	PUCO USE ONLY	
Date Received	Case Number	Version
	19-10W-EL-CRS	May 2016

FILE

INITIAL CERTIFICATION APPLICATION FOR RETAIL GENERATION PROVIDERS AND POWER MARKETERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-13 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.

	APPLICAN	INFORMA	<u>HON</u>			7	MAY-6	(L) *(
1	Applicant inte	nds to be certifie	ed as: (chec	k all that app	ply)	JC.		. D-20 _C
	□ Retail Generat □ Power Markete		Power Aggi	er Broker regator		0	PH 1:39	PLASSOCKETING DIV
2	Applicant's leg	gal name, addres	ss, telephor	ie number an	ıd web site add	ress	9	ŧ
	Legal Name 1 Address 99 Telephone #6216	10 E EN 87 FORES 1702-3183 Web	TER PIC T LAK site address	ISES L EDRIVE (if any)	LC Twinsbu,	- zg o H	440	587
3	List name, ad will do busines	dress, telephone s in Ohio	number a	nd web site a	ddress under v	which Ap	plican	t
	Legal Name M Address 9997 Telephone # (2	DE ENTE FOREST LAKE 16) 762-3183Web	R PRISE DRIVE site address	Twistbor (if any)	910H 4408	<u> </u>		
4	List all names	under which the	applicant	does busines	s in North Am	erica		
								
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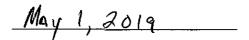
	Name DEAN DUPLE OF Title PARTIER Business address 9987 Fo Telephone # (216) 702-313 E-mail address PDU	REST LAIC 83 Fax#	e Drive,	Twinsburg -	,, <u>0</u> 444087	
A- 6	Contact person for Commis	sion Staff use	in investigatir	ng customer co	omplaints	
	Name JAMES Mitch Title PARTNER Business address 9987 F Telephone # (216) 704-58 E-mail address JKA	OPESTLA 193 Fax#_ LISCAOL	KE DRIVE,	Twinsburg	, o H 44089	
A-7	Applicant's address and toll	-free number	for customer	service and co	omplaints	
	Customer Service address 4 Toll-free Telephone # (216) E-mail address	187 Fores 102-3183 UDLEY 1 E	Fax# Laol·com	RIVE TWIN	sburg, off 44	1087
A-8	Applicant's federal employe	er identificatio	on number#_	83-3943	3082	
A-9	Applicant's form of owners	hip (check on	e)			
	□ Sole Proprietorship □ Limited Liability Partnership □ Corporation	□ Partr (LLP)) Limi □ Othe	-	mpany (LLC)		
A-10	(Check all that apply) Ides which the applicant intends to class that the applicant intermercantile commercial, and 4928.01 of the Revised Code, is a part of a national account in one or	o provide serv nds to serve, industrial. (A n commercial custo	ice, including to for example, nercantile custom	identification or residential, sn er, as defined in	of each customer nall commercial, (A) (19) of Section	
	¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬	Residential Residential Residential Residential	Commercial Commercial Commercial Commercial	□ Mercantile □ Mercantile □ Mercantile □ Mercantile	☐ Industrial☐ Ind	
	≰American Electric Power ₽ Ohio Power	⊄ Residential	Commercial	□ Mercantile	□ Industrial	

Contact person for regulatory or emergency matters

A-5

Columbus Southern Power	∦ Residential	Commercial	■ Mercantile	□ Industrial
By Dayton Power and Light	≰ Residential	German Commercial	■ Mercantile	■ Industrial

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



PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- A-12 <u>Exhibit A-12 "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.
- A-13 <u>Exhibit A-13 "Company History,"</u> 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.
- **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 the service(s) it is seeking to be certified to provide (e.g. number and types of customers served, utility service areas, amount of load, etc.).
- B-4 <u>Exhibit B-4 "Environmental Disclosure,"</u> provide a detailed description of how the applicant intends to determine its (a) generation resource mix, and (b) environmental characteristics, including air emissions and radioactive waste. This information shall include sufficient discussion so as to detail both the annual projection methodology and the proposed approach to compiling the quarterly actual environmental disclosure data. Additional details on this requirement may be obtained by referring to 4901:1-21-09.
 - B-5 Exhibit B-5 "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-6** 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-6 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-7 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service denied, curtailed, suspended, revoked, or cancelled within the past two years.

№ No □ Yes

If yes, provide a separate attachment labeled as **Exhibit B-7 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

C. <u>APPLICANT 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 <u>Exhibit C-3 "Financial Statements,"</u> 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 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 <u>Exhibit C-5 "Forecasted Financial Statements,"</u> provide two years of forecasted statements (balance sheet, income statement, and cash flow statement) for the applicant's <u>ELECTRIC related business activities in the state of Ohio Only</u>, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecast 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 <u>Exhibit C-7 "Credit Report,"</u> 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 <u>Exhibit C-8 "Bankruptcy Information,"</u> 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 <u>Exhibit C-9 "Merger Information,"</u> 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.

D. APPLICANT TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- **D-1** Exhibit D-1 "Operations" provide a written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail ancillary services as well as other services used to arrange for the purchase and delivery of electricity to retail customers.
- **D-2** Exhibit D-2 "Operations Expertise," given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations.
- **D-3** Exhibit D-3 "Key Technical Personnel," provide the names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business.
- D-4 <u>Exhibit D-4 "FERC Power Marketer License Number,"</u> provide a statement disclosing the applicant's FERC Power Marketer License number. (Power Marketers only)

Signature of Applicant and Title	
Sworn and subscribed before me this	_day of <u>MAY</u> , <u>2019</u> Year
Signature of official administering oath	Print Name and Title
My commission expires	on

AFFIDAVIT

State of	:	
County of	ss	
	, Affiant, being duly sworn/affirmed according	to law, deposes and says that:
He/She is the	(Office of Affiant) of	(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)

complaints.

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

EXHIBIT A-12

Principal Officers, Director's & Partners

Dean Dudley, Partner, 9987 Forest Lake Drive, Twinsburg, OH 44087 (216) 702-3183

James Mitch, Partner, 9987 Forest Lake Drive, Twinsburg, OH 44087 (216) 704-5893

EXHIBIT A-13

Company History

MDE Enterprises LLC is an energy consultant and broker that were formed on February 12, 2019.

The Managing Partners of MDE Enterprises LLC are James Mitch and Dean Dudley.

With a combined total of over 30 years' experience in the utility industry, we have developed MDE to focus on the needs of commercial and residential markets.

The mission is to develop strategic partnerships with multiple suppliers that will allow us to offer a competitive advantage resulting in best price and risk management for our client's electricity and natural gas needs.

EXHIBIT A-15

Secretary of State Registration



DATE 02/14/2019 DOCUMENT ID 201904303454

DESCRIPTION
DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG (LCP)

FILING 99.00 EXPED 0.00 CERT 0.00 COPY 0.00

Receipt

This is not a bill. Please do not remit payment.

INCFILE.COM LLC 134 VINTAGE PARK BLVD A-50 HOUSTON, TX 77070

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Frank LaRose 4292987

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

MDE ENTERPRISES LLC

and, that said business records show the filing and recording of:

Document(s)

Document No(s):

DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG

201904303454

Effective Date: 02/12/2019



United States of America State of Ohio Office of the Secretary of State Witness my hand and the seal of the Sccretary of State at Columbus, Ohio this 14th day of February, A.D. 2019.

Ohio Secretary of State

Fil flow

Form 533A Prescribed by:



Date Electronically Filed: 2/12/2019
Toll Free: (877) SOS-FILE (877-767-3453) | Central Ohio: (614) 466-3910

www.OhioSecretaryofState.gov | Busserv@OhioSecretaryofState.gov

File online or for more information: www.OHBusinessCentral.com

Articles of Organization for a Domestic Limited Liability Company

Filing Fee: \$99 Form Must Be Typed

CHECK ONLY ONE (1) BOX

(1) Articles of Organization for Domestic For-Profit Limited Liability Company (115-LCA)	(2) Articles of Organization for Domestic Nonprofit Limited Liability Company (115-LCA)
	ES LLC ame must include one of the following words or abbreviations: ited liability company," "limited," "LLC," "L.L.C.," "ltd., "or "ltd".)
Optional: Effective Date (MM/DD/YYYY) 2/12/2019	(The legal existence of the corporation begins upon the filing of the articles or on a later date specified that is not more than ninety days after filing.)
Optional: This limited liability company shall exist	for PERPETUAL Period of Existence
Optional: Purpose ENERGY EFFICIENCY	
exemptions. Contact the Ohio Department of Taxation	tus. Filing with our office is not sufficient to obtain state or federal tax n and the Internal Revenue Service to ensure that the nonprofit limited tax exemptions. These agencies may require that a purpose clause

533A Page 1 of 3 Last Revised: 10/01/2017

	Original Appointment of Statutory Ag	gent		
The undersigned authorized member(s), manager(s) or representative(s) of				
MDE ENTERPRIS	SES LLC			
	(Name of Limited Liability Company)	· · · · · · · · · · · · · · · · · · ·		
	e following to be Statutory Agent upon whom any process, noticed upon the corporation may be served. The complete address o		red or permitted by	
JAMES MITC	:H	 		
(Name of Statuto			<u></u>	
9987 FORES	TLAKE DR			
(Mailing Address)			
TWINSBURG	;	ОН	44087	
(Mailing City)		(Mailing State)	(Mailing ZIP Code)	
	Acceptance of Appointment			
The Undersigned,	JAMES MITCH		, named herein as the	
The Ondersigned,	(Name of Statutory Agent)		, harred herein as the	
Statutory agent for	MDE ENTERPRISES LLC		·····	
Otatatory agent for	(Name of Limited Liability Company)			
hereby acknowledge	es and accepts the appointment of statutory agent for said limite	d liability company	<i>(</i> .	
Statutory Agent Sign	JAMES MITCH			
	(Individual Agent's Signature / Signature on Behalf of Business Serving	as Agent)		

By signing and submitting this form has the requisite authority to execu	n to the Ohio Secretary of State, the undersigned hereby certifies that he or she te this document.
Required	MARSHA SIHA
Articles and original appointment of agent must	Signature
be signed by a member, manager or other representative.	ORGANIZER
If the authorized representative is an individual, then they must sign in the "signature"	By (if applicable)
box and print his/her name in the "Print Name" box.	Print Name
If the authorized representative is a business entity, not an individual, then please print the entity name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print his/her name and title/authority in the "Print Name" box.	Signature By (if applicable) Print Name
	Signature By (if applicable)
	Print Name

Last Revised: 10/01/2017

EXHIBIT B - 3

Summary of Experience

We currently have over 30 years' experience in marketing electricity and natural gas to small commercial and residential customers.

The average annual KWH is 50,000 - 100,000

The average annual CCF 883 -1,200

<u>AFFIDAVIT</u>

State of Chio: Twinsburg ss (Town)	
County of Seman + : (Town)	
Dean Dudley Affiant, being duly sworn/affirme	ed according to law, deposes and says that:
Helbhe is the Partner (Office of Affiant) of	MOE Enterprises (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.
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- 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 Saff 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.

Sworn and subscribed before me this 2 day of May, 2019

Month Year

Devin Bauma a-1 - Persona 1

Signature of official administrating oath

Print Name and Title Banker

DEVIN H. BAUMGARSsion expires on (2(6/2)
NOTARY PUBLIC
STATE OF OHIO

Recorded in Geauga County

My Comm. Exp. 12/15/2021