

FILE

14-509-EL-AGG

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Ohio**Public Utilities
Commission**

Original AGG Case Number	Version
14 - 509 -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 The Brio Energy Corporation
 Address 20836 Hall Road #266, Clinton Twp MI 48038
 PUCO Certificate # and Date Certified 14-803E (1) APRIL 28, 2014
 Telephone # (800) 727-2035 Web site address (if any) www.brioenergycorp.com

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

Legal Name Same
 Address _____
 Telephone # _____ Web site address (if any) _____

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

Brio Energy Corporation, The
Brio Energy Corp

A-5 Contact person for regulatory or emergency matters

Name Catherine Trefzer
 Title President
 Business address 20836 Hall Road #266, Clinton Twp MI 48038
 Telephone # (800) 727-2035 Fax # (866) 571-7925
 E-mail address ctrefzer@brioenergycorp.com

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

Name Catherine Trefzer
Title President
Business address 20836 Hall Road #266 Clinton Twp MI 48038
Telephone # (800) 727-2035 Fax # (866) 571-7925
E-mail address ctrefzer@brioenergycorp.com

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

Customer Service address 20836 Hall Road #266 Clinton Twp MI 48038
Toll-free Telephone # (800) 727-2035 Fax # (866) 571-7925
E-mail address ctrefzer@brioenergycorp.com

A-8 Applicant's federal employer identification number # 455411418

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 -10 "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.

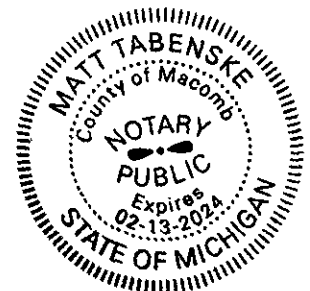
_____, President
Signature of Applicant & Title

Sworn and subscribed before me this 26 day of March, 2018
Month Year

Signature of official administering oath

Matt Tabenske
Print Name and Title

My commission expires on 2/13/2024



AFFIDAVIT

State of Michigan :

Macomb Twp.
(Town)

County of Macomb :

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

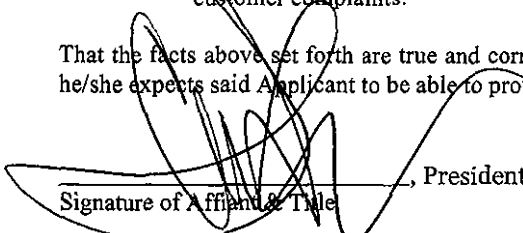
He/She is the President (Office of Affiant) of The Brio Energy Corporation (Name of Applicant);

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.


_____, President
Signature of Affiant & Title

Sworn and subscribed before me this 26 day of March, 2018
Month Year

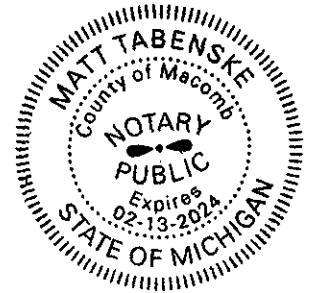


Signature of official administering oath

Matt Tabenske

Print Name and Title

My commission expires on 2/13/2024



The Brio Energy Corporation

PUCO Renewal Application Exhibits 14-0509 EL-AGG_2018 Broker License 14-803E

Exhibit Attachments

A-10

Exhibit A-10 "Principal Officers, Directors & Partners"

Principal Officers:

Catherine Trefzer
President
20836 Hall Road # 266
Clinton Twp, MI 48038
800-727-2035 office
724-905-7256 cellular
866-571-7925 fax

Charles Zajac
Secretary
18530 Mack Ave #343
Grosse Pointe MI 48236
800-727-2035 office
866-571-7925 fax

There are no additional directors or partners.

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

B-1 Exhibit B-1 "Jurisdictions of Operation"

The Brio Energy Corporation is certified electricity and natural gas in Ohio:
Electric: 14-803E
Natural Gas: 14-1899-GA

B-2 Exhibit B-2 "Experience & Plans"

Brio Energy aids properly licensed and authorized alternative electricity and natural gas suppliers in obtaining customers who provide the contracted services, billing statements and respond to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 or the Revised Code.

Brio Energy will not take title to electricity or natural gas, directly contract services or bill customers; however, will aid its customers in resolving inquiries and complaints with individual suppliers.

B-3 Exhibit B-3 "Disclosure of Liabilities and Investigations"

There is no known, pending, or past ruling, judgments, contingent liabilities, revocation of authority, regulatory investigations or any other matter that could adversely impact Brio Energy Corporation financial or operational status or ability to provide the services it is seeking to be certified to provide to provide.

B-4 Exhibit B-4

Brio Energy Corp (Applicant) nor predecessor of Brio Energy, nor any principal officer of Brio Energy has ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

B-5 Exhibit B-5

Brio Energy Corp (Applicant) nor predecessor of Brio Energy, nor any principal officer of Brio Energy has not 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.

C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

C-1 Exhibit C-1 "Annual Reports"

Brio Energy is a small business that does not report to shareholders; therefore, no annual reports are available or filed.

C-2 Exhibit C-2 "SEC Filings"

As an agent or broker/agent Brio Energy Corp is not required to file 10-K/8K filings with the SEC. Additionally, there is no parent company affiliations therefore, there are no 10-k/8-K filings.

C-3 Exhibit C-3 "Financial Statements"

Audited financial statements (balance sheet, income statement, and cash flow statements) See attached Exhibit C-3

C-3 Exhibit C-3 "Financial Statement"

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03/24/18

Cash Basis

Brio Energy Corporation

Profit & Loss

January through December 2017

	Jan - Dec 17	Jan - Dec 16
Ordinary Income/Expense		
Income		
Sales	304,075.24	268,001.74
Total Income	304,075.24	268,001.74
Cost of Goods Sold		
Contract Services	85,538.67	81,039.38
Total COGS	85,538.67	81,039.38
Gross Profit	218,536.57	186,962.36
Expense		
Advertising and Promotion	16,685.21	1,395.60
Automobile Expense	11,586.65	8,404.74
Automobile Reimbursed	2,933.22	0.00
Bank Service Charges	199.00	390.40
Computer and Internet Expenses	1,706.06	3,416.54
Continuing Education	285.00	0.00
Depreciation Expense	13,435.00	3,054.00
Donation	406.44	0.00
Dues and Subscriptions	246.25	604.94
Employee Benefits	22,469.45	19,152.90
Insurance Expense	407.50	379.00
Interest Expense	1,876.07	299.92
Licenses and Fees	2,322.21	720.32
Meals and Entertainment	8,786.39	7,678.95
Office Supplies	7,399.24	6,855.82
Officer Salary	69,665.68	63,800.00
Parking and Tolls	740.29	505.25
Payroll Expenses	862.41	1,042.18
Payroll Tax Expense	5,686.82	5,197.25
Postage and Delivery	842.41	542.21
Professional Fees		
Legal	782.88	2,584.51
Accounting	1,300.00	2,000.00
Total Professional Fees	2,082.88	4,584.51
Rent Expense	5,049.54	1,500.00
Repairs and Maintenance	135.79	282.47
Sales Tax	4,657.61	0.00
Taxes on Payroll	0.00	0.00
Telephone Expense	3,846.96	3,204.84
Travel Expense	11,874.20	3,544.50
Uniforms and Laundry	52.98	275.38
Total Expense	196,241.26	136,831.72
Net Ordinary Income	22,295.31	50,130.64
Net Income	22,295.31	50,130.64

C-3 Exhibit C_3 "Financial Statement"

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03/24/18
Cash Basis

Brio Energy Corporation
Balance Sheet
As of December 31, 2017

14-0509 EL_2018

	<u>Dec 31, 17</u>	<u>Dec 31, 16</u>
ASSETS		
Current Assets		
Checking/Savings		
Chase # 8579	28,324.00	37,584.58
Total Checking/Savings	<u>28,324.00</u>	<u>37,584.58</u>
Total Current Assets	28,324.00	37,584.58
Fixed Assets		
Vehicles	92,791.20	20,879.20
Furniture and Equipment	12,930.74	12,930.74
Accumulated Depreciation	-37,675.74	-24,240.74
Total Fixed Assets	<u>68,046.20</u>	<u>9,569.20</u>
TOTAL ASSETS	<u>96,370.20</u>	<u>47,153.78</u>
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Credit Cards		
American Express - 2-51003	3,319.48	0.00
Synchrony #7335	12,214.40	0.00
Chase - #7946	1,766.32	697.06
Discover # 1148	0.00	650.32
Total Credit Cards	<u>17,300.20</u>	<u>1,347.38</u>
Total Current Liabilities	17,300.20	1,347.38
Long Term Liabilities		
Loan Payable - 2017 Ford F250	61,101.29	0.00
Loan Payable - 2008 Land Rover	4,574.58	9,190.15
Total Long Term Liabilities	<u>65,675.87</u>	<u>9,190.15</u>
Total Liabilities	82,976.07	10,537.53
Equity		
Capital Stock	500.00	500.00
Retained Earnings	36,116.25	11,626.31
Shareholder Distributions	-45,517.43	-25,640.70
Net Income	22,295.31	50,130.64
Total Equity	<u>13,394.13</u>	<u>36,616.25</u>
TOTAL LIABILITIES & EQUITY	<u>96,370.20</u>	<u>47,153.78</u>

The Brio Energy Corporation

PUCO Renewal Application Exhibits 14-0509 EL-AGG_2018 Broker License 14-803E

C-4 Exhibit C-4 “Financial Arrangements”

The applicant, Brio Energy Corporation is not requesting licensing to conduct “supplier” activities; therefore, will not be taking title to power or gas. As a result, there are no financial arrangements, guarantees, bank commitments, contractual arrangements, credit agreements etc. planned or in place.

C-5 Exhibit C-5 “Forecasted Financial Statements”

See attached Exhibit C-5

C-5 Exhibit C-5 "Forecasted Financial Statements"

PUCO Renewal Application Exhibits 14-0509 EL-AGG _2018

BRIO ENERGY CORPORATION, (the) FORECASTED FINANCIAL STATEMENTS

	<u>2018</u>	<u>2019</u>
<u>REVENUE</u>		
	OHIO	
GROSS REVENUE	\$105,314.93	\$131,810.31
<u>COST OF GOOD SOLD</u>		
COST OF GOOD SOLD	\$28,586.86	\$35,464.96
<u>TOTAL COST OF GOODS SOLD</u>	\$28,586.86	\$35,464.96
<u>GROSS MARGIN</u>	\$76,728.07	\$96,345.35
% OF NET REVENUE	72.86%	73.09%
<u>SALES, GENERAL & ADMIN EXPENSES</u>		
SALES & MARKETING	\$5,265.75	\$6,532.70
TOTAL SALES & MARKETING		
% OF NET SALES	5.00%	4.96%
OTHER SG&A EXPENSES		
ADMINISTRATION	\$62,701.43	\$77,787.62
<u>TOTAL OTHER EXPENSES</u>	\$67,967.18	\$84,320.33
<u>NET PROFIT (LOSS)</u>	\$8,760.89	\$12,025.03

List of Assumptions

2018 revenue based on estimate of renewed booked business, new and lost sales

2019 revenue based on estimate of renewed booked business, new and lost sales

Increase in cost of goods based on added expenses and increase outside support

Administration costs are expected to increase as business develops. Sales and marketing expenses are expected to increase as new hire and sales are added.

C-6 Exhibit C-6 “Credit Rating”

Due to the age and scope of business (does not take title of gas and electricity) the Brio Energy Corp has no credit history and or credit score. Duns or similar is not available.

C-7 Exhibit C-7 “Credit Report”

Due to the scope of business (does not take title of gas and electricity) the Brio Energy Corp has no credit history and or credit score. Duns or similar is not available.

C-8 Exhibit C-8 “Bankruptcy Information”

The applicant, The Brio Energy Corporation nor any officer of the applicant has not filed for any reorganizations, protection from creditors or any other form of bankruptcy filings within the current year or within the tow most recent years preceding this application. Brio Energy Corp does not have a parent or affiliate organization; therefore, parent corporation/affiliate statement is non-applicable.

C-9 Exhibit C-9 “Merger Information”

There are no dissolutions or merger or acquisition of the Brio Energy Corporation within the most recent five years preceding this application.

C-10 Exhibit C109 “Corporate Structure”

The applicant is a stand-alone entity with no affiliate or subsidiary companies.