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5151 San Felipe St. • Suite 2200 • Houston, TX 77056

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2018 DEC 12 PM 1:22

December 11, 2018

PUCO

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

12-3197-EL-AGG

Whom It May Concern:

On behalf of Choice! Energy Services Retail, LP (CESR)

Please feel free to reach out to me in the event further information is needed.

Sincerely,

A handwritten signature in black ink, appearing to be 'Paul Hernandez', written over a horizontal line.

Paul Hernandez
Account Manager
Power and Natural Gas Markets
713-328-0539 Direct
713-481-0236 Fax
Hernandez.p@choiceenergyservices.com

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Technician dm Date Processed 12/12/18



**Public Utilities
Commission**

Asim Z. Haque, Chairman

Commissioners

M. Beth Trombold
Thomas W. Johnson
Lawrence K. Friedman
Daniel R. Conway

November 14, 2018

CHOICE ENERGY SERVICES RETAIL LP
5151 SAN FELLPE, SUITE 2200
HOUSTON, TX 77056

Notice of Pending Expiration of PUCO Certification

Company Name: CHOICE ENERGY SERVICES RETAIL LP
Certification Case No.: 12-3197-EL-AGG
Certificate Expiration Date: 1/12/2019

To Whom It May Concern:

This letter serves to provide notice that the above-listed certificate issued by the Public Utilities Commission of Ohio pursuant to the Ohio Revised Code, is due to expire on **1/12/2019**. If you have already filed your renewal application, or if you do not want to renew your certificate, **please disregard this letter.**

Rule 4901:1-24-09 O.A.C. requires renewal applications to be filed no less than 30 and no more than 60 days **prior** to the certificate expiration date. If the listed company wishes to continue to operate under the above certificate, a renewal application must be filed **at least 30 days prior** to the expiration date.

If the listed company has missed the 30-day deadline but the certificate has yet to expire, a motion to extend must be filed in the existing case by an attorney licensed to practice law in Ohio. A renewal application should be filed at the same time.

If the certificate has expired and the company wishes to continue operations in Ohio, a new certificate application must be filed. A motion requesting an extension of the original certificate and requesting to operate during pendency of the new certification application must be filed by an attorney licensed to practice law in Ohio. If you have additional questions you may call the Commission representative listed below.

Any company or company officer that continues to provide Ohio jurisdictional service under an expired certificate without Commission authorization may be assessed a civil forfeiture pursuant to Section 4905.54 of the Ohio Revised Code.

Questions regarding this notice should be directed to Melissa Scarberry of the Commission's Reliability and Service Analysis Division, Service Monitoring and Enforcement Department, at melissa.scarberry@puco.ohio.gov or at 614-644-7960.

Sincerely,

Melissa Scarberry
Utility Specialist II

Original AGE Case Number	Version
12-3197-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 Choice! Energy Services Retail, LP
 Address 5151 San Felipe Street, Suite 2200 Houston, TX 77056
 PUCO Certificate # and Date Certified 12-3197-EL-AGG 1/12/2019
 Telephone # (713) 358-5400 Web site address (if any) hernandez.p@choiceenergyservices.com

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

Legal Name Choice! Energy Services Retail, LP
 Address 5151 San Felipe Street, Suite 2200 Houston, TX 77056
 Telephone # (713) 358-5400 Web site address (if any) hernandez.p@choiceenergyservices.com

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

Choice! Energy Services Retail, LP Teallach Investments, LLC
CESR, LP

A-5 Contact person for regulatory or emergency matters

Name Kiki Dikmen
 Title Managing Partner
 Business address 5151 San Felipe Street, Suite 2200 Houston, TX 77056
 Telephone # (713) 358-5400 Fax # (713) 481-0236
 E-mail address dikmen.k@choiceenergyservices.com

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

Name Kiki Dikmen
Title Managing Partner
Business address 5151 San Felipe Street, Suite 2200 Houston, TX 77056
Telephone # (713) 358-5400 Fax # (713) 481-0236
E-mail address support@choiceenergyservices.com

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

Customer Service address 5151 San Felipe Street, Suite 2200 Houston, TX 77056
Toll-free Telephone # (800) 927-9801 Fax # (713) 481-0236
E-mail address support@choiceenergyservices.com

A-8 Applicant's federal employer identification number # 20-1340233

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 checked="" type="checkbox"/> Other <u>Limited Partnership</u> |

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

B-1 Exhibit B-1 "Jurisdictions of Operation," provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services including aggregation services.

B-2 Exhibit B-2 "Experience & Plans," provide a description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.

B-3 **Exhibit B-3 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

B-4 Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.
☒ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-4 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-5 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.
☒ No ☐ Yes

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

C. FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

C-1 **Exhibit C-1 "Annual Reports,"** provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information in Exhibit C-1 or indicate that Exhibit C-1 is not applicable and why. (This is generally only applicable to publicly traded companies who publish annual reports.)

C-2 **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If the applicant does not have such filings, it may submit those of its parent company. An applicant may submit a current link to the filings or provide them in paper form. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 that the applicant is not required to file with the SEC and why.

C-3 **Exhibit C-3 “Financial Statements.”** provide copies of the applicant’s two most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. If the applicant does not have a balance sheet, income statement, and cash flow statement, the applicant may provide a copy of its two most recent years of tax returns (with social security numbers and account numbers redacted).

C-4 **Exhibit C-4 “Financial Arrangements.”** provide copies of the applicant's financial arrangements to conduct CRES as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.).

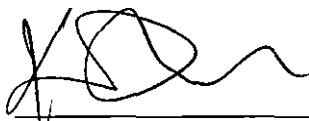
Renewal applicants can fulfill the requirements of Exhibit C-4 by providing a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU’s collateral requirements.

First time applicants or applicants whose certificate has expired as well as renewal applicants can meet the requirement by one of the following methods:

1. The applicant itself stating that it is investment grade rated by Moody’s, Standard & Poor’s or Fitch and provide evidence of rating from the rating agencies.
2. Have a parent company or third party that is investment grade rated by Moody’s, Standard & Poor’s or Fitch guarantee the financial obligations of the applicant to the LDU(s).
3. Have a parent company or third party that is not investment grade rated by Moody’s, Standard & Poor’s or Fitch but has substantial financial wherewithal in the opinion of the Staff reviewer to guarantee the financial obligations of the applicant to the LDU(s). The guarantor company’s financials must be included in the application if the applicant is relying on this option.
4. Posting a Letter of Credit with the LDU(s) as the beneficiary.

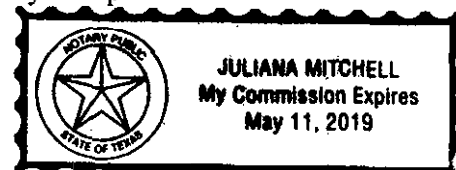
If the applicant is not taking title to the electricity or natural gas, enter "N/A" in Exhibit C-4. An N/A response is only applicable for applicants seeking to be certified as an aggregator or broker.

- C-5** **Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted income statements for the applicant's **ELECTRIC related business activities in the state of Ohio Only**, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecasts should be in an annualized format for the two years succeeding the Application year.
- C-6** **Exhibit C-6 "Credit Rating,"** provide a statement disclosing the applicant's credit rating as reported by two of the following organizations: Duff & Phelps, Fitch IBCA, Moody's Investors Service, Standard & Poor's, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or an affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. If an applicant or its parent does not have such a credit rating, enter "N/A" in Exhibit C-6.
- C-7** **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from Experian, Dun and Bradstreet or a similar organization. An applicant that provides an investment grade credit rating for Exhibit C-6 may enter "N/A" for Exhibit C-7.
- C-8** **Exhibit C-8 "Bankruptcy Information,"** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.
- C-9** **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant within the two most recent years preceding the application.
- C-10** **Exhibit C - 10 "Corporate Structure,"** provide a description of the applicant's corporate structure, not an internal organizational chart, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America. If the applicant is a stand-alone entity, then no graphical depiction is required and applicant may respond by stating that they are a stand-alone entity with no affiliate or subsidiary companies.



MANAGING PARTNER

Signature of Applicant & Title



Sworn and subscribed before me this

29 day of November, 2018

Month

Year



Signature of official administering oath

Juliana Mitchell

Print Name and Title

My commission expires on May 11, 2019

AFFIDAVIT

State of TEXAS :

____ ss.
(Town)

County of HARRIS :

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


He/She is the MANAGING PARTNER (Office of Affiant) of CHOICE ENERGY SERVICES RETAIL, LP (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.

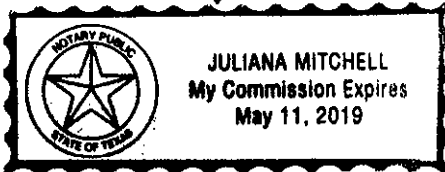
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

 MANAGING PARTNER
Signature of Affiant & Title

Sworn and subscribed before me this 29 day of November 2018
Month Year


Signature of official administering oath

Juliana Mitchell
Print Name and Title



My commission expires on May 11, 2019



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

Javier Loya

Chairman & CEO
5151 San Felipe, Suite 2200
Houston, TX 77056
Tel: 713-358-5411
Fax: 713-481-0236
Ejl@otcgh.com

John F. Klosek

Partner
5151 San Felipe, Suite 2200
Houston, TX 77056
Tel: 713-613-0512
Fax: 713-481-0236
jfk@choiceenergy.com

Kiki Dikmen

Managing Partner
5151 San Felipe, Suite 2200
Houston, TX 77056
Tel: 713-358-5424
Fax: 713-481-0236
dikmen.k@choiceenergyservices.com

Nick Sturgeon

CFO
5151 San Felipe, Suite 2200
Houston, TX 77056
Tel: 713-358-5417
Fax: 713-583-5002
sturgeon.n@choiceenergyservices.com

Colby Thames

CIO
5151 San Felipe, Suite 2200
Houston, TX 77056
Tel: 713-358-5414
thames.c@choiceenergyservices.com



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

Jurisdictions:

- **Texas:** Applicant was issued “Electricity Broker License” on October 12, 2005 by the Public Utilities Commission of Texas. (File #800367844).
- **Illinois:** Applicant was issued “Agent/Power Broker License” on December 21, 2010 by the Illinois Commerce Commission. (License No. 10-0599).
- **Pennsylvania:** Applicant was issued “Energy Commercial Broker/Marketer” on February 11, 2010 by Pennsylvania Public Utility Commission. (Docket #A-2009-2142612).
- **Massachusetts:** Applicant was issued “Energy Brokerage License” on August 4, 2004 by Massachusetts Department of Public Utilities. (ID #000873635).
- **Maryland:** Applicant was issued “Brokers License” on June 7, 2012 by Maryland Public Service Commission. (Docket #IR-682).
- **New Jersey:** Applicant was issued “Energy Agent License” on December 19, 2012 by NJ Board of Public Utilities. (License # EC-0057/EA-0210).
- **Ohio:** Applicant was issued “Power Broker License” on January 12, 2013 by the Public Utilities Commission of Ohio. (License # 13-624E 1).
- **Maine:** Applicant was issued “Competitive Electricity Provider License” on March 13, 2013 by the State of Maine Public Utilities Commission. (License # 2012-438).
- **Rhode Island:** Applicant was issued “Non-Regulated Power Producer License” on December 3, 2012 by the Rhode Island Public Utilities Commission. (Docket D-96-6 W5).



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

Choice Energy Services Retail, LP (CESR) was formed to provide energy consulting and brokering services pertaining to electric power and natural gas in 2004. CESR plans to provide consulting and brokering services with respect to price risk management by entering into contractual arrangements with various providers and large commercial and industrial consumers of electric power and natural gas. The fees received by CESR are normally paid directly by the providers of electric power and natural gas. If there are any customer inquiries or complaints regarding our services, our in-house legal department or management department serves to resolve any disputes.

Specific to this application, CESR will provide the following natural gas services:

1. Natural gas procurement
2. Tariff v Transport Analysis
3. Direct Connect Pipeline Opportunity
4. Natural Gas Risk Management (NYMEX Hedging)
5. Invoice Auditing
6. Tariff Review (Rate Review)

The main focus in our service is the natural gas procurement where we look for opportunity to secure pricing for our clients with a third party supplier. Unlike electricity, natural gas transportation is available in all 50 states. However, each specific utility in each state has their own rules and regulations for their transportation program. After ten plus years of experience, CESR knows the rules and regulations of each utility and understands where an opportunity exists. As listed under The Public Utilities Commission of Ohio, the Ohio utilities include:

1. Duke Energy
2. Columbia Gas of Ohio
3. Dominion East Ohio
4. Vectren Energy Delivery of Ohio



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B-2 Exhibit 8-2 "Experience & Plans"

Choice Energy Services Retail, LP has procured and managed hundreds of natural gas accounts all over the country for companies ranging in size, from restaurants to large manufacturing plants. We have procured natural gas across the nation in many deregulated markets such as Ohio. The MMBtu's we have procured on behalf of our clients since 2004 are well into the 10's of millions over time.

Client	Industry	Total Volume (MMBtu's)
Houston Pavilion	Retail	1,467,900 MMBtu's
City of Houston	Municipality	60,000 MMBtu's
Applied Rubber Technology, Inc.	Real Estate	25,000 MMBtu's
Montclair Hospital	Health Services	85,000 MMBtu's
Bojac Properties, Inc.	Real Estate	102,853 MMBtu's
Kingsway Chinese Buffet	Food	4,800 Mcf
UTEX Industries, Inc.	Manufacturing	55,000 MMBtu's



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

Choice Energy Services Retail, LP has no 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.



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B-4 Exhibit B-4 Disclosure of Consumer Protection Violations"

Choice Energy Services Retail, LP, including affiliates, predecessors, and/or officers have not been convicted or held liable for fraud or for violation of any customer protection or antitrust laws within the past five years.



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C-1 Exhibit C-1 “Annual Reports”

Choice Energy Services Retail, LP is a privately held organization and does not prepare Annual Reports to Shareholders. N/A



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C-2 Exhibit C-2 “SEC Filings”

Choice Energy Services Retail, LP is a privately held organization and such filings are not applicable. N/A



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C-4 Exhibit C-4 “Financial Arrangements”

Choice Energy Services Retail, LP does not currently have financial arrangements to conduct CESR as a business activity. CESR will be operating as a broker and consultant in Ohio. N/A



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C-8 Exhibit C-8 “Bankruptcy Information”

Choice Energy Services Retail, LP has no applicable information to report regarding any reorganization, protection from creditors or any other form of bankruptcy filings made by CESR.



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C-9 Exhibit C-9 "Merger Information"

None.



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C-10 Exhibit C-10 "Corporate Structure"

Choice Energy Services Retail, LP is a stand-alone entity with no affiliate or subsidiary companies.