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Headquarters  
900 State Street  
Erie, PA 16501  
Tel: (703) 584-4184

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FILE

October 28, 2016

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

16-2148-EL-AGG

**RE: Power and Natural Gas Broker Applications**

To Whom It May Concern:

Please find enclosed with this cover letter the following information related energy broker applications submitted by PRX Energy LLC as required by the Public Utilities Commission of Ohio.

- One (1) original notarized Certification Application for Aggregators/Power Brokers
- One (1) original notarized Certification Application for Competitive Retail Natural Gas Brokers/Aggregators
- Three (3) copies of Attachments to the Certification Application for Aggregators/Power Brokers
- Three (3) copies of Attachments to the Certification Application for Competitive Retail Natural Gas Brokers/Aggregators
- Six (6) confidential copies under separate seal – three (3) for each of the applications above

Feel free to contact me at (703) 584-4184 with any questions.

Sincerely,

Gregory Shively

President and Managing Partner – PRX Energy

Enclosures

RECEIVED - COMPETITIVE  
2016 OCT 31 PM 4:07  
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Technician AS Date Processed 10/31/16



# Public Utilities Commission

PUCO USE ONLY		
Date Received	Case Number	Version
	16-2148-EL-AGG	December 2014

## CERTIFICATION APPLICATION FOR 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 PRX Energy LLC  
Address 900 State Street, Erie, PA 16501  
Telephone # (703) 584-4184 Web site address (if any) www.prxenergy.com

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

Legal Name PRX Energy LLC  
Address 900 State Street, Erie, PA 16501  
Telephone # (703) 584-4184 Web site address (if any) www.prxenergy.com

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

PRX Energy LLC  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### A-4 Contact person for regulatory or emergency matters

Name Gregory Shively  
Title President

2016 OCT 31 PM 4:07  
PUCO

Business address 5310 16th Road N., Arlington, VA 22205  
Telephone # (703) 584-4184 Fax # \_\_\_\_\_  
E-mail address (if any) gshively@prxenergy.com

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

Name Gregory Shively  
Title President  
Business address 5310 16th Road N., Arlington, VA 22205  
Telephone # (703) 584-4184 Fax # \_\_\_\_\_  
E-mail address (if any) gshively@prxenergy.com

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

Customer Service address 900 State Street, Erie, PA 16501  
Toll-free Telephone # (866) 412-7161 Fax # \_\_\_\_\_  
E-mail address (if any) gshively@prxenergy.com

**A-7 Applicant's federal employer identification number # 465511340**

**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).**

- |   |                                      |  |  |  |
|---|--------------------------------------|--|--|--|
| <input checked="" type="checkbox"/> <b>First Energy</b>             |                                      |  |  |  |
| <input checked="" type="checkbox"/> Ohio Edison                     | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Toledo Edison                   | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Cleveland Electric Illuminating | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Duke Energy                     | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Monongahela Power               | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> American Electric Power         |                                      |  |  |  |
| <input checked="" type="checkbox"/> Ohio Power                      | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Columbus Southern Power         | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Dayton Power and Light          | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |

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

December 1, 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**

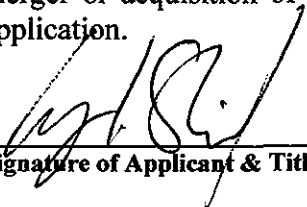
**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

**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, e-mail address, and telephone number of the preparer.
- C-6 Exhibit C-6 “Credit Rating,”** provide a statement disclosing the applicant’s credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody’s Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant’s parent or affiliate organization that guarantees the obligations of the applicant.
- C-7 Exhibit C-7 “Credit Report,”** provide a copy of the applicant’s credit report from Experian, Dun and Bradstreet or a similar organization.
- C-8 Exhibit C-8 “Bankruptcy Information,”** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.

C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

  
\_\_\_\_\_  
Signature of Applicant & Title



JAMES FLAHERTY  
NOTARY PUBLIC 7376684  
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this 28<sup>th</sup> day of October, 2016  
Month Year

  
\_\_\_\_\_  
Signature of official administering oath

James Flaherty, Notary Public  
Print Name and Title

My commission expires on 07/31/2018

# **AFFIDAVIT**

State of VIRGINIA :

\_\_\_\_\_  
(Town) ss.

County of ARLINGTON :

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

He/She is the PRESIDENT (Office of Affiant) of PRX 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.

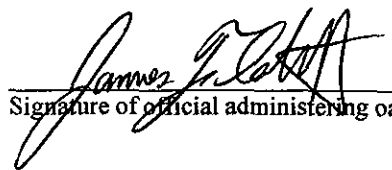
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

  
Signature of Affiant & Title



JAMES FLAHERTY  
NOTARY PUBLIC 7376684  
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this 28<sup>th</sup> day of October, 2016  
Month Year

  
Signature of official administering oath

James Flaherty, Notary Public  
Print Name and Title

My commission expires on 07/31/2018

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## **Attachments to PRX Energy Certification Application for Aggregators/Power Brokers**

**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.

Gregory Shively  
President & Managing Partner  
5310 16<sup>th</sup> Road N  
Arlington, VA 22205  
(703) 584-4184

Bret Grady  
Partner  
116 Doreen Drive  
Fairfield, CT 06824  
(203) 493-2173

Christopher Herr  
Partner  
3117 28<sup>th</sup> Street  
San Diego, CA 92104  
(858) 204-7990

**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.

PRX Energy is a standalone entity and has no affiliate or subsidiary relationships and no corporate structure to report beyond the LLC entity itself.

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

PRX Energy was formed in 2014 to provide an improved service model for customers seeking energy consulting and brokering services. PRX Energy provides strategic consulting services in the area of energy procurement and sustainability to help customers save money. We work with customers to ensure they have access to energy markets and can understand the options available to them. We work on the customer's side of the table and in cooperation with our customers to identify their energy requirements, bring suppliers to the table and negotiate supply contracts. PRX Energy also monitors supplier performance to ensure proper performance and billing. Our strategic consulting services include the consideration of renewable energy as a means of meeting sustainability and financial goals.

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.

Entity #: 4282775  
Date Filed: 04/17/2014  
Carol Alcheta  
Secretary of the Commonwealth

**PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU**

**Certificate of Organization  
Domestic Limited Liability Company  
(15 Pa.C.S. § 8913)**

**PENNCORP SERVICEGROUP, INC.**  
c/o Legalzoom.com Inc.  
P.O. Box 1210  
Harrisburg, PA 17108-1210 4038

Commonwealth of Pennsylvania  
CERTIFICATE OF ORGANIZATION 3 Page(s)



Fee: \$125

In compliance with the requirements of 15 Pa.C.S. § 8913 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

1. The name of the limited liability company (designator is required, i.e., "company", "limited" or "limited liability company" or abbreviation): <b>PRX Energy LLC</b>				
2. The (a) address of the limited liability company's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:				
(a) Number and Street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider c/o: United States Corporation Agents, Inc.				County of Delaware
3. The name and address, including street and number, if any, of each organizer is (all organizers must sign on page 2):				
Name Cheyenne Moseley, Legalzoom.com, Inc.		Address 9900 Spectrum Drive, Austin, TX 78717		

2014 APR 17 PM 4:06  
PA DEPT OF STATE

**DSCB:15-8913-2**

4. ~~Strike out if inapplicable term~~

A member's interest in the company is to be evidenced by a certificate of membership interest.

5. Strike out if inapplicable

Measurement of the company is listed in a number of magazines.

6. The specified effective date, if any is:

month date year hour, if any

**State of Illinois:** The company is restricted professional business described hereunder the following restricted professional services:

8. For additional provisions of the certificate, if any, attach an 8½ x 11 sheet.

IN TESTIMONY WHEREOF, the organizer(s) has (have) signed this Certificate of Organization this

16th day of April 2014

CM

**Cheyenne Mosley, Organizer, Legalroom.com, Inc.**

**Signature**

**Signature**

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



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/27/2016	201629900472	REGISTRATION OF FOREIGN FOR PROFIT LLC (LFP)	99.00	0.00	0.00	0.00	0.00

**Receipt**

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

PRX ENERGY LLC  
900 STATE STREET  
ERIE, PA 16501

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**  
**3953476**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for  
**PRX ENERGY LLC**

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

Document(s)

**REGISTRATION OF FOREIGN FOR PROFIT LLC**

Effective Date: 10/25/2016

Document No(s):

**201629900472**



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  
27th day of October, A.D. 2016.

*Jon Husted*

**Ohio Secretary of State**

## **B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

**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.

PRX Energy is licensed for natural gas and/or electricity in the following states:

- Maryland
- Massachusetts
- New Jersey
- Pennsylvania

**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.

PRX Energy contracts directly with customers using a Consulting Services Agreement that stipulates the terms of engagement including the fee for service, the term of service and term renewal protocols. PRX Energy does not sell electricity to customers nor do we take title to the electricity that our customers purchase. Therefore, much of the Section 4928.10 of the Revised code does not apply to our services. PRX Energy is however highly experienced with the contents of supplier invoices and does provide customers with an invoice review to assure accuracy with the supply contract terms. Furthermore, PRX Energy will assist its customers in dealing with supplier billing errors and other concerns. Essentially, PRX Energy, by representing its customer, acts as the customer in its engagements with suppliers that are operating under the terms of 4928.10 of the Revised Code.

**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.).

PRX Energy provides advisory services and consulting to minimize energy costs and market risks while maximizing performance against sustainability goals including participation in renewable energy, demand response and energy efficiency. PRX Energy currently represents over 15 colleges and universities and over 10 commercial and manufacturing locations. Our customers are located primarily in the Northeast deregulated electricity and natural gas markets and consume nearly \$100 million in electricity and natural gas annually.

PRX Energy is led by an industry veteran, Gregg Shively, that spent 25 years working at retail marketing companies and energy consultancies. Mr. Shively led the energy management division of Pace Global Energy Services and later Siemens Building Technologies for 17 years providing retail procurement and risk management services to some of the world's largest industrial companies including Alcoa and Procter & Gamble.

Mr. Shively's background consists of deep experience in the areas of energy market design, regulations and market price fundamentals. A wealth of experience in a consulting capacity evaluating and understanding energy risks and opportunities provides a strong base of experience to develop creative energy strategies that meeting defined goals and provide for continuous improvement.

PRX Energy was created to develop and implement energy strategies that help companies and campuses minimize their energy spend by maximizing their leverage in competitive markets. By building energy portfolios that properly balance market risk, regulations and energy projects (renewable, controls and efficiency), energy costs can be contained and consistently managed in support of long-term business goals.

#### **Brief Bio - Gregg Shively**

##### **President & Managing Partner**

PRX Energy

June 2014 – Present - Arlington, VA

PRX Energy provides energy consulting and brokering services for energy consumers in North America. Our services enable clients to build, analyze and manage creative and competitive energy portfolios that meet objectives for cost, risk and sustainability. With over 20 years in the energy industry as both a consultant and retail marketer, Mr. Shively has the experience to develop energy supply strategies and implementation plans that meet our client's aggressive goals and budget expectations.

##### **Vice President and Executive Director**

Pace Global a Siemens Business and Siemens Building Technologies

May 1997 – June 2014 (17 years 2 months) Washington D.C. Metro Area

Vice President and Executive Director for the services, sales and accounts for the Sustainability and Energy Management segment within Siemens Infrastructure & Cities Sector, Building Technologies Division. Provide strategic direction to the business and its clients. Mr. Shively managed a team of over 100 professionals engaged in natural gas, electricity, Fuel Oil and other energy commodity transactions.

##### **Manager, Transportation & Exchange**

Statoil

1992 – 1997 (5 years)

As Manager for T&E, the responsibilities included ensuring a balanced physical retail book, monitoring cash positions across the customer base, upstream transportation and storage accounts and regional supply pools. Experience also includes developing supply strategies to minimize delivered cost, optimizing owned assets in daily cash markets and managing a staff of professionals in a trade floor environment.

##### **Education**

Penn State University

BS, Economics

1988 – 1992

Concentration in energy economics, business, competitive market design

University of Notre Dame

Executive Leadership Program

2006 – 2006

**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.

PRX Energy has no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact financial or operational status.

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

Not Applicable.

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

Not Applicable.



### C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

**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.

PRX Energy does not have shareholders and does not produce an annual report.

**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.

PRX Energy is not required to file with the SEC.

**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.

Financial information filed separately under seal for confidentiality purposes pursuant to Rule 4901:1-24-07 of the Administrative Code.

**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.).

PRX Energy does not require financial arrangements to provide consulting and brokerage services. We do not take title to the energy and will not be selling energy commodities to our customers.

**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.

PRX Energy does not have forecasted financial statements prepared by our accountant. The financials provided in Exhibit C-4 include a year ahead projection.

**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.

PRX Energy is a newly formed business entity and as a small business we do not have credit ratings. PRX Energy has no outstanding debt or other financial encumbrances to report. Nor do we rely on credit to provide consulting and brokerage services.

**Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from Experian, Dun and Bradstreet or a similar organization.

PRX Energy is a newly formed business entity and as a small business we do not have credit ratings. PRX Energy has no outstanding debt or other financial encumbrances to report. Nor do we rely on credit to provide consulting and brokerage services.

**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.

PRX Energy has no bankruptcy events to report. Furthermore, there are no parent companies or affiliates to report.

**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.

PRX Energy has no merger activity to report.