

(NC)
FILE

18-1385-EL-AGG

(27)

Forthright Energy Solutions LLC

SEPTEMBER 7,
~~September 6, 2018~~

Public Utilities Commission of Ohio

Docketing Division

180 East Broad Street

Columbus, OH 43215-3793

PUCO

2018 SEP - 7 AM 11:43

RECEIVED-DOCKETING DIV

To Whom It May Concern:

Enclosed are one original notarized and signed and three copies of the Certification Application for Competitive Retail Natural Gas Broker/Aggregators license, along with the corresponding attachments for Forthright Energy Solutions LLC. Please notice that section C-5 is filed under seal.

Please contact me if you have any questions or need additional information.

Sincerely,

Douglas S. Mullett

Douglas S. Mullett

Forthright Energy Solutions LLC

659 High St.

Worthington, OH 43085

614-987-8359

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 CB Date Processed 9/7/18



PUCO USE ONLY		
Date Received	Case Number	Version
	18-1385-EL-AGG	May 2016

18-1385-EL-AGG

INITIAL CERTIFICATION APPLICATION FOR ELECTRIC AGGREGATORS/ POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-12 Company History). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division; 180 East Broad Street, Columbus, Ohio 43215-3793.

**This PDF form is designed so that you may input information directly onto the form.
You may also download the form, by saving it to your local disk, for later use.**

A. APPLICANT INFORMATION

A-1 Applicant intends to be certified as: (check all that apply)

☒ Power Broker ☐ Aggregator

A-2 Applicant's legal name, address, telephone number and web site address

Legal Name Forthright Energy Solutions LLC
 Address 659 High St. Worthington, OH 43085
 Telephone # (614) 987-8359 Web site address (if any) _____

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

Legal Name Forthright Energy Solutions LLC
 Address 659 High St. Worthington, OH 43085
 Telephone # (614) 987-8359 Web site address (if any) _____

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

Forthright Energy Solutions _____
Forthright Energy _____

A-5 Contact person for regulatory or emergency matters

Name Douglas S. Mullett
 Title Owner

Business address 659 High St. Worthington, OH 43085
Telephone # (614) 987-8359 Fax #
E-mail address dmullett@forthrightenergy.com

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

Name Douglas S. Mullett
Title Owner
Business address 659 High St. Worthington, OH 43085
Telephone # (614) 987-8359 Fax #
E-mail address dmullett@forthrightenergy.com

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

Customer Service address 659 High St. Worthington, OH 43085
Toll-free Telephone # (614) 987-8359 Fax #
E-mail address dmullett@forthrightenergy.com

A-8 Applicant's federal employer identification number # 824996019

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 type="checkbox"/> Corporation | <input type="checkbox"/> Other _____ |

A-10 (Check all that apply) Identify each electric distribution utility certified territory in which the applicant intends to provide service, including identification of each customer class that the applicant intends to serve, for example, residential, small commercial, mercantile commercial, and industrial. (A mercantile customer, as defined in (A) (19) of Section 4928.01 of the Revised Code, is a commercial customer who consumes more than 700,000 kWh/year or is part of a national account in one or more states).

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

- A-11** Provide the approximate start date that the applicant proposes to begin delivering services

October 8, 2018

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- A-12** **Exhibit A-12 "Principal Officers, Directors & Partners"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
- A-13** **Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.
- A-14** **Exhibit A-14 "Articles of Incorporation and Bylaws,"** if applicable, provide the articles of incorporation filed with the state or jurisdiction in which the Applicant is incorporated and any amendments thereto.
- A-15** **Exhibit A-15 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- B-1** **Exhibit B-1 "Jurisdictions of Operation,"** provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services including aggregation services.
- B-2** **Exhibit B-2 "Experience & Plans,"** provide a description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.

B-3 **Exhibit B-3 "Summary of Experience,"** provide a concise summary of the applicant's experience in providing aggregation service(s) including contracting with customers to combine electric load and representing customers in the purchase of retail electric services. (e.g. number and types of customers served, utility service areas, amount of load, etc.).

B-4 **Exhibit B-4 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

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

☒ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-5 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-6 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☒ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

C-1 **Exhibit C-1 "Annual Reports,"** provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information in Exhibit C-1 or indicate that Exhibit C-1 is not applicable and why. (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 to satisfy collateral requirements to conduct retail electric/gas business activity (e.g., parental or third party guarantees, 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, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. 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.
- 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.

Douglas S. Mullett owner
Signature of Applicant & Title

Sworn and subscribed before me this 7TH day of SEPTEMBER 2018

[Signature]
Signature of official administering oath

Month Year
BRANDON HUELSMAN, Notary Public - STATE OF OHIO
Print Name and Title



My commission expires on 10/11/2022

BRANDON S. HUELSMAN
Notary Public, State of Ohio
My Comm. Expires 10/11/2022
Recorded in Delaware County

AFFIDAVIT

State of OHIO :

Powell, OH ss.
(Town)

County of DELAWARE :

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

He/She is the OWNER (Office of Affiant) of FORTHRIGHT ENERGY SOLUTIONS LLC (Name of Applicant);

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

1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
5. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
6. The Applicant herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)

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

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

Douglas S. Mallett owner
Signature of Affiant & Title

Sworn and subscribed before me this 7TH day of SEPTEMBER, 2018
Month Year

[Signature]
Signature of official administering oath

BRANDON HUELSMAN, Notary Public - STATE OF OHIO.
Print Name and Title

My commission expires on 10/11/2022.



BRANDON S. HUELSMAN
Notary Public, State of Ohio
My Comm. Expires 10/11/2022
Recorded in Delaware County

Exhibits to Forthright Energy Solutions LLC Power Broker Application with PUCO

A-12 Exhibit A-12 "Principal Officers, Directors & Partners"

Principal Officer: Doug Mullett

Title: Owner/Energy Advisor

Address: 659 High St. Worthington, OH 43085

Telephone Number: 614-987-8359


A-13 Exhibit A-13 "Company History,"

Forthright Energy Solutions is a new company developed to be a full-service energy advisory company helping clients eliminate unnecessary energy expenses as well as advise on ever expanding energy procurement strategies.

A-14 Exhibit A-14 "Articles of Incorporation and Bylaws,"

N/A

A-15 Exhibit A-15 "Secretary of State,"

STATE OF OHIO	
CERTIFICATE	
Ohio Secretary of State, Jon Husted	
4144141	
It is hereby certified that the Secretary of State of Ohio has custody of the business records for	
FORTHRIGHT ENERGY SOLUTIONS LLC	
and, that said business records show the filing and recording of:	
Document(s)	Document No(s):
DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG	201805902016
Effective Date: 02/28/2018	
	Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 8th day of March, A.D. 2018.
United States of America State of Ohio Office of the Secretary of State	<i>Jon Husted</i> Ohio Secretary of State

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

B-1 Exhibit B-1 “Jurisdictions of Operation,”

At the date of filing the is application, Forthright Energy Solutions, LLC or any affiliate is not certified, licensed, registered or otherwise authorized to provide retail or wholesale natural gas services including aggregation services, in any jurisdiction.

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

Doug Mullett, owner and operator, has over 12 years of experience working for energy companies that have assisted hundreds of businesses in procuring generation and demand response services, developing private electric distribution systems and improved businesses energy efficiencies.

Forthright Energy Solutions, LLC will assist customers to obtain competitive quotes from certified energy suppliers. Forthright Energy Solutions, LLC will be compensated directly from the supplier. All invoicing, customer credit, maintenance and agreements will be provided by the certified energy suppliers. Forthright Energy Solutions, LLC will work with certified energy supplier in any customer inquiry, questions, concerns or complaints.

B-3 Exhibit B-3 "Summary of Experience,"

Doug Mullett, owner and operator, has over 12 years of experience working for energy companies that have assisted hundreds of businesses in procuring generation and demand response services, developing private electric distribution systems and improved businesses energy efficiencies.

B-4 Exhibit B-4 "Disclosure of Liabilities and Investigations,"

Forthright Energy Solutions, LLC does not have any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact its financial or operational status or ability to provide services it is seeking to provide.

C-1 Exhibit C-1 “Annual Reports,”

Forthright Energy Solutions, LLC is a single member LLC and does not create or distribute annual reports.

C-2 Exhibit C-2 “SEC Filings,”

Forthright Energy Solutions, LLC is a single member LLC. Forthright Energy Solutions, LLC does not produce 10K/8-K filings, and is not required to file with the SEC.

C-3 Exhibit C-3 “Financial Statements,”

Forthright Energy Solutions, LLC is a newly formed entity and has not yet begun to do business. For this reason Forthright Energy Solutions, LLC has no financial history or statements at this time.

C-4 Exhibit C-4 “Financial Arrangements,”

Forthright Energy Solutions, LLC which is wholly owned by Doug Mullett, has no debt. Forthright Energy Solutions, LLC is a pass-through business from the supplier to the end-user, and does not rely on outside financial arrangements to conduct business of providing energy consulting.

C-5 Exhibit C-5 “Forecasted Financial Statements,” Forthright Energy Solutions, LLC

forecasted financial statements are filed Under Seal.

C-6 Exhibit C-6 “Credit Rating,”

Forthright Energy Solutions, LLC is a newly formed company. Forthright Energy Solutions, LLC has no credit rating available from credit reporting agencies.

C-7 Exhibit C-7 “Credit Report,”

Forthright Energy Solutions, LLC is a newly formed company. Forthright Energy Solutions, LLC has no credit report available from credit reporting agencies.

C-8 Exhibit C-8 “Bankruptcy Information,”

Forthright Energy Solutions, LLC has no reorganizations or bankruptcy filings.

C-9 Exhibit C-9 “Merger Information,”

Forthright Energy Solutions, LLC has never been involved in any mergers or acquisitions.

C-10 Exhibit C-10 “Corporate Structure,”

Forthright Energy Solutions, LLC is stand-alone entity with no affiliate or subsidiary companies.