

FILE

Ohio

Public Utilities
Commission

(21)

Original AGG Case Number	Version
14-1699-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 North Coast Energy, Inc.
 Address 3967 Encell Drive; Copley, OH 44321
 PUCO Certificate # and Date Certified 14-887E (1) 10/27/2014
 Telephone # (330) 576-6365 Web site address (if any) _____

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

Legal Name North Coast Energy, Inc.
 Address 3967 Encell Drive; Copley, OH 44321
 Telephone # (330) 576-6365 Web site address (if any) _____

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

North Coast Energy, Inc. _____

A-5 Contact person for regulatory or emergency matters

Name Sean Kennedy
 Title Vice President
 Business address 3967 Encell Drive; Copley, OH 44321
 Telephone # (330) 576-6365 Fax # (330) 576-6451
 E-mail address seanmkennedy@ymail.com

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
 Technician [Signature] Date Processed SEP 15 2016

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

Name Sean Kennedy
Title Vice President
Business address 3967 Encell Drive; Copley, OH 44321
Telephone # (330) 576-6365 Fax # (330) 576-6451
E-mail address seanmkennedy@ymail.com

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

Customer Service address 3967 Encell Drive; Copley, OH 44321
Toll-free Telephone # _____ Fax # (330) 576-6451
E-mail address seanmkennedy@ymail.com

A-8 Applicant's federal employer identification number # 30-0760681

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.


Signature of Applicant & Title

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


Signature of official administering oath


Print Name and Title

My commission expires on _____



AFFIDAVIT

State of OHIO :

Cleveland ss.
(Town)

County of Cuyahoga :

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

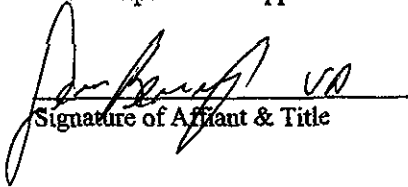
He/She is the VP (Office of Affiant) of NORTH POSEY ENERGY INC. (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant,

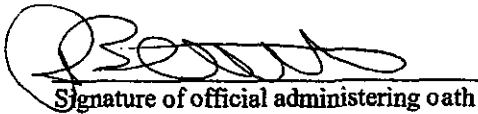
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification renewal are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in 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)

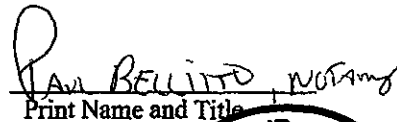
11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the renewal application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer 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 of Affiant & Title

Sworn and subscribed before me this 13 day of Sept, 2014
Month Year


Signature of official administering oath


Print Name and Title

My commission expires on _____



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

- Michael Kennedy
 - President
 - 332 Clearview Court, Broadview Heights, OH 44147
 - (216) 577-8977
- Sean Kennedy
 - Vice President
 - 3967 Encell Drive, Copley, OH 44321
 - (330) 576-6365

Exhibit B-1 "Jurisdictions of Operation"

North Coast Energy, Inc. is authorized by certified suppliers to provide retail electric services throughout all of Ohio where permitted.

Exhibit B-2 "Experience & Plans"

Michael Kennedy worked at The East Ohio Gas Company as a sales manager prior to them being purchased by Dominion. He built a network of large industrial natural gas users and still remains in contact with them today. Michael understands the market and how natural gas is traded extremely well. Sean Kennedy has learned over the years from Michael and is constantly learning from him today.

We plan to visit customers face-to-face to speak with them regarding their electric and natural gas needs and goals. We then plan to take that information to certified suppliers to find a suppliers who will meet their needs. Once a supply price is agreed upon, we will deliver the contract to the customer for their signature and acceptance of the already agreed upon supply contract. The certified supplier will provide billing statements on a monthly basis to the customer. We will respond to customer inquiries and complaints within 24 hours in a professional and courteous manner and work diligently to resolve the issue with the customer and supplier.

Exhibit B-3 "Disclosure of Liabilities and Investigations"

- There are no 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 we are seeking to be certified to provide.

Exhibits C-1 "Annual Reports" and C-2 "SEC Filings"

Both exhibits are not applicable because North Coast Energy is a privately held company.

Exhibit C-3 "Financial Statements"

- We are currently in our second year, but please see the first year's tax return following this page.

U.S. Income Tax Return for an S Corporation

OMB No. 1545-0123

Department of the Treasury
Internal Revenue Service

Do not file this form unless the corporation has filed or is attaching Form 2553 to elect to be an S corporation.

Information about Form 1120S and its separate instructions is at www.irs.gov/form1120s.

2015

For calendar year 2015 or tax year beginning ending

A Selection effective date 1/1/2013	TYPE OR PRINT	Name NORTH COAST ENERGY INC	D Employer identification number 681	
B Business activity code number (see instructions) 221210		Number, street, and room or suite no. If a P.O. box, see instructions. 3967 ENCELL DRIVE	E Date incorporated 1/1/2013	
		City or town AKRON	State OH	F Total assets (see instructions) 29,432
		ZIP code 44321		
C Check if Sch. M-3 attached <input type="checkbox"/>		Foreign country name Foreign province/state/county Foreign postal code		
G Is the corporation electing to be an S corporation beginning with this tax year? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, attach Form 2553 if not already filed				
H Check if: (1) <input type="checkbox"/> Final return (2) <input type="checkbox"/> Name change (3) <input type="checkbox"/> Address change (4) <input type="checkbox"/> Amended return (5) <input type="checkbox"/> Selection termination or revocation				
I Enter the number of shareholders who were shareholders during any part of the tax year			2	

Caution: Include only trade or business income and expenses on lines 1a through 21. See the instructions for more information.

Income	1a Gross receipts or sales	1a	172,556	1c	172,556
	b Returns and allowances	1b			
	c Balance. Subtract line 1b from line 1a				
	2 Cost of goods sold (attach Form 1125-A)			2	
	3 Gross profit. Subtract line 2 from line 1c			3	172,556
	4 Net gain (loss) from Form 4797, line 17 (attach Form 4797)			4	
Deductions (see instructions for limitations)	5 Other income (loss) (see instructions—attach statement)			5	
	6 Total income (loss). Add lines 3 through 5			6	172,556
	7 Compensation of officers (see instructions—attach Form 1125-E)			7	114,950
	8 Salaries and wages (less employment credits)			8	17,033
	9 Repairs and maintenance			9	
	10 Bad debts			10	2,281
	11 Rents			11	
	12 Taxes and licenses			12	9,815
	13 Interest			13	
	14 Depreciation not claimed on Form 1125-A or elsewhere on return (attach Form 4562)			14	6,241
	15 Depletion (Do not deduct oil and gas depletion.)			15	
	16 Advertising			16	
	17 Pension, profit-sharing, etc., plans			17	2,759
	18 Employee benefit programs			18	
	19 Other deductions (attach statement)			19	44,662
20 Total deductions. Add lines 7 through 19			20	197,741	
21 Ordinary business income (loss). Subtract line 20 from line 6			21	-25,185	
Tax and Payments	22a Excess net passive income or LIFO recapture tax (see instructions)	22a		22c	0
	b Tax from Schedule D (Form 1120S)	22b			
	c Add lines 22a and 22b (see instructions for additional taxes)				
	23a 2015 estimated tax payments and 2014 overpayment credited to 2015	23a			
	b Tax deposited with Form 7004	23b			
	c Credit for federal tax paid on fuels (attach Form 4136)	23c			
	d Add lines 23a through 23c			23d	0
	24 Estimated tax penalty (see instructions). Check if Form 2220 is attached <input type="checkbox"/>			24	
	25 Amount owed. If line 23d is smaller than the total of lines 22c and 24, enter amount owed			25	0
	26 Overpayment. If line 23d is larger than the total of lines 22c and 24, enter amount overpaid			26	0
27 Enter amount from line 26. Credited to 2016 estimated tax			27	0	

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Sign
Here

Signature of officer

Date

Title

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

Paid
Preparer
Use Only

Print/Type preparer's name

Preparer's signature

Date

Check ☐ if self-employed

PTIN

Mark Hubert

Hubert & Hubert, Inc.

4/2/2016

Firm's name

Hubert & Hubert, Inc.

Firm's EIN

Firm's address

12200 Chestnut Circle

Phone no.

(440) 526-9196

City

Brecksville

State OH

ZIP code

44141

For Paperwork Reduction Act Notice, see separate instructions.

Form 1120S (2015)

Exhibit C-4 "Financial Arrangements"

This is not applicable because North Coast Energy, Inc. is not taking title to power.

Exhibit C-5 "Forecasted Financial Statements"

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Revenue	\$85,000.00	\$80,000.00	\$85,000.00
Expenses	\$25,000.00	\$20,000.00	\$25,000.00
Net Income	\$60,000.00	\$60,000.00	\$60,000.00

Exhibit C-6 "Credit Rating"

North Coast Energy, Inc. is not rated by a Rating Agency.

Exhibit C-7 "Credit Report"

North Coast Energy, Inc. does not have a credit report.

Exhibit C-8 "Bankruptcy Information"

Not applicable.

Exhibit C-9 "Merger Information"

Not applicable.

Exhibit C-10 "Corporate Structure"

- North Coast Energy, Inc. is a stand-alone entity with no affiliate or subsidiary companies.