Standard & Poor's, 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 an 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. If an applicant or its parent does not have such a credit rating, enter "N/A" in Exhibit C-6.
- 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. An applicant that provides an investment grade credit rating for Exhibit C-6 may enter "N/A" for Exhibit C-7.
- 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 two most recent years preceding the application.
- C-10 **Exhibit C - 10 "Corporate Structure,"** provide a description of the applicant's corporate structure, not an internal organizational chart, 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 in North America. If the applicant is a stand-alone entity, then no graphical depiction is required and applicant may respond by stating that they are a stand-alone entity with no affiliate or subsidiary companies.

*Mark K. [Signature]* President  
Signature of Applicant & Title

Sworn and subscribed before me this *8th* day of *July*, *2016*  
Month Year

*Andrea Stokes*  
Signature of official administering oath

*Andrea Stokes, Program Manager*  
Print Name and Title

My commission expires on *October 12, 2020*



ANDREA R. STOKES  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 10-12-2020

# **AFFIDAVIT**

State of Ohio :

\_\_\_\_\_  
(Town) SS.

County of Lucas :

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

He/She is the President (Office of Affiant) of Palmer Energy Group (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.

Mark K. King, President  
Signature of Affiant & Title

Sworn and subscribed before me this 8th day of July, 2016  
Month Year

Andrea Stokes  
Signature of official administering oath

Andrea Stokes, Program Manager  
Print Name and Title

My commission expires on October 12, 2020



ANDREA R. STOKES  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 10-12-2020



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

Mark R. Frye, President  
5577 Airport Highway, Suite 101  
Toledo, Ohio 43615  
419-539-9180

Kirkland E. Mizerek, Executive Vice President  
5577 Airport Highway, Suite 101  
Toledo, Ohio 43615  
419-539-9180

Elaine M. Canning, Vice President  
5577 Airport Highway, Suite 101  
Toledo, Ohio 43615  
419-539-9180





**Exhibit B-1 Jurisdiction of Operation**

Palmer Energy Company is certified as a Competitive Retail Electric Service Provider to provide aggregation and power broker services within the State of Ohio.



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

Palmer Energy Company has been in the energy consulting business for over thirty years. As an unbiased energy advisor, Palmer Energy will continue to perform rate and budget analyses, evaluate demand interval and consumption information, review contracts, forecast future demand and consumption, author Request for Proposal's, procure energy; and make alternative program recommendations.

End-users enter into an agreement with the third party supplier or sign a Power of Attorney with Palmer Energy Company, or one of its subsidiaries, to act on their behalf to procure power.

As the administrator for an aggregation program, Palmer Energy Company will not invoice the end-user. End-users will be invoiced by their electric utility or third party supplier. Service calls would be made to the utility or the third party natural gas supplier. For questions or information regarding program management, Palmer Energy Company has a toll-free telephone number and a designated email address.



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

Palmer Energy Company has had no past rulings, judgements, revocations of authority or regulatory investigations that would adversely impact its financial or operational status or ability to provide services.

A complaint against Palmer Energy was filed with the Public Utilities Commission of Ohio on 5/21/2010 by Buckeye Energy Brokers, case number 10-693-GE-CSS. In the opinion issued on 11/1/2011, Buckeye Energy Brokers failed to satisfy its burden of proof that Palmer Energy Company violated Sections 4928.08 and 4929.20 Revises Code. On 2/23/2012, the application for rehearing made by Buckeye Energy Brokers was denied.



**Exhibit C-1 Annual Reports**

Palmer Energy Company is a privately held company and is not required to prepare annual reports.



**Exhibit C-2 SEC Filings**

Palmer Energy Company is not required to file with the Securities and Exchange Commission because it is not a publicly traded company.



**Exhibit C-3 Financial Statements**

Filed under seal.



**Exhibit C-4 Financial Arrangements**

N/A



**Exhibit C-5 Forecasted Financial Statements**

Filed under seal.





**Exhibit C-6 Credit Rating**

As of this filing, Palmer Energy Company has been assigned a credit rating of 2R2 by Dun & Bradstreet (DUNS 01-119-1467) and a credit ranking score of 64 by Experian (BIN 891998544).



**Exhibit C-7 Credit Report**

Experian Credit Report for Palmer Energy Company is attached.



## Report

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Search inquiry: Palmer Energy Company / Toledo / OH / (My company)

### Creditscore<sup>SM</sup> Report

as of: 07/07/16 13:18 ET

#### Palmer Energy Co Inc

<b>Address:</b>	241 N Superior St Ste 250 Toledo, OH 43604-1200 United States	<b>Key Personnel:</b>	Kirkland Mizerek Mark Fye
<b>Phone:</b>	419-539-9180	<b>SIC Code:</b>	8748-Business Consulting Services, Nec 8742-Management Consulting Services 1711-Plumbing, Heating & A/C Contractors
<b>Website:</b>	palmerenergy.com	<b>NAICS Code:</b>	541690-Other Scientific And Technical Consulting Services 541610-Management Consulting Services 238220-Plumbing, Heating, And Air- Conditioning Contractors
<b>Experian BIN:</b>	891998544	<b>Business Type:</b>	Corporation
<b>Agent:</b>	Paul R. Francis, Cpa	<b>Experian File Established:</b>	January 1991
<b>Agent Address:</b>	3266 Chanson Valley Drive Lambertville, MI	<b>Experian Years on File:</b>	25 Years
<b>Family Linkage:</b>		<b>Years in Business:</b>	More than 25 Years
<b>Ultimate Parent</b>	Palmer Energy Co Inc 241 N Superior St Ste 250 Toledo, OH	<b>Total Employees:</b>	5
<b>Branches / Alternative Locations</b>	Palmer Energy Co Inc 2455 N Reynolds Rd Toledo, OH United States	<b>Sales:</b>	\$750,000
		<b>Filing Data Provided by:</b>	Ohio
		<b>Date of Incorporation:</b>	03/26/1984

#### Payment Tradelines:

#### UCC Filings:

3

2

#### Businesses Scoring Worse:

63%

This location does not yet have an estimated Days Beyond Terms (DBT), or a Payment Trend Indicator. This is often the result of

## too few Payment Tradelines.

Lowest 6 Month Balance: \$0  
 Highest 6 Month Balance: \$0  
 Current Total Account Balance: \$0  
 Highest Credit Amount Extended: \$0

✓ Bankruptcies: 0  
 ✓ Liens: 0  
 ✓ Judgments Filed: 0  
 ✓ Collections: 0

## Credit Summary

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## Credit Ranking Score: 64



## Key Score Factors:

- Number of active commercial accounts.
- Risk associated with the company's industry sector.
- Risk associated with the business type.
- Employee size of business.
- Number of commercial accounts with net 1-30 days term.
- Nbr of active commercial acc'ts within the last 12 mos.
- Number of recently active commercial accounts.
- Number of commercial accounts continuously updated.

Recommended Action: Low To Medium Risk

The objective of the Credit Ranking Score is to predict payment behavior. High Risk means that there is a significant probability of delinquent payment. Low Risk means that there is a good probability of on-time payment.

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**Exhibit C-8 Bankruptcy Information**

Palmer Energy Company, along with its officers and subsidiary companies, has never filed for reorganization or bankruptcy protection.



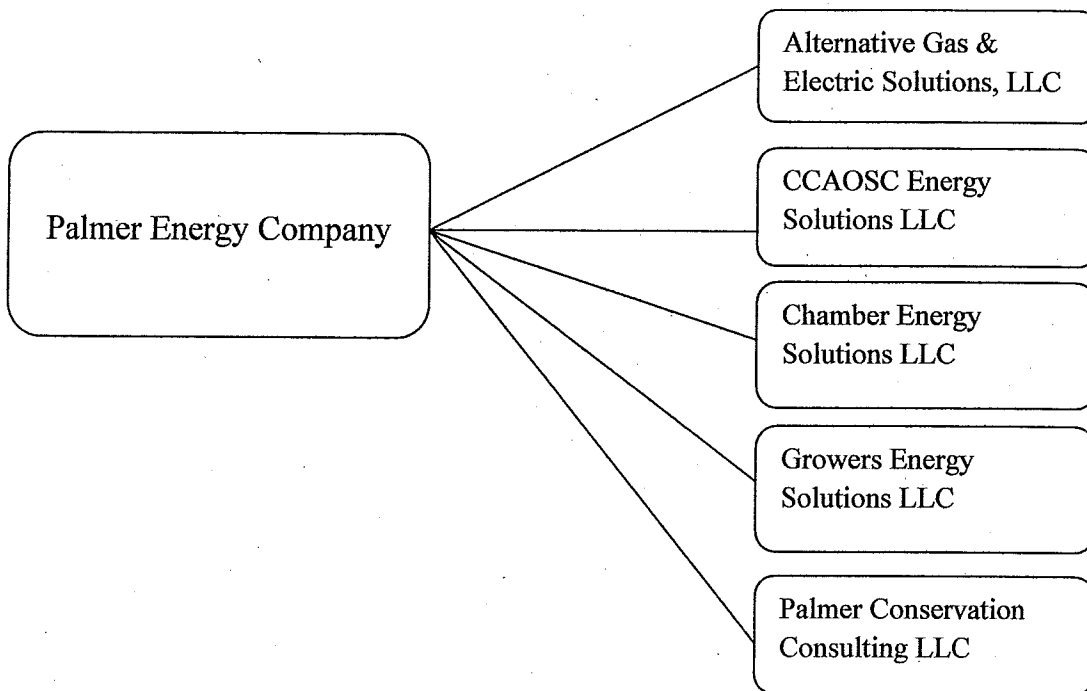
**Exhibit C-9 Merger Information**

Palmer Energy Company has not been dissolved, merged or acquired in the past five years.



**Exhibit C-10 Corporate Structure**

Palmer Energy Company, Inc. is an Ohio chartered C corporation. As listed in A-4 of the application, Palmer Energy Company has five subsidiary companies. Palmer Energy Company and the subsidiary companies do not supply retail or wholesale electricity or natural gas to companies that aggregate customers in North America.



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

**Commission of Ohio Docketing Information System on**

**7/25/2016 3:18:15 PM**

**in**

**Case No(s). 10-1081-EL-AGG**

Summary: Application Renewal Application for Electric Aggregators/Power Brokers  
electronically filed by Mr. Stephen M Howard on behalf of Palmer Energy Company, Inc.