



Public Utilities Commission

Original AGG Case Number	Version
-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 Verdigris Energy LLC
 Address P.O. Box 1777, Allen TX 75013
 PUCO Certificate # and Date Certified 14-885E (10/27/2014)
 Telephone # 214-592-7777 Web site address (if any) www.verdigrisenergy.com

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

Legal Name Verdigris Energy LLC
 Address P.O. Box 1777, Allen TX 75013
 Telephone # 214-592-7777 Web site address (if any) www.verdigrisenergy.com

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

Verdigris Energy

A-5 Contact person for regulatory or emergency matters

Name Jeff Nottingham
 Title Energy Economist
 Business address P O Box 1777, Allen TX 75013
 Telephone # 214-592-7777 Fax # 972-692-7414
 E-mail address jnottingham@verdigrisenergy.com

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

Name Elizabeth Nottingham
Title President
Business address P O Box 1777, Allen TX 75013
Telephone # 214-592-7777 Fax # 972-692-7414
E-mail address enottingham@verdigrisenergy.com

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

Customer Service address P O Box 1777, Allen TX 75013
Toll-free Telephone # 888-849-1777 Fax # 972-692-7414
E-mail address info@verdigrisenergy.com

A-8 Applicant's federal employer identification number # 27-2782110

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 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-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.

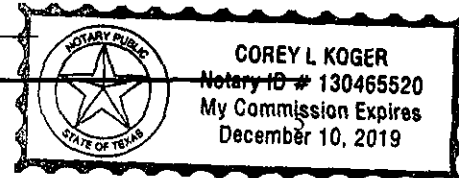
Quinn M. [Signature] President
Signature of Applicant & Title

Sworn and subscribed before me this 6th day of September, 2016
Month Year

Corey L. Koger
Signature of official administering oath

Corey L. Koger Notary
Print Name and Title

My commission expires on 12/10/2019



AFFIDAVIT

State of Texas :

Allen ss.
(Town)

County of Collin :

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

He/She is the President (Office of Affiant) of Verdigris 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 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.

Edith N. [Signature], President
Signature of Affiant & Title

Sworn and subscribed before me this 6th day of September, 2016
Month Year

[Signature]
Signature of official administering oath

Corey Koger Notary
Print Name and Title

My commission expires on 12/10/2019

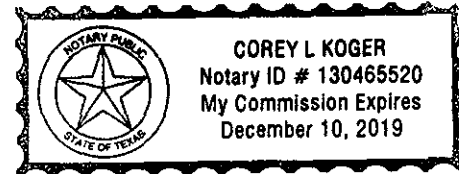


EXHIBIT A-9

"Principal Officers, Directors & Partners"

Elizabeth Nottingham

President

1711 Bur Oak Drive Allen, TX 75002

918-344-0732

Jeff Nottingham

Executive Vice-President

1711 Bur Oak Drive Allen, TX 75002

469-853-8506

EXHIBIT B-1

"Jurisdiction of Operations"

Verdigris Energy LLC was formed on June 4, 2010 as a limited liability company under the laws of the State of Texas. As of the date of this filing, there have been no complaints against Verdigris Energy LLC with any public or private agencies. The company is in good standing with the State of Texas.

Other Licenses and Certifications by Jurisdiction:

Jurisdiction	Designation	Filing/Order Nbr	Date
Cherokee Nation	TERO Certification	10/25/2012-8	10/25/2012
District of Columbia	Electricity Supplier	Order 17068	2/11/2013
Illinois	Agent-Broker-Consultant	11-0691	12/13/2011
Massachusetts	Electricity Broker	EB-265	2/14/2014
Maryland	Electricity Broker	IR-2792	10/3/2012
New Jersey	Energy Agent Private Aggregator	EA0163 PA0108	11/1/2011
Pennsylvania	Broker/Marketer	A-2012-2284040	1/11/2012
Rhode Island	Non Regulated Power Producer	D-96-9(V5)	11/1/2012
Texas	Electricity Aggregator Hub Certificate DFWMSDC MBE & SBE CMBL Number	AG110015 1272782110500 DL03193 12727821105	7/19/2011

EXHIBIT B-2

"Experience & Plans"

Since its inception in 2010, Verdigris Energy has facilitated the execution of hundreds of electricity and natural gas contracts by its clients across the United States. Our primary services are conducting RFQs, educating our clients, evaluating supplier capabilities and making supply contract recommendations. During the course of the supply contract, we provide related services such as facilitating account additions or deletions, negotiating material change provisions. To date we have never had a complaint filed in any jurisdiction. In the vast majority of our client engagements, we are remunerated through a broker commission paid to us by the supplier. As such, Verdigris Energy typically does not produce billing statements.

Exhibit B-3

"Disclosure of Liabilities and Investigations"

There are no rulings, judgements or, to our knowledge, any other matters that could adversely impact Verdigris Energy's ability to serve clients.

EXHIBIT C-1
"Annual Reports"

Verdigris Energy LLC is a privately held company and has no annual reports.
Financial information is provided in Exhibit C-3.

EXHIBIT C-2
"SEC Filings"

Verdigris Energy LLC is privately held and therefore is not required to file with the SEC.

EXHIBIT C-3
"Financial Statements"

Verdigris Energy, LLC
Profit and Loss
January - December 2014

	<u>Total</u>
Income	
Services	530,305.46
Unapplied Cash Payment Income	6,780.97
Total Income	<u>\$ 537,086.43</u>
Gross Profit	<u>\$ 537,086.43</u>
Expenses	
Advertising	3,208.51
Business Travel	2,920.67
Commissions & Fees	96,562.85
Communications	1,787.86
Contract Labor	1,017.63
Insurance	12,385.29
Legal & Professional Fees	28.00
Meals and Entertainment	3,094.76
Office Expenses	1,129.49
Other Miscellaneous	2,218.93
Rental Expenses	1,728.00
Repair & Maintenance	968.91
Supplies	2,208.14
Taxes & Licenses	300.00
License Expense	2,165.25
Total Taxes & Licenses	<u>\$ 2,465.25</u>
Total Expenses	<u>\$ 131,724.29</u>
Net Operating Income	<u>\$ 405,362.14</u>
Net Income	<u>\$ 405,362.14</u>

Verdigris Energy, LLC
Profit and Loss
January - December 2015

	<u>Total</u>
Income	
Services	596,090.31
Unapplied Cash Payment Income	2,078.21
Total Income	<u>\$ 598,168.52</u>
Gross Profit	<u>\$ 598,168.52</u>
Expenses	
Advertising	1,461.18
Business Travel	3,930.01
Commissions & Fees	113,435.93
Communications	3,265.10
Contract Labor	1,060.00
Employee Expenses	39.95
Insurance	13,428.69
Interest Payment	-60.56
Legal & Professional Fees	314.00
Meals and Entertainment	1,991.80
Office Expenses	1,493.40
Other Miscellaneous	6,694.34
Rental Expenses	3,456.00
Repair & Maintenance	32.48
Supplies	1,598.37
Taxes & Licenses	50.00
License Expense	2,251.11
Total Taxes & Licenses	<u>\$ 2,301.11</u>
Total Expenses	<u>\$ 154,441.80</u>
Net Operating Income	<u>\$ 443,726.72</u>
Net Income	<u>\$ 443,726.72</u>

As a single-owner Limited Liability Company, by rule 100% of the company's net income must be distributed to the owner. As such, the company does not maintain a balance sheet nor does it hire independent auditors to certify financial statements.

These statements are certified by Energy Economist and Executive Vice-President Jeff Nottingham, M.A., CEM, CDSM, CEP.

EXHIBIT C-4
"Financial Arrangements"

N/A (Verdigris Energy does not take title to electricity or natural gas)

Exhibit C-5
"Forecasted Financial Statements"

Verdigris Energy LLC produces no financial forecasts. We expect revenue and expenses for 2016 and 2017 to be similar to the 2015 income statement provided in this document (C3 - "Financial Statements")

Projection prepared by:

Jeff Nottingham, Executive Vice-President
1711 Bur Oak Drive, Allen, TX 75002
Phone: 469/853-8506

jnottingham@verdigrisenergy.com

EXHIBITS C-6 & C-7
"Credit Rating" and "Credit Report"

As a relatively new privately held company never having taken on any debt and having very few recurring expenses, creditor information is minimal.

We are aware of the assignment of DUNS Number 03-492-7072, which is listed as "incomplete."

EXHIBIT C-8
"Bankruptcy Information"

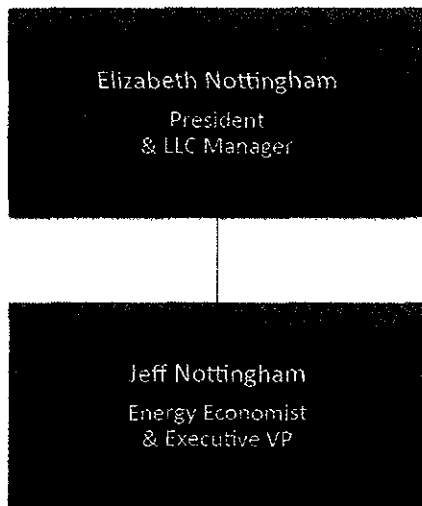
Neither the company nor any of its officers have ever made any form of bankruptcy filing or reorganizations.

EXHIBIT C-9
"Merger Information"

The applicant has not been involved in any dissolution, merger or acquisition.

EXHIBIT C-10
"Corporate Structure"

Verdigris Energy LLC



There are no subsidiary or affiliate companies.

FILE

TOBELMANN Energy Brokers, Inc.

Powering Your Business

RECEIVED TOWNEVILLE OH

2016 SEP -9 PM 2:03

September 2, 2016

PUCO

The Public Utilities Commission of Ohio
Docketing Division
13th Floor
180 East Broad Street
Columbus, OH 43215-3793

RE: Renewal Application for PUCO Certificate# 12-603E
Original AGG Case Number 12-2874-EL-AGG

To Whom it May Concern,

Enclosed with this cover letter is one original Renewal Application For Power Broker and 3 copies. Tobelmann Energy Brokers, Inc, is a small energy broker in Pennsylvania with hopes to provide our services in Ohio as a Power Broker. We do not take title to the power supplied.

Please review and submit our application for consideration for a renewal license in Ohio. Please let us know if you need any other information.

Regards,



John Tobelmann, CEM, CEP
President
Tobelmann Energy Brokers, Inc.
610-639-1406
john@tobelmann.net

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 MN Date Processed SEP 09 2016

Renewal Instructions for Electric Aggregator/Power Brokers

I. Where to File: Applications should be sent to: Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus Ohio 43215-3793.

II. What to File: Applicant must submit one original notarized application signed by a principal officer and three copies including all exhibits, affidavits, and other attachments. All attachments, affidavits, and exhibits should be clearly identified. For example, Exhibit C-10 should be marked "Exhibit C -10 'Corporate Structure.'" All pages should be numbered and attached in a sequential order.

VERY IMPORTANT: The renewal application must be docketed in the applicant's original EL-AGG case number.

III. Renewal Application Form: The renewal application is available on the Commission's web site, www.puco.ohio.gov or directly from the Commission at: Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus Ohio 43215- 3793.

IV. Confidentiality: An applicant may file financial statements, financial arrangements, and forecasted financial statements under seal. If these exhibits are filed under seal, they will be afforded protective treatment for a period of six years from the date of the certificate for which the information is being provided.

An applicant may file a motion for a protective order for other information not filed under seal per the previous paragraph. If the motion is filed in conformance with rule 4901:1-24-07 of the Administrative Code, it shall be automatically approved on the thirty-first day after the date of filing and the information shall be afforded protective treatment for a period of six years from the date of the certificate for which the information is being provided, unless the commission or an attorney examiner appointed by the commission rules otherwise.

At the expiration of the six-year period provided for in the previous paragraphs, the information will be automatically released into the open record. An applicant wishing to extend a protective order beyond the six-year time period must comply with paragraph (F) of rule 4901-1-24 of the Administrative Code.

V. Commission Process for Approval: An application for renewal shall be made on forms approved and supplied by the Commission. The applicant shall complete the appropriate application renewal form in its entirety and supply all required attachments, affidavits, and evidence of capability specified by the form at the time an application is filed. The Commission renewal process begins when the Commission's Docketing Division receives and time/date stamps the application. An incomplete application may be suspended or rejected. An application that has been suspended as incomplete may cause delay in certification.

The Commission may approve, suspend, or deny a renewal application within 30 days. If the Commission does not act within 30 days, the renewal application is deemed automatically approved on the 31st day after the official filing date. If the Commission suspends the application, the Commission shall notify the applicant of the reasons for such suspension and may direct the applicant to furnish additional information. The Commission shall act to approve or deny a suspended application within 90 days of the date that the application was suspended. Upon Commission approval, the applicant shall receive notification of approval and a numbered certificate that specifies the service(s) for which the applicant is certified and the dates for which the certificate is valid.

Unless otherwise specified by the Commission, a competitive retail electric service provider's certificate is valid for a period of two years, beginning and ending on the dates specified on the certificate. The applicant may renew its certificate in accordance with Rule 4901:1-24-09 of the Ohio Administrative Code.

CRES (competitive retail electric service) providers shall inform the Commission of any material change to the information supplied in a certification application within thirty days of such material change in accordance with Rule 4901:1-24-10 of the Ohio Administrative Code.

VI. Questions: Questions regarding filing procedures should be directed to:

CRES@puc.state.oh.us

VII. Governing Law: The certification/renewal of competitive retail electric suppliers is governed by Chapter 4901:1-24 of the Ohio Administrative Code, Chapter 4901:1-21 of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code.