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13

September 13, 2018

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

Subject: Renewal Certificate Application PUCO CASE 16-2005-EL-AGG

Dear Sir or Madam:

Enclosed, please find Statistical Energy LLC's (EIN 81-1231024) one original application submission along with three copies to renew our electric broker certificate for electricity in the State of Ohio.

The original case number is 16-2005-EL-AGG and the License Number is 16-1142E(1).

Please let me know if you have any questions and, on behalf of our team at Statistical Energy LLC, thank you for considering and processing our certificate renewal application.

Warmest Regards,

Jim Risk
CFO & Partner
Statistical Energy LLC
4967 Countryside Road
Lyndhurst, OH 44124
216-536-2582
www.statisticalenergy.com
Jim.Risk@statisticalenergy.com

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PUCO

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Technician C.B. Date Processed 9/17/18

September 13, 2018

**Renewal Certificate Application to the PUCO to be a
Broker/Marketer Engaged in the Competitive Retail Electric
Supply**

ORIGINAL PUCO CASE: 16-2005-EL-AGG

ORIGINAL LICENSE # 16-1142E(1)



Submitted By:

Jim Risk

Partner & CFO

Statistical Energy LLC

4967 Countryside Road

Lyndhurst, OH 44124

216-536-2582

Jim.Risk@StatisticalEnergy.Com



Public Utilities Commission

Original AGG Case Number	Version
16-2005-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 Statistical Energy LLC
Address 6605 Longshore St Ste 240, Dublin, OH 43017
PUCO Certificate # and Date Certified _____
Telephone # (216) 536-2582 Web site address (if any) www.statisticalenergy.com

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

Legal Name Statistical Energy LLC
Address 6605 Longshore St Ste 240, Dublin, OH 43017
Telephone # (216) 536-2582 Web site address (if any) www.statisticalenergy.com

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

Statistical Energy LLC _____

A-5 Contact person for regulatory or emergency matters

Name Jim Risk
Title CFO / Partner
Business address 4967 countryside road, Lyndhurst, OH 44124
Telephone # (216) 536-2582 Fax # (614) 413-3447
E-mail address jim.risk@statisticalenergy.com

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

Name Jim Risk
Title CFO / Partner
Business address 4967 countryside road, Lyndhurst, OH 44124
Telephone # (216) 536-2582 Fax # (614) 413-3447
E-mail address jim.risk@statisticalenergy.com

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

Customer Service address 6605 Longshore St Ste 240, Dublin, OH 43017
Toll-free Telephone # 888-632-6914 Fax # 614-413-3447
E-mail address Michael@statisticalenergy.com

A-8 Applicant's federal employer identification number # 81-1231024

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 checked="" type="checkbox"/> Limited Liability Company (LLC) |
| <input 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.

Please See exhibit A-10

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 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.

Jim Rush

Signature of Applicant & Title

Sworn and subscribed before me this 13th day of September, 2018
Month Year

Carol L. Builder

Signature of official administering oath

Carol L. Builder / Notary Public

Print Name and Title

My commission expires on _____



CAROL L. BUILDER
NOTARY PUBLIC

STATE OF OHIO

Recorded in ⁵

Cuyahoga County

My Comm. Exp. 10/11/2021

AFFIDAVIT

State of Ohio :

Cleveland ss.
(Town)

County of Cuyahoga :

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

He/~~She~~ is the CFO (Office of Affiant) of Statistical Energy (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.

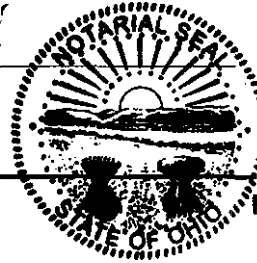
Jimi Pristi
Signature of Affiant & Title

Sworn and subscribed before me this 13th day of September, 2018
Month Year

Carol L. Builder
Signature of official administering oath

Carol L. Builder Notary Public
Print Name and Title

My commission expires on _____



CAROL L. BUILDER
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Guyahoga County
My Comm. Exp. 10/11/2021

Electric Broker Certificate Renewal Application
Exhibits

A-1 **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.

- Michael Jackson, CEO & Partner, 6605 Longshore Street, Suite 240, Dublin, OH 43017
- Ron Cantlie, President & Partner, 6605 Longshore Street, Suite 240, Dublin, OH 43017
- Jim Risk, CFO and Partner, 4967 Countryside Road, Lyndhurst, OH 44124

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED :

B1 **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.

Statistical Energy LLC is currently a licensed electric and gas broker in Ohio and New Jersey. Statistical Energy LLC submitted applications to be an electric and gas broker in the commonwealth of Pennsylvania on 8-31-18 – both of these applications are pending review by the professionals at the PAPUC.

B2 **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.

Mr. Risk, CFO & Founding Partner for Statistical Energy LLC, has been in the energy business for over 20 years and plans to utilize those relationships and contacts formed over the years to grow the commercial and industrial electric brokerage business for Statistical Energy LLC. Likewise, Mr. Jackson and Mr. Cantlie also have business relationships which they plan to utilize in growing our business. Today, Statistical Energy LLC has obtained contracts with clients which currently equate to 2,500,000 Dekatherms (annually) of natural gas and 400 million kWh of electric now being managed, and we plan to continue to leverage our relationships for the benefit of Statistical Energy LLC. Statistical Energy utilizes subcontractors to provide back-office, pricing and utility bill audit support as well as many other functions including demand response, peak shaving and other energy related services. As a broker, the energy suppliers provide the energy supply agreements which are signed by the client and also provide the billing to the clients, either directly or through the local distribution company. We currently have brokerage agreements with suppliers including but not limited to ENGIE, Constellation, GEXA/Nextera, DirectEnergy/Centrica, Dynegy/Vistra, Hudson, NRG, and Source. As a broker, the energy suppliers (typically not the client) are the ones who will pay Statistical Energy LLC on behalf of the clients. As a broker, Statistical Energy's job is to be an advocate for our clients with the utilities and energy companies. As a small organization, it is easy for clients to contact Mr. Risk, Mr. Jackson and Mr. Cantlie via the contact information provided elsewhere in this document. Mr.

Risk, Mr. Jackson and Mr. Cantlie are always easy to reach and are willing to be compliant with the rules identified in Section 4929.22 of the Ohio Revised Code (contained in Chapter 4901:1-29 of the Ohio Administrative Code).

- B3** **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.

There have been no such rulings or judgements against Statistical Energy LLC

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.)

Statistical Energy LLC, a privately held organization, does not have any annual reports to provide as we are not a public company.

- 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.

Statistical Energy LLC does not have SEC filings to provide as we are not a public company.

- 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).

Please see sealed envelope for copies of the Schedule C for JA Risk for 2017 and 2016 tax years.

On January 25, 2018, Ronald Cantlie and Michael Jackson purchased shares of Statistical Energy LLC, meaning a K-1 will be filed (based on ownership shares) for federal taxes beginning on January 25, 2018 going forward.

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.

N/A - Statistical Energy LLC does not take title to natural gas so this is **Not Applicable**.

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.

Please see enclosed sealed envelope for confidential forecasted financial statements for 2019 and 2020.

C-5 **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.

Statistical Energy LLC is not aware of any credit agencies which provide a credit rating on us. Our D&B number is 080419503.

- C-6 **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.

In the enclosed sealed envelope, please see confidential exhibits for latest D&B report

- C-7 **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.

Statistical Energy LLC has never had any bankruptcy proceedings

- C-8 **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.

On January 25, 2018, Ronald Cantlie and Michael Jackson each purchased 39.5% of Statistical Energy LLC. Mr. Risk now owns 21%. This transaction was done in order to improve Statistical Energy LLC's growth prospects going forward.

- C-9 **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.

Statistical Energy LLC currently has four representatives who represent Statistical Energy LLC as follows:

- Michael Jackson, CEO & Partner/Shareholder
- Ronald Cantlie, President & Partner/Shareholder
- Jim Risk, CFO & Partner/Shareholder
- Robert Short, Vice President of Sales (Independent Contractor)

Mr. Risk works out of his office in Cleveland, Ohio and Mr. Cantlie, Mr. Jackson and Mr. Short all work out of our office at BrickHouse Blue in Dublin, Ohio.

Statistical Energy LLC is a privately held, stand-alone entity owned by Jackson, Cantlie, and Risk