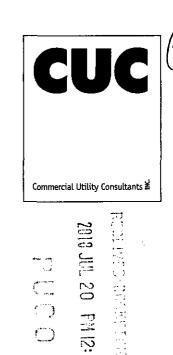
FILE



July 18, 2018

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

### RE: Commercial Utility Consultants, Inc. Power Broker/Aggregator Renewal Application 12-2131-EL-AGG

Hello:

Enclosed please find the renewal application of Commercial Utility Consultants, Inc. (CUC) for a Power Broker/Aggregator License for the sale and/or arrangement for the supply of retail electric generation service to a retail customer without taking title to the power supplied.

Enclosed please find the renewal application and 3 copies as per PUCO filing instructions. We intend to comply with all requirements of PUCO for our Power Broker/Aggregator renewal application. We will remedy any shortcomings in that regard as soon as we possibly can.

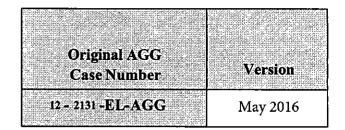
Please contact me at 1-800-296-2821 extension 115 with any questions or concerns with this application.

Sincerely,

Martin F. Brown Vice President

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 Date Processed 7/90/18

# **Ohio** | Public Utilities Commission



#### **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. <u>RENEWAL INFORMATION</u>

- 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 <u>Commercial Utility Consultants, Inc.</u> Address <u>1556 McDaniel Drive, West Chester, PA 19380</u> PUCO Certificate # and Date Certified <u>12-556E (2), August 20, 2014</u> Telephone # <u>(610) 431-4400</u> Web site address (if any) <u>www.commercialutility.com</u>

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

Legal Name Commercial Utility Consultants, Inc. Address 1556 McDaniel Drive, West Chester, PA 19380 Telephone # (800) 296-2821 Web site address (if any) www.commercialutility.com

A-4 List all names under which the applicant does business in North America <u>Commercial Utility Consultants, Inc.</u> <u>Commercial Utility Consultants</u>

#### A-5 Contact person for regulatory or emergency matters

Name Martin F. Br	own		
Title Vice President			
Business address 15	556 McDaniel Driv	ve, West Chester, PA 19380	
Telephone # (610) 4	31-4400	Fax # (610) 431-	1023
E-mail address	marty@comm	iercialutility.com	

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

Name Martin F. Bro	own	
Title Vice President	ţ	
Business address 1556 McDaniel Drive, West Chester, PA 19380		
Telephone # (610) 4	31-4400	Fax #_(610) 431-1023
E-mail address	marty@comm	nercialutility.com

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

Customer Service addre	ess_1556 McDaniel Dri	ve, West Chester, PA 19380
Toll-free Telephone # (	(800) 296-2821	Fax #_(610) 431-1023
E-mail address	marty@commercialut	ility.com

#### A-8 Applicant's federal employer identification number # 23-2016838

#### A-9 Applicant's form of ownership (check one)

i

Sole Proprietorship	□ Partnership
Limited Liability Partnership (LLP)	Limited Liability Company (LLC)
Corporation	Other

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

A-10 <u>Exhibit A -10 "Principal Officers, Directors & Partners"</u> provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.

# B. <u>APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE</u>

#### 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** <u>Exhibit B-2 "Experience & Plans,"</u> 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.

1

- **B-3** <u>Exhibit B-3 "Disclosure of Liabilities and Investigations,"</u> 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 <u>Exhibit B-4 "Disclosure of Consumer</u> **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

If yes, provide a separate attachment labeled as <u>Exhibit B-5</u> "Disclosure of <u>Certification Denial</u>, <u>Curtailment</u>, <u>Suspension</u>, <u>or Revocation</u>" detailing such action(s) and providing all relevant documents.

# C. <u>FINANCIAL CAPABILITY AND EXPERIENCE</u>

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- C-1 <u>Exhibit C-1 "Annual Reports,"</u> 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.

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- 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 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.
- Exhibit C-8 "Bankruptcy Information," provide a list and description of any **C-8** 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 vears 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/Owner	
Signature of Applicant & Title	
Sworn and subscribed before me this 16 day o	f SULY $2018$
Month	Year
Donthe.	Panla A MErllian
Signature of official administering oath	Print Name and Title
My commission expires on	1/23/19
	COMMONWEALTH OF DENNSYLVANIA
5	NOTARIAL SEAL Pamela A. Mcgillian, Notary Public 5 Westtown Twp., Chester County My Commission Expires Jan. 23, 2019

# <u>AFFIDAVIT</u>

State of Pennsylvania :

West Chester.

County of Chester

Joseph P. McGillian, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President/Owner (Office of Affiant) of <u>Commercial Utility Consultants, Inc.</u> (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/Owner Signature of Affiant & Title 110 Sworn and subscribed before me this day of Month Year Signature of official administering oath Print Name and Title COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL My commission expires on Pamela A. Mcgillian, Notary Public Westtown Twp., Chester County My Commission Expires Jan. 23, 2019

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

Joseph P. McGillian, President/Owner, Sole Officer 1432 Heather Hills Lane Glen Mills, PA 19342 610-558-4636

Nicholas Reynolds, COO 6 Stoney End Road Broomall, PA 19018 (215) 380-0099

Martin F. Brown, Vice President 767 Shavertown Road Garnet Valley, PA 19060 610-358-2999

John McGillian, Vice President Sales 1007 Windy Knoll Road West Chester, PA 19382 610-399-9208





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

### **Commercial Utility Consultants, Inc.**

#### Commercial Utility Consultants has an EGS/Broker license in each of the following States:

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Ohio - Licensed

Pennsylvania – Licensed

Illinois - Licensed

Maryland – Licensed

Delaware – Licensed

New Jersey - Licensed

Massachusetts – Licensed

Maine - Licensed

Washington, DC - Licensed





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

Commercial Utility Consultants, Inc (CUC) has been in business since 1975 as a Utility Rate Analysis Company. Traditionally, that means we would compare our clients' present rates to the available rates from our clients' local providers. CUC still offers this service in Pennsylvania, Delaware, Maryland and New Jersey, although this is a reduced part of our business.

CUC became involved with Electric Choice or Electric Deregulation in 1996 when Pennsylvania (PA) started their pilot program. PA allowed the electric utilities to recover their stranded costs by charging an excise on customers' bills while capping their rates until their substantial stranded costs were recovered. Every PA electric utility has recovered their stranded costs and removed their excise charges. Since that time, Electric Deregulation has exploded in PA. CUC was positioned very well for that explosion of activity. CUC's main business is now providing electric broker services to our clients. We have been very successful building internal systems and strong relationships with our electric suppliers. CUC gets paid by our suppliers and there is never a separate charge to our clients for our services on electric deregulation deals.

CUC has a large customer base in Pennsylvania, Delaware and New Jersey. This allowed CUC to hit the ground running as the electric deregulation markets opened in our state and some surrounding states. CUC has obtained licenses in many states that have deregulated electricity procurement.

CUC is a broker for 30 Electric Generation Suppliers (EGSs). We have had great success by presenting our clients with multiple pricing options from several suppliers. Our clients then choose the best offer for their needs from a combination of price and length of term. We have become experts in the Electric Deregulation business.

CUC plans on continuing to offer our electric broker services to potential Ohio clients. Each potential client receives multiple clear fixed, all-inclusive pricing and term offers. All clients that execute contracts with us receive contact information for support and customer service inquiries. Our goal is 100% customer retention through great pricing, customer education and top quality customer service. Our 42 years of utility consulting experience makes us very qualified to support our clients and resolve any questions or problems they may have with their supplier's bills.



Exhibit B-3 "Disclosure of Liabilities and Investigations"

Commercial Utility Consultants does not have any existing or pending, nor has it ever had any past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations or any other matters that would adversely impact our financial or operational status or ability to provide the services we are seeking to be certified to provide.

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# Exhibit C-1 "Annual Reports"

Commercial Utility Consultants, Inc. (CUC) is a privately held corporation with a single Owner/Officer/Shareholder, Joseph P. McGillian. CUC is applying to become a Power Broker in Ohio.

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CUC does not produce an annual report. However, we have provided a full set of financial reports as requested in item C-3 "Financial Statements".

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# Exhibit C-2 "SEC Filings"

Commercial Utility Consultants, Inc. (CUC) is a privately held corporation with a single Owner/Officer/Shareholder, Joseph P. McGillian.

CUC is not required to file with the SEC because we are not a publicly traded company. CUC has one shareholder in our private corporation.

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# Exhibit C-3 "Financial Statements"

Commercial Utility Consultants, Inc. (CUC) is a privately held corporation with a single Owner/Officer/Shareholder, Joseph P. McGillian.

Enclosed please find our balance sheet, income statement and cash flow statement for the two most recent years. CUC does not have audited financial statements.

I, Joseph P. McGillian, President, Owner and Sole Officer of Commercial Utility Consultants, Inc. certify that the financial statements that follow are accurate financial statements that represent a true picture of Commercial Utility Consultants, Inc.'s financial status.

, President/Owner seph P. McGillian

# Commercial Utility Consultants, Inc. Balance Sheet

1.

As of December 31, 2016

	Dec 31, 16
ASSETS	
Current Assets Checking/Savings	
1030 · Citizen's Checking - Inc (7413)	139,538.70
1031 · Citizens Checking - Payroll 1040 · Citizens MM - Inc (7421)	2,850.15 252,565.11
Total Checking/Savings	394,953.96
Accounts Receivable	
1200 · Accounts Receivable 1210 · Accounts Receivable - Trade 1200 · Accounts Receivable - Other	500.00 -500.00
Total 1200 - Accounts Receivable	0.00
Total Accounts Receivable	0.00
Other Current Assets	
1240 · KWLoan 1252 · PJM Loan	1,350.00 13,335,41
1252 · PJW Loan 1260 · A/R Joanne McWaters	1,499.00
Total Other Current Assets	
Total Current Assets	411,138.37
Fixed Assets	
1500 · Property & Equipment	
1520 · Computer Equipment 1520A · Computer Equipment Cost	31,120.83
1520B · Computer Equip - Accum Deprec	-3,793.55
1520 Computer Equipment - Other	50,292.93
Total 1520 - Computer Equipment	77,620.21
1525 · Office Equipment	04 004 70
1525A · Office Equipment Cost 1525 · Office Equipment - Other	21,901.72 19,612.34
Total 1525 · Office Equipment	41,514.06
1550 · Office Furniture	
1550A · Office Furniture - Cost 1550 · Office Furniture - Other	495.00 14,303.45
Total 1550 · Office Furniture	14,798.45
1500 · Property & Equipment - Other	500.00
Total 1500 · Property & Equipment	134,432.72
1600 · Accumulated Depreciation 1601 · Accum Deprec - Computer Equip	-5,885.45
1600 · Accumulated Depreciation - Other	-127,910.75
Total 1600 · Accumulated Depreciation	-133,796.20
Total Fixed Assets	636.52
TOTAL ASSETS	411,774.89
LIABILITIES & EQUITY Liabilities	
Current Liabilities	
Other Current Liabilities 2061 • Due JPM	56,823.93
2100 · Accrued Payroll Expense	
2165 · Pension Fund 2167 · Roth 401(k)	3,308.43 -3,308.43
1	
10	

### Commercial Utility Consultants, Inc. Balance Sheet As of December 31, 2016

0.00
323.93
323.93
323.93
00.00
193.53 157.43
950.96
74.89

16

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### Commercial Utility Consultants, Inc. Profit & Loss January through December 2016

	Jan - Dec 16	
Ordinary Income/Expense		
Income 4000 · Sales		
4076 - Lighting	9,738.63	
4003 NJ Aggregation	-1,000.00	
4010 · Refunds 4020 · Retainers	243,160.97 1,500.00	
4020 · Retainers 4030 · E2R2/EDI/IDIR/AreaDevel	1,500.00	
4030F - Area Development 4030 · E2R2/EDI/IDIR/AreaDevel - Other	-104,951.59 210,082.00	
Total 4030 · E2R2/EDI/IDIR/AreaDevel	105,130.41	
4040 · Telephone	1,140.76	
4048 · Deregulation		
4048B · Deregulation Savings 4048 · Deregulation - Other	1,992,690.40	
Total 4048 · Deregulation	1,992,915.40	
4050 · Electric Rate Change	-26,409.89	
4052 Gas Rate Change	25,727.20	
4058 · PJM Demand Response Program 4060 · Sales Tax	35,218.25 263,368.91	
4070 · Contract Limits	3,769.67	
4090 · Water/Sewer		
4090B · Sewer	-15,628.33	
4090 · Water/Sewer - Other	31,542.21	
Total 4090 · Water/Sewer	15,913.88	
4091 · Water/Sewer Credit 4091A · Water Credit	-359.97	
Total 4091 · Water/Sewer Credit	-359.97	
4092 · Shipping	5,045.98	
4099 · Early Contract Payoff	132.03	
4000 · Sales - Other	18,773.79	
Total 4000 · Sales	2,693,766.02	
4150 Interest Income		
4151 · Interest Income-Bank 4150 · Interest Income - Other	24.82 466.67	
Total 4150 · Interest Income	491.49	
Total Income	2,694,257.51	
Gross Profit	2,694,257.51	
Expense 1280 · Prepaid Expenses	0.00	
5000 · Selling Expense	0.00 8,922.01	
6000 · General & Administrative Exp	0,042.01	
6001 · Medical Insurance		
6001A · Employee premiums 6001B · Dental - family	108,469.58	
Total 6001 · Medical Insurance	4,920.13	
	113,389.71	
6010 · Advertising 6012 · Postage	24,499.26 35,396.03	
6015 · Automobile Expense	1,873.15	
6020 · Entertainment	16,126.36	
6025 · Insurance	-1	
6025A · Worker's Comp	3,013.90	
6025B · Business Owner's	2,404.13	
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### Commercial Utility Consultants, Inc. Profit & Loss January through December 2016

	Jan - Dec 16
6025C · Insurance - crime	23.00
6025D · Bonds, E&O, etc.	3,629.00
6025E · Insurance,Bond, etc Aggregation	300.00
6025 · Insurance - Other	1,457.34
Total 6025 · Insurance	10,827.37
6026 · Insurance - Disability	6,158.05
6030 · Legal	
6031 - Legal - Client	12,578.57 3,663.18
6032 · Legal - CUC	3,003.10
Total 6030 · Legal	16,241.75
6033 · Accounting	4,568.72
6033A · Rainer - JPM Acctg	331.25
6033B · ADP - payroll	4,147.95 1,736.25
6033C · Rainer - CUC Acctg 6040 · Office Supplies	1,730.23
6040A · Paper products	2,310.72
6040C - Security	240.00
6040D · Miscellaneous	1,099.79
6040E · Computer Software/Supplies	155.82
6040 · Office Supplies - Other	82,743.78
Total 6040 · Office Supplies	86,550.11
6043 · Printing	962.67
6045 · Rent - 1554 & 1556	58,800.00
6050 · Telephone Expense	
6050A · Standard Telephones	11,032.07
6050B · Cellular Phones	4,296.52
6050C · Internet/Hosting/Web Support 6050 · Telephone Expense - Other	3,408.68 2,100.22
	<u> </u>
Total 6050 · Telephone Expense	20,837.49
6055 · Travel - Lodging	324.98
6057 · Travel - Transportation 6064 · Commissions	23,686.12 286,666.07
6070 · Depreciation Expense	687.26
	001.20
6090 · Outside Consultants	33,091.28
6092 · Outside Consultant - NJ related	238,245.26
6095 · Membership Dues/License Fees	899.95 15.00
6096 · Subscriptions 6100 · Employee Expense	15.00
6101 · Commissions - payroll	410,819.42
6102 · Outside consultants - payroll	36,914.34
6150 · Officer Compensation	296,552.89
6195 · Payroll Expense	985,797.83
6200 · Payroll - commissions	0.00
6210 · Employer FICA - SS	65,691.32
6211 · Employer FICA - Medicare	20,227.44 6,096,50
6240 · Employer SUTA - PA 6241 · ER SUTA - NJ	1,478.17
6260 · Employer FUTA	595.80
6100 · Employee Expense - Other	-296,552.89
Total 6100 · Employee Expense	1,527,620.82
6999 · Uncategorized Expenses	112.60
6000 · General & Administrative Exp - Other	50,733.51
Total 6000 · General & Administrative Exp	2,564,528.97
6014 · PA Corporate Taxes	-1,237.00
6017 · NJ Corporate Taxes	1,136.00
6019 · MD Personal Property Tax	300.00
	$\bigcirc$
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Cash Basis

### Commercial Utility Consultants, Inc. Profit & Loss January through December 2016

4.

	Jan - Dec 16
6182 · Pension Expense 66900 · Reconciliation Discrepancies	30,000.00 0.10
Total Expense	2,603,650.08
Net Ordinary Income	90,607.43
Other Income/Expense Other Expense 6400 · Bank Analysis Charges	150.00
Total Other Expense	150.00
Net Other Income	-150.00
Net Income	90,457.43

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# Commercial Utility Consultants, Inc. Statement of Cash Flows

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January through December 2016

	Jan - Dec 16
OPERATING ACTIVITIES Net Income Adjustments to reconcile Net Income to net cash provided by operations:	90,471.54
1200 · Accounts Receivable	-14.11
2100 · Accrued Payroll Expense:2165 · Pension Fund 2100 · Accrued Payroll Expense:2167 · Roth 401(k)	3,308.43 _3,308.43
Net cash provided by Operating Activities	90,457.43
INVESTING ACTIVITIES 1600 · Accumulated Depreciation	687.26
Net cash provided by Investing Activities	687.26
FINANCING ACTIVITIES 3000 · Owner's Equity:3200 · J.P.McGillian Capital Contrib 3300 · Retained Earnings	-100,000.00 203.78
Net cash provided by Financing Activities	-99,796.22
Net cash increase for period	-8,651.53
Cash at beginning of period	403,605.49
Cash at end of period	394,953.96

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# Commercial Utility Consultants, Inc. Balance Sheet

1.

As of December 31, 2017

	Dec 31, 17
ASSETS	·
Current Assets Checking/Savings	
1030 · Citizen's Checking - Inc (7413)	163,431.99
1031 · Citizens Checking - Payroll 1040 · Citizens MM - Inc (7421)	2,850.15 252,615.61
Total Checking/Savings	418,897.75
Accounts Receivable	
1200 · Accounts Receivable 1210 · Accounts Receivable - Trade 1200 · Accounts Receivable - Other	500.00 -500.00
Total 1200 · Accounts Receivable	0.00
Total Accounts Receivable	0.00
Other Current Assets	
1240 · KWLoan	1,350.00 13,335.41
1252 · PJM Loan 1260 · A/R Joanne McWaters	1,424.00
Total Other Current Assets	16,109.41
Total Current Assets	435,007.16
Fixed Assets	
1500 · Property & Equipment	
1520 · Computer Equipment 1520A · Computer Equipment Cost	31,120.83
1520B · Computer Equip - Accum Deprec	-3,793.55
1520 · Computer Equipment - Other	50,292.93
Total 1520 · Computer Equipment	77,620.21
1525 · Office Equipment 1525A · Office Equipment Cost	21,901.72
1525 · Office Equipment - Other	19,612.34
Total 1525 · Office Equipment	41,514.06
1550 · Office Furniture	405.00
1550A · Office Furniture - Cost 1550 · Office Furniture - Other	495.00 14,303.45
Total 1550 · Office Furniture	14,798.45
1500 · Property & Equipment - Other	500.00
Total 1500 · Property & Equipment	134,432.72
1600 · Accumulated Depreciation	
1601 · Accumulated Depreciation 1601 · Accum Deprec - Computer Equip	-5,885.45
1600 · Accumulated Depreciation - Other	-128,229.50
Total 1600 - Accumulated Depreciation	-134,114.95
Total Fixed Assets	317.77
TOTAL ASSETS	435,324.93
LIABILITIES & EQUITY	
Liabilities Current Liabilities	
Other Current Liabilities	
2061 · Due JPM	56,823.93
Total Other Current Liabilities	56,823.93
Total Current Liabilities	56,823.93
$\sim$ 1	
21	

	Dec 31, 17
Total Liabilities	56,823.93
Equity 3000 · Owner's Equity 3100 · J.P. McGillian - Capital Draw	-100,000.00
Total 3000 · Owner's Equity	-100,000.00
3300 · Retained Earnings Net Income	354,950.96 123,550.04
Total Equity	378,501.00
TOTAL LIABILITIES & EQUITY	435,324.93

# Commercial Utility Consultants, Inc. Profit & Loss January through December 2017

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	Jan - Dec 17
Ordinary Income/Expense	
4000 · Sales 4076 - Lighting	10,443.23
4003 · NJ Aggregation	-20,393.51
4010 · Refunds	407,714.27
4020 · Retainers	1,500.00
4030 · E2R2/EDI/IDIR/AreaDevel	
4030F - Area Development 4030 · E2R2/EDI/IDIR/AreaDevel - Other	-76,283.43 152,566.86
Total 4030 · E2R2/EDI/IDIR/AreaDevel	76,283.43
4040 · Telephone	1,187.36
4048 · Deregulation	
4048A · Dereg Consulting Fee	-3,053.69
4048B · Deregulation Savings	1,967,318.04
4048 · Deregulation - Other	5,832.48
Total 4048 · Deregulation	1,970,096.83
4050 · Electric Rate Change	-15,498.33
4052 · Gas Rate Change	84,795.30
4058 · PJM Demand Response Program	24,073.65
4060 · Sales Tax	36,966.61
4070 · Contract Limits	-1,590.90
4090 · Water/Sewer	9 521 92
4090B · Sewer 4090 · Water/Sewer - Other	-8,531.82 18,888.57
Total 4090 - Water/Sewer	10,356.75
4092 · Shipping	2,207.01
4000 · Sales - Other	251,999.22
Total 4000 · Sales	2,840,140.92
4150 · Interest Income 4151 · Interest Income-Bank	50.50
Total 4150 · Interest Income	50.50
Total Income	2,840,191.42
Gross Profit	2,840,191.42
Expense	
5000 · Selling Expense	145.75
6000 · General & Administrative Exp 6001 · Medical Insurance	
6001A · Employee premiums	119,719.25
6001B · Dental - family	6,156.12
Total 6001 · Medical Insurance	125,875.37
6010 · Advertising	14,391.90
6012 · Postage	-2,618.93
6015 · Automobile Expense	2,198.75
6020 · Entertainment	15,992.50
6025 · Insurance	<b>6 - 6 - 6</b>
6025A · Worker's Comp	2,590.40
• •	•
	2,098.30
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6025B · Business Owner's 6025C · Insurance - crime 6025D · Bonds, E&O, etc. 6025 · Insurance - Other Total 6025 · Insurance 6026 · Insurance - Disability	2,401.27 344.00 4,129.00 4,329.66 13,794.33 5,898.36

### Commercial Utility Consultants, Inc. Profit & Loss January through December 2017

	Jan - Dec 17
6030 · Legal 6031 · Legal - Client 6032 · Legal - CUC 6030 · Legal - Other	14,744.33 7,990.52 7,255.00
Total 6030 · Legal	29,989.85
6033 · Accounting 6033B · ADP - payroll 6033C · Rainer - CUC Acctg 6039 · Computer Equipment 6040 · Office Supplies 6040A · Paper products 6040D · Miscellaneous 6040 · Office Supplies - Other	2,200.00 3,502.40 2,495.00 -1,000.00 1,451.19 3,219.54 91,356.87
Total 6040 · Office Supplies	96,027.60
6043 · Printing 6045 · Rent - 1554 & 1556 6047 · Seminars 6050 · Telephone Expense 6050A · Standard Telephones 6050B · Cellular Phones 6050C · Internet/Hosting/Web Support	1,795.43 53,900.00 1,611.86 10,078.84 3,265.78 3,669.00
Total 6050 · Telephone Expense	17,013.62
6055 · Travel - Lodging 6057 · Travel - Transportation 6064 · Commissions 6070 · Depreciation Expense	951.71 22,771.83 238,809.37 318.75
6090 · Outside Consultants 6092 · Outside Consultant - NJ related 6095 · Membership Dues/License Fees 6096 · Subscriptions 6100 · Employee Expense 6101 · Commissions - payroll 6102 · Outside consultants - payroll 6195 · Payroll Expense 6210 · Employer FICA - SS 6211 · Employer FICA - Medicare 6240 · Employer SUTA - PA 6241 · ER SUTA - NJ 6260 · Employer FUTA	26,754.26 273,265.04 5,050.00 522.10 507,185.08 38,507.76 1,067,981.20 78,435.69 22,786.07 5,466.53 4,061.73 626.25
Total 6100 · Employee Expense	1,725,050.31
6000 · General & Administrative Exp - Other	9,183.27
Total 6000 · General & Administrative Exp 6019 · MD Personal Property Tax 6182 · Pension Expense 66900 · Reconciliation Discrepancies	2,685,744.68 600.00 30,000.00 0.95
Total Expense	2,716,491.38
Net Ordinary Income	123,700.04
Other Income/Expense Other Expense 6400 · Bank Analysis Charges	150.00
Total Other Expense	150.00
Net Other Income	-150.00
24	

Jan - Dec 17

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123,550.04

Net Income

25

# Commercial Utility Consultants, Inc. Statement of Cash Flows

4.

January through December 2017

	Jan - Dec 17
OPERATING ACTIVITIES	
Net Income	101,228.06
Adjustments to reconcile Net Income	
to net cash provided by operations:	
1200 · Accounts Receivable	22,321.98
1260 · A/R Joanne McWaters	75.00
2100 · Accrued Payroll Expense:2165 · Pension Fund	-3,308.43
2100 · Accrued Payroll Expense:2167 · Roth 401(k)	3,308.43
Net cash provided by Operating Activities	123,625.04
INVESTING ACTIVITIES	
1600 · Accumulated Depreciation	318.75
Net cash provided by Investing Activities	318.75
FINANCING ACTIVITIES	
3000 · Owner's Equity:3100 · J.P. McGillian - Capital Draw	-100,000.00
3000 · Owner's Equity:3200 · J.P.McGillian Capital Contrib	100,000.00
3300 · Retained Earnings	-100,000.00
Net cash provided by Financing Activities	-100,000.00
Net cash increase for period	23,943.79
Cash at beginning of period	394,953.96
Cash at end of period	418,897.75





# Exhibit C-4 "Financial Arrangements"

# N/A

Commercial Utility Consultants, Inc. is applying for a license as a Power Broker/Aggregator in the State of Ohio. Commercial Utility Consultants, Inc. will not be taking title to any power supplied to the end user.

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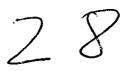
# Exhibit C-5 "Forecasted Financial Statements"

Our Broker/Aggregator license in Ohio accounts for a small but very important part of our business. It allows us to serve a large national customer in Ohio.

Enclosed please find a 3 year (2018, 2019, and 2020) forecasted financial statement for our business in Ohio. This statement includes a year-end summary for 2018, 2019 and 2020.

Income is projected at almost 5% increase per year over 2017. Wages, Advertising, Insurance and Telephone are projected at nearly .2% (.002) of corporate spend on these particular items. We currently pay \$200 per year on fees related to our license in Ohio.

Martin F. Brown, Preparer 1556 McDaniel Drive, West Chester, PA 19380 <u>marty@commercialutility.com</u> (610) 431-4400 X115



Operating Income (before Other Expenses) [EBITDA]	Total Fixed Business Expenses	Utilities	Travel	Telephone and Communications	Taxes-Other	Sales & Marketing	Rent of Vehicles and Equipment	Rent (on business property)	Postage and Delivery	Office Expenses & Supplies	Legal and Professional Fees	Licenses/Fees/Permits	Insurance (Liability and Property)	Miscellaneous	Dues and Subscriptions	Customer Discounts and Refunds	Conferences & Seminars	Contract Labor	Bank & Merchant Fees	Car and Truck Expenses	Advertising	Fixed Business Expenses	Total Salary and Wages	Gross Margin		Total Doct of Salas	Contracts & Supplies	Contracts & Supplies	Cost of Sales Contracts & Supplies	Total Income	contractor of carbonnes	Income Contracts & Supplies Contracts & Supplies Contracts & Supplies	
13,227	263			ω	•	,	ı	ŗ	I	•	ı	200	40	ı	1	ı	•	ı	ı	,	20		10	13,500						13,500	•	13,500	Year One
97.98%	1.95%																						0.07%	100.00%	0.00%	0 00%				100.00%			%
13,816	272		•	ы	,		ı		,	1		200	45	·	ſ	•		1	ı	ı	24		12	14,100			ı	•	1	14,100		14, 100 -	Year Two
97.98%	1.93%																						0.09%	100.00%	0.0070	0 00%				100.00%			%
14,505	281	T	1	ω	•		·			ı		200	50	•	ŧ	•		I		ı	28		14	14,800			F	ı		14,800	1	14,800	Year Three
98.01%	1.90%																						0.09%	100.00%	0.00%	0.00%				100.00%			%

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Commercial Utility Consultants, Inc. Year End Summary

Other Expenses

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Commercial Utility Consultants, Inc. Year End Summary

Net Income	Taxes Total Other Expenses	Other Bank Debt	Vehicle Loans	Credit Card Debt	Line of Credit	Commercial Mortgage	Commercial Loan	Interest	Depreciation	Amortized Start-up Expenses	
4,609	1,207 1,207			r	•	•	ı			•	Year One
34.14%	8.94%										%
4,840	1,267 1,267	ſ		•	•	•					Year Two
34.33%	8.99%				•						%
5,082	1,330 1,330	•					•		•		Year Three
34.34%	8.99%										%

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# Exhibit C-6 "Credit Rating"

Enclosed please find a recent credit rating from Hoovers, a D & B Company (Low Risk).

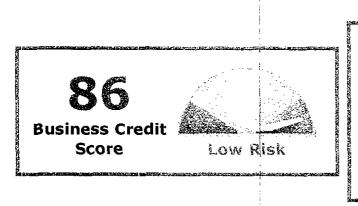
1.

Also enclosed, please find a recent credit rating from Experian (Low Risk, 86).



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Experian Business Credit Score



The objective of the Experian Business Credit Score is to predict payment behavior. High Risk means that there is a significant probability of delinquent payment. Low Risk means that there is a good probability of on-time payment.

#### **Key Score Factors:**

- Number of good commercial accounts
- Nbr of leasing accts as pct of total nbr of accts.
- Pct of aged commercial accts to total nbr of accts.
- Pct of new commercial accts to total nbr of accts.

**Business Credit Scores range from a low of 1 to high of 100 with this company receiving a score of 86.** Higher scores indicate lower risk. This score predicts the likelihood of serious credit delinquencies within the next 12 months. This score uses tradeline and collections information, public filings as well as other variables to predict future risk.

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http://subscriber.hoovers.com/H/company360/quickReport.html?comp...

1.



A D&B COMPANY

# Commercial Utility Consultants, Inc.

West Chester, PA United States

Also trades as:

Company Description	
1556 Mcdaniel Dr Nest Chester, PA 19380-7036, Jnited States	
Phone: +1-610-431-4400 Fax: +1-610-431-1023	
http://www.commercialutility.com	
<b>-ine of Business</b> Management consulting services	
Download This Company	
Key Information	
D-U-N-S Number	07059709
Location Type	Single Location
Subsidiary Status	No
Company Type	Non-Public
Plant/Facility Size (sq. ft.) (actual)	3,000
Owns/Rents	Owns
Employees (All Sites)	20
Employees (This Site)	20
1-Year Employee Growth	0.0%
Year of Founding	1976
State of Incorporation	PA
Primary Industry	Consulting Services
Primary SIC Code	87420405: Public utilities consultan
Primary NAICS Code	541611: Administrative Management and General Management Consulting Services
Latitude/Longitude	39.967561/-75.522093
Minority Owned/Women Owned	33

7/18/2018, 2:04 PM

1

Key Financials

Annual Sales (Estimated)

**Prescreen Score** 

\$2.10M

Low Risk

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# Exhibit C-7 "Credit Report"

Enclosed please find a recent credit report for Commercial Utility Consultants, Inc. from Experian credit agency. This report contains very little financial information on our company.

Commercial Utility Consultants has been in business since 1975 as a utility consulting company and since 1996 as a corporation. Commercial Utility Consultants has never borrowed money from any outside institution since our inception in 1975. Commercial Utility Consultants has never been arrears in all that time to any vendor either. Our cash flow and reserves have allowed us to operate debt free for 43 years.





Home | My companies | My account | Products and pricing | Help | Business services

1.

For help reading this report, please review our sample report.

Search inquiry: Commercial Utility Consultants, Inc. / West Chester / PA / (My company)

### ProfilePlus<sup>s</sup> Report

as of: 07/10/18 10:09 ET

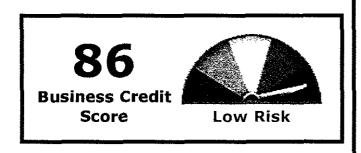
# **Joseph P McGillian**

Address:	1432 Heather Hills Ln	Key Personnel:	Owner: Joseph P McGillian
	Glen Mills, PA 19342-1912 United States	SIC Code:	8742-Management Consulting Services
Website:	www.commercialutility.com		7389-Business Services, Nec
Experian	424000265		8999-Services, Nec
BIN:		NAICS Code:	541614-Process, Physical Distribution, And
Also is (or ha	s been) operating as:		Logistics Consulting
	Commercial Utility Consultants		Services
			541990-All Other
Family Linkag			Professional,
Ultimate	Joseph P McGillian		Scientific, And Technical
Parent	1432 Heather Hills Ln Glen Mills, PA		Services
	,		812990-All Other
Branches / Alternative	Joseph P McGillian 1556 McDaniel Dr		Personal Services
Locations	West Chester, PA United States	Business Type:	Incorporated
		Experian File Established:	September 1990
		<b>Experian Years on File:</b>	28 Years
		Years in Business:	42 Years
		Total Employees:	15
		Sales:	\$2,587,000
		Filing Data Provided by:	Pennsylvania
		Date of Incorporation:	11/27/1996
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#### **Experian Business Credit Score**

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The objective of the Experian Business Credit Score is to predict payment behavior. High Risk means that there is a significant probability of delinquent payment. Low Risk means that there is a good probability of on-time payment.

#### Key Score Factors:

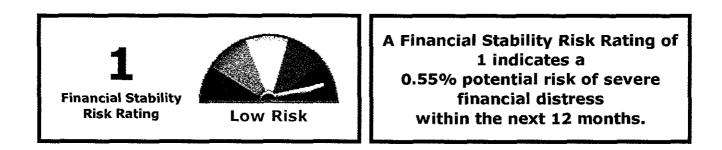
- Number of good commercial accounts.
- Nbr of leasing accts as pct of total nbr of accts.
- Pct of aged commercial accts to total nbr of accts.
- Pct of new commercial accts to total nbr of accts.

**Business Credit Scores range from a low of 1 to high of 100 with this company receiving a score of 86.** Higher scores indicate lower risk. This score predicts the likelihood of serious credit delinquencies within the next 12 months. This score uses tradeline and collections information, public filings as well as other variables to predict future risk.



### **Experian Financial Stability Risk Rating**

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#### **Key Rating Factors:**

- Number of active commercial accounts.
- Risk associated with the company's industry sector.
- Risk associated with the business type.
- Employee size of business.

#### Financial Stability Risk Ratings range from a low of 1 to high of 5 with this company

**receiving a rating of 1.** Lower ratings indicate lower risk. Experian categorizes all businesses to fit within one of the five risk segments. This rating predicts the likelihood of payment default and/or bankruptcy within the next 12 months. This rating uses tradeline and collections information, public filings as well as other variables to predict future risk.

#### **Credit Summary**

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This location does not yet have an estimated Days		Payment Tradelines (see <u>charts</u> , <u>detail</u> ):	3
Beyond Terms (DBT), or a Payment Trend Indicator.		Business Inquiries (see summary):	1
This is often the result of too few Payment Tradelines.		<b>UCC Filings</b> (see <u>detail</u> ) (see <u>summary</u> ):	1
			<b>A</b> = A/
		✓ Businesses Scoring Worse:	85%
Lowest 6 Month Balance:	\$272	<ul> <li>✓ Businesses Scoring Worse:</li> <li>✓ Bankruptcies:</li> </ul>	<b>85%</b> 0
Lowest 6 Month Balance: Highest 6 Month Balance:	•	, <del>-</del>	
	•	Bankruptcies:	0

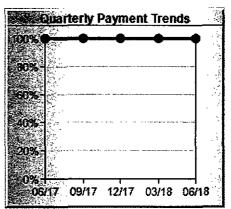


#### **Payment Trend Summary**

Insufficient information to produce Monthly Payment Trends chart.

Insufficient information to produce

Monthly Payment Trends table.



4.

\*Percentage of on-time payments by quarter.

#### **Quarterly Payment Trends - Recent Activity**

Date		Up to 30 Dвт		61-90 DBT	>90 DBT
06/17	0%	0%	0%	0%	0%
09/17	0%	0%	0%	0%	0%
12/17	100%	0%	0%	0%	0%
03/18	0%	0%	0%	0%	0%
06/18	0%	0%	0%	0%	0%

Insufficient information to produce	Insufficient information to produce	Insufficient information to produce
Continuous Payment Trends	Newly Reported Payment	<b>Combined Payment Trends</b>
chart.	Trends	chart.
	chart.	

**Trade Payment Information** 

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#### **Payment Experiences (Financial Trades)**

Supplier F	Reported	Activity	Payment	Recent Balance Cu	irrent Up	31-60	61-90	0>90Comment
Category	Date	Date	Terms	High Credit	tо 30 DBT	DBT	DBT	DBT
Cred Card	7/02/18		Rev	\$14,823 \$4,086				

#### **Tradeline Experiences (Continuous Trades)**

Supplier Reported Activity Payment Recent Balance Current Up 31-6061-90>90 Comments



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https://www.smartbusinessreports.com/report.aspx?fn=424000265& ....

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Category	Date	Date	Terms	High Credit	<b>to</b> 30 DBT	DBT	DBT	DBT
Bus Servcs	4/10/18		Varied	\$272				

Additional Tradeline Experiences (Aged Trades)										
Supplier	Reported	Activity	Payment	Recent	Balance Current	Up	31-60	61-90	>90C	omments
Category	Date	Date	Terms	High			DBT	DBT	DBT	
				Credit		30				
						DBT				
Air Trans	8/01/17	10/07/12	Other	\$35	\$35 100%					·····

### Inquiries

Summary of Inquiries									
Supplier Category	07/18	06/18	05/18	04/18	03/18	02/18	01/18	12/17	11/17
General	0	0	1	0	0	0	0	0	0
Totals	0	0	1	0	0	0	0	0	0

### UCC Filings

Date:	05/20/2014
Filing Number:	2014052008237
Jurisdiction:	Sec Of State PA
Secured Party:	Citizens Bank Of Pennsylvania Pa Philadelphia 19103 1735 Mar
Collateral:	Equipment, Furnishings and Fixtures, Inventory, Hereafter Acquired Property, Other Assets (undefined)
Activity:	Filed

### **UCC Filings Summary**

Filing Period	Cautionary Filings	Total Filed	Total Released	Total Continued	Amended / Assigned
07/01/2018	0	0	0	0	0
01/01/2018	0	0	0	0	0
07/01/2017	0	0	0	0	0
01/01/2017	0	0	0	0	0
07/01/2016	0	0	0	0	0
07/01/2016	1	1	0	0	0

Cautionary UCC Filings include one or more of the following collateral: Accounts, Accounts Receivable, Contracts, Hereafter acquired property, Leases, Notes

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Receivable, or Proceeds.

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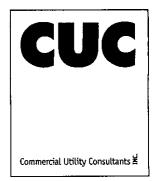
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# Exhibit C-8 "Bankruptcy Information"

Commercial Utility Consultants, Inc. has never filed for any form of bankruptcy nor have we ever had to file for protection from any creditors.

....

Commercial Utility Consultants, Inc. has always been a financially strong, privately held corporation.



Exhibit C-9 "Merger Information"

Commercial Utility Consultants, Inc. has never been involved with any dissolution, merger or acquisition within the last 5 years or at any time since our inception in 1975.





# Exhibit C-10 "Corporate Structure"

Commercial Utility Consultants, Inc. is a stand-alone entity with no affiliates or subsidiary companies.

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