



Energy services you can Trust

Energy Trust LLC P.O. Box 29914 Baltimore, MD 21230

September 22, 2015

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

Re: Electricity License Renewal Application for Aggregators/Power Brokers – CRES 13-756E (2) Case No. 13-2091 EL AGG

Dear PUCO,

Energy Trust LLC is pleased to make the following Renewal Certification Application for Aggregators/Power Brokers to the Public Utilities Commission of Ohio. Enclosed please find one original application signed by an officer and three copies including all exhibits, affidavits, and other attachments. All are clearly identified.

We look forward to our certification renewal in the great State of Ohio.

Please contact me with any questions or concerns.

Sincerely,

Philip F. Wilson

Partner, Energy Trust LLC

Office 610.971.0482

Cell 610.283.1794

philipwilson@myenergytrust.com

enclosure

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.

Date Processed

Ohio | Public Utilities Commission

| Original AGG Case Number | Version |
|-----------------------------|----------|
| 13 - 2091 -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 Energy Trust, LLC | | |
| | Address PO Box 29914 Baltimore, Maryland 21230 | | |
| | PUCO Certificate # and Date Certified 13-756E (2) November 14, 2015 | | |
| | Telephone # (410) 837-1120 Web site address (if any) www.myenergytrust.com | | |
| A-3 | List name, address, telephone number and web site address under which Applicant will do business in Ohio | | |
| | Legal Name Energy Trust, LLC d/b/a ET Energy, LLC | | |
| | Address PO Box 29914 Baltimore, Maryland 21230 | | |
| | Telephone # (410) 837-1120 Web site address (if any) www.myenergytrust.com | | |
| A-4 | List all names under which the applicant does business in North America Energy Trust, LLC | | |
| A-5 | Contact person for regulatory or emergency matters | | |
| | Name Philip Wilson | | |
| | Title Partner | | |
| | Business address PO Box 29914 Baltimore, Maryland 21230 | | |
| | Telephone # (410) 837-1120 Fax # (410) 837-1149 | | |
| | E-mail address suppliersupport@myenergytrust.c | | |

| A-6 | Contact person for Commission Staff u | se in investigating customer complaints | | | | |
|------|--|---|--|--|--|--|
| | Name Philip Wilson | | | | | |
| | Title Partner | | | | | |
| | Business address PO Box 29914 Baltimore, M | arvland 21230 | | | | |
| | Telephone # (610) 971-0482 | Fax # (610) 971-0583 | | | | |
| | E-mail address suppliersupport@mye | | | | | |
| | | | | | | |
| A-7 | Applicant's address and toll-free number for customer service and complaints | | | | | |
| | Customer Service address PO Box 29914 Balt | imore, Maryland 21230 | | | | |
| | Toll-free Telephone # (866) 307-0254 | | | | | |
| | E-mail address customerservice@mye | | | | | |
| | | | | | | |
| A-8 | Applicant's federal employer identifica | tion number # 711014282 | | | | |
| A-9 | Applicant's form of ownership (check | one) | | | | |
| | Floring with the | Film . 12 | | | | |
| | Sole Proprietorship | Partnership | | | | |
| | Limited Liability Partnership (LLP) | ☐ Limited Liability Company (LLC) | | | | |
| | ☐ Corporation | Other | | | | |
| A-10 | Exhibit A -10 "Principal Officers. I addresses and telephone numbers of the | Directors & Partners" provide the names, titles, applicant's principal officers, directors, partners, | | | | |
| | or other similar officials. | | | | | |
| | | | | | | |
| В. | APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE | | | | | |
| | PROVIDE THE FOLLOWING AS SEPARAT | TE ATTACHMENTS AND LABEL AS INDICATED: | | | | |
| B-1 | the applicant or any affiliated interest | ion," provide a list of all jurisdictions in which of the applicant is, at the date of filing the d, or otherwise authorized to provide retail or regation services. | | | | |
| B-2 | and plan for contracting with customers, | ovide a description of the applicant's experience providing contracted services, providing billing r inquiries and complaints in accordance with ection 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.

| 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. | | | | |
| 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 <u>Exhibit C-2 "SEC Filings,"</u> 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 <u>Exhibit C-4 "Financial Arrangements,"</u> 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 <u>Exhibit C-5 "Forecasted Financial Statements,"</u> 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 <u>Exhibit C-7 "Credit Report,"</u> provide a copy of the applicant's credit report from Experion, 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 <u>Exhibit C-8 "Bankruptcy Information,"</u> 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 <u>Exhibit C-9 "Merger Information,"</u> 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 employed transported by stating that they are a stand-alone entity with no affiliate or subsidiary and premies.

MYLES NEAL
Notary Public
RADNOR TWP, DELAWARE COUNTY
Commission Expires May 11, 2021

Signature of Applicant & Title

Sworn and subscribed before me this 20 day of Jest, 2017.

Month

Year

Signature of official administering oath

Miles Neal, Public Notery

Print Name and Title

My commission expires on $\frac{5/11/2021}{}$

Exhibit A-10

"Principal Officers, Directors & Partners"

Energy Trust, LLC has three General Partners:

Cary Gibson, Partner

Energy Trust LLC PO Box 29914 Baltimore, MD 21230 410-837-1120 offices 410-837-1149 Fax

Philip Wilson, Partner

Energy Trust LLC 661 Church Rd Suite 100 Wayne, PA 19087 610-971-0482 offices 610-971-0583 Fax

Tracey Bellotti, Partner

1216 Morningside Lane Suite 201 Alexandria, VA 22308 703-765-0351 offices 703-765-0351 Fax

Exhibit B-1

"Jurisdictions of Operation"

Brokers License:

Commonwealth of Massachusetts (EB-103)

State of Pennsylvania (A-2009-2134742)

State of Maryland (iR - 1682)

State of Rhode Island (Div Doc: D-96-6 [I5])

State of Delaware (Order No. 8077 Doc no. 11-427)

State of New Hampshire Natural Gas (DM 12-056)

District of Columbia (Case No. EA 11-20, Order no. 16447)

Exhibit B-2

"Experience and Plans"

The Energy Trust three principal owners collectively hold over 77 years of experience in the industry analyzing utility rates and completing contracts for clients. As a broker service Energy Trust's primary objective to assist in the contracting of energy supplies using a transparent competitive bidding process. Energy Trust continually monitors energy supplier commodity offers, working to match the optimal supplier offer to our client's energy requirements. Energy Trust provides on-going supply coordination for each of its clients throughout the client's supply contract term.

Our business plan is to continue to grow Energy Trust organically leveraging our existing client relationships. Our primary business region will remain the Maryland and Pennsylvania markets.

Energy Trust LLC is an independent and unbiased team of energy specialist who provide energy procurement services for commercial and industrial energy end users. Energy Trust is an energy broker and not an energy supplier and does not take title to the supply contract. Energy Trust contracts exclusively with commercial and industrial clients. Energy Trust does not work with any residential clients or accounts.

Energy Trust LLC does not take title to power supply contracts; therefore Energy Trust LLC does not provide electric supply billing. The client receives a bill for supply from the supplier it contracted with.

Energy Trust continually monitors each of our clients' contract arrangements and the suppliers' performance to the contract requirements. Energy Trust works to assist the client's understanding and resolution of their supplier invoice inquires; ensuring billing statements are correct and that suppliers respond to client's inquiries while complaints are handled in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.

Exhibit B-3

"Disclosure of Liabilities and Investigations"

As of the date of this filing there are no investigations, judgments or other similar matters that could adversely impact the Energy Trust, LLC financial or operational status.

Exhibit B-4

"Disclosure of Consumer Protection Violations"

| Disclose whether the applicant, a predecessor of the applicant, or any principal office of the applicant |
|--|
| have ever been convicted or held liable for fraud or for the violation of any Consumer protection or |
| antitrust laws within the past 5 years. |

X NO YES

Exhibit B-5

| "Disclosure of Certification | Denial, Curtailment, | Suspension, | or Revocation" |
|------------------------------|----------------------|-------------|----------------|
| | | | |

| Disclos | e whether the a | pplicant | or a predecessor of the applicant has had any certification, license, or |
|----------|-----------------|-----------|--|
| applica | tion to provide | retail or | wholesale electric service including aggregation service denied, curtailed |
| suspen | ded, revoked, o | r cancell | ed within the past two years. |
| <u>X</u> | NO | | YES |

Energy Trust, LLC

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Exhibit C-1

"Annual Reports"

Energy Trust, LLC is a private Maryland limited liability company and does not prepare or file Annual Reports.

Exhibit C-2

"SEC Filings"

Energy Trust, LLC as a Maryland limited liability company does not trade any securities, will not take title to any power supply contracts and is not required to file with the SEC.

Exhibit C-3

"Financial Statements"

Below are the two most current year's unaudited financial statements for Energy Trust, LLC a Maryland limited liability company. These are "Officer Certified" Energy Trust, LLC financial statements.

ENERGY TRUST LLC STATEMENTS OF REVENUES, EXPENSES, AND MEMBERS' EQUITY - INCOME TAX BASIS FOR YEARS ENDING DECEMBER 31, 2016 AND 2015

| | 2016 | 2015 |
|---|-----------|-----------|
| Revenue | \$883,527 | \$867,576 |
| Selling Expenses | (309,165) | (298,127) |
| General and Administrative Expenses | (6,341) | (6,106) |
| Net Income | 568,021 | 563,343 |
| Members' Equity - Start of Year | 3,564 | 6,323 |
| Member Distributions, including Guaranteed Payments | (556,584) | (566,102) |
| Members' Equity - End of Year | \$15,001 | \$3,564 |

ENERGY TRUST LLC STATEMENTS OF ASSETS, LIABILITIES, AND MEMBERS' EQUITY - INCOME TAX BASIS AS OF DECEMBER 31, 2016 AND 2015

| | 2016 | 2015 |
|---------------------------------------|-----------------|---------|
| <u>Assets</u> | | |
| Cash | <u>\$15,001</u> | \$3,564 |
| Total Assets | <u>\$15,001</u> | \$3,564 |
| Liabilities and Members' Equity | | |
| Liabilities: | | |
| None | | |
| Members' Equity | \$15,001 | \$3,564 |
| Total Liabilities and Members' Equity | \$15,001 | \$3,564 |

This information is not for distribution without written permission of Energy Trust LLC and is considered confidential and proprietary.

Exhibit C-4

"Financial Arrangements"

N/A

Energy Trust, LLC will be providing energy service information and will not be buying, selling or taking title to any energy supply. Therefore, Energy Trust, LLC is not required to obtain bank commitments and/or credit arrangements.

Exhibit C-5

"Forecasted Financial Statements"

ENERGY TRUST, LLC
STATEMENTS OF REVENUES, EXPENSES, AND
MEMBERS' EQUITY - INCOME TAX BASIS
OHIO Electricity ONLY
Projected for Years Ending December 31, 2017, 2018 and 2019

| projected | 2019 | 2018 | 2017 | 2016 actual |
|-------------------------------------|------------|------------|------------|-------------|
| Revenue | \$13,500 | \$13,169 | \$21,299 | \$29,429 |
| General and Administrative Expenses | (\$13,074) | (\$12,753) | (\$20,627) | (\$28,500) |
| Net Income | \$426 | \$416 | \$672 | \$929 |

OHIO Electricity ONLY
Projected for Years Ending December 31, 2017, 2018 and 2019
Assumptions

- 1 Energy Trust's largest Ohio client sold its Ohio facilities June 2017
- Years 2017 thru 2019 revenue projections do not include the Energy Trust client's Ohio facilities that were sold in June 2017
- 3 Energy Trust G&A Expenses reflect the Ohio cost of sales

Contact

Philip Wilson, Partner
PO Box 29914 Baltimore, Maryland 21230
(610) 971-0482

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Exhibit C-6

"Credit Rating"

N/A

Energy Trust, LLC does not subscribe to any credit rating agencies and does not have a parent company.

Energy Trust LLC is a broker / consultant and is only engaged in providing customers with advice on purchasing electricity supply.

Exhibit C-7

"Credit Report"

N/A

Energy Trust, LLC does not subscribe to any credit rating agencies and does not have a parent company that could supply a credit rating.

Energy Trust LLC is a broker and is only engaged as an advisor.

Energy Trust, LLC

Exhibit C-8

"Bankruptcy Information"

Energy Trust, LLC nor any officer of Energy Trust, LLC have filed for reorganization, protection from creditors or any other form of bankruptcy filings in the current year or within the two most recent years preceding the application.

Exhibit C-9

"Merger Information"

In the five (5) years prior to this application Energy Trust, LLC has not been dissolved, acquired or merged.

Exhibit C-10

"Corporate Structure"

ENERGY TRUST, LLC

TRACEY BELLOTTI

CARY GIBSON

PHILIP WILSON

Partner

Partner

Partner

Energy Trust, LLC is a stand-alone entity with no affiliate or subsidiary companies.

Energy Trust, LLC is a partnership equally owned and operated by its three partners; Ms. Bellotti, Mr. Gibson and Mr. Wilson. The partners share equally in all corporate decision making.

Energy Trust, LLC is a totally independent energy brokering / consulting firm with no affiliates or subsidiaries.

Energy Trust, LLC nor any of its partners own or operate any affiliate or subsidiary companies that supply retail or wholesale electricity or natural gas to customers and companies that aggregate customers in North America.

AFFIDAVI Battingue ss

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

(Office of Affiant) of Every Tariff 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.
- 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.
- 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.
- 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.
- 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

___ day of

<u>/</u> Year

Signature of official administering oath

My commission expires on

Print Name and Title

NOTARIAL SEAL MYLES NEAL

RADNOR TWP, DELAWARE COUNTY
My Commission Expires May \$1, 2021