



**Public Utilities
Commission**

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

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 Hospital Energy, L.L.C.
Address 7 Portwalk Place unit 1523 Portsmouth, NH 03801
Telephone # (203) 668-3522 Web site address (if any) www.hospitalenergy.com

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

Legal Name Hospital Energy, L.L.C.
Address 7 Portwalk Place unit 1523 Portsmouth, NH 03801
Telephone # (203) 668-3522 Web site address (if any) www.hospitalenergy.com

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

Hospital Energy, LLC _____

A-5 Contact person for regulatory or emergency matters

Name Mark Mininberg
Title President

Business address 7 Portwalk Place unit 1523 Portsmouth, NH 03801
Telephone # (203) 668-3522 Fax # (203) 458-1673
E-mail address mark@hospitalenergy.com

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

Name Mark Mininberg
Title President
Business address 7 Portwalk Place unit 1523 Portsmouth, NH 03801
Telephone # (203) 668-3522 Fax # (203) 458-1673
E-mail address mark@hospitalenergy.com

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

Customer Service address 7 Portwalk Place unit 1523 Portsmouth, NH 03801
Toll-free Telephone # (800) 661-2165 Fax # _____
E-mail address _____

A-8 Applicant's federal employer identification number # 203455846

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
September 1, 2019

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:

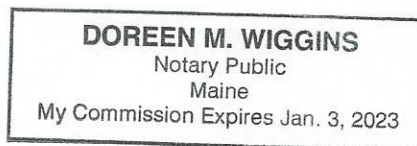
1. The applicant itself stating that it is investment grade rated by Moody’s, Standard & Poor’s or Fitch and provide evidence of rating from the rating agencies.
2. Have a parent company or third party that is investment grade rated by Moody’s, Standard & Poor’s or Fitch guarantee the financial obligations 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 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.

Lyal h S President
Signature of Applicant & Title



Sworn and subscribed before me this 19 day of June, 2019

Doreen M Wiggins
Signature of official administering oath

Month Year
Doreen M Wiggins, Notary
Print Name and Title

My commission expires on 01/03/2023

AFFIDAVIT

State of Maine :

York ss.
(Town)

County of York :

Mark J Mininberg, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President (Office of Affiant) of Hospital Energy, 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.

lyal h
Signature of Affiant & Title

Drew
↙ ↘

Sworn and subscribed before me this 06 day of 13, 2019
Month Year

Doreen M. Wiggins
Signature of official administering oath

Print Name and Title

My commission expires on _____

DOREEN M. WIGGINS
Notary Public
Maine
My Commission Expires Jan. 3, 2023

A-12 Exhibit A-12 “Principal Officers, Directors & Partners”

Mark Mininberg
President
Hospital Energy, LLC
7 Portwalk Place, Unit 1523
Portsmouth, NH 03801
(203) 668 3522
mark@hospitalenergy.com

A-13 Exhibit A-13 “Company History”

Hospital Energy has served as an energy advisor to healthcare institutions since 1995 and has been a licensed broker/aggregator in Ohio since 2011. We are regarded as one of the leading authorities on energy procurement and management in the healthcare sector, having authored the American Hospital Association (AHA) Best Practices in Energy Procurement (2017) and Business Planning for Energy Resiliency (2018). Hospital Energy serves more than 200 acute-care healthcare systems across the United States, ranging from single regional hospitals, to systems with fifty or more hospitals operating across multiple states. In general, hospitals are categorized as large commercial energy customers.

A-14 Exhibit A-14 “Articles of Incorporation and Bylaws”

Hospital Energy’s Certificate of Formation and Amended Articles of Organization are attached.

State of New Hampshire

Filing fee: \$100.00
Use black print or type.

Filed
Date Filed : 12/27/2017 04:30:00 PM
Effective Date : 12/27/2017 04:30:00 PM
Filing # : 3686387 Pages : 2
Business ID : 785017
William M. Gardner
Secretary of State
State of New Hampshire

CERTIFICATE OF FORMATION NEW HAMPSHIRE LIMITED LIABILITY COMPANY

THE UNDERSIGNED, under the New Hampshire Limited Liability Company Laws submits the following certificate of formation:

FIRST: The name of the limited liability company is Mininberg, LLC

Principal Business Information:

Principal Office Address: 95 Hanover Street, #204, Portsmouth, New Hampshire 03801
(no. & street) (city/town) (state) (zip code)

Principal Mailing Address (if different): _____
(no. & street) (city/town) (state) (zip code)

Business Phone: (203) 668-3522

Business Email: mark@hospitalenergy.com

☒ Please check if you would prefer to receive the courtesy Annual Report Reminder by email.

SECOND: Describe the nature of the primary business or purposes (and if known, list the NAICS Code and Sub Code): Energy Advisory Services

THIRD: The name of the limited liability company's registered agent is:


CT Corporation System

The complete address of its registered office (agent's business address) is:

9 Capitol Street, Concord, New Hampshire 03301
(no. & street) (city/town) (state) (zip code)

FOURTH: The management of the limited liability company is _____ vested in a manager or managers.

CERTIFICATE OF FORMATION OF A
NEW HAMPSHIRE LIMITED LIABILITY COMPANYForm LLC-1
(Cont.)

*Signature: 
Print or type name: Mark Mininberg
Title: Manager
(Enter "manager" or "member")
Date signed: 12/22/17

Note: The sale or offer for sale of membership interests of the limited liability company will comply with the requirements of the New Hampshire Uniform Securities Act (RSA 421-B). The membership interests of the limited liability company: 1) have been registered or when offered will be registered under RSA 421-B; 2) are exempted or when offered will be exempted under RSA 421-B; 3) are or will be offered in a transaction exempted from registration under RSA 421-B; 4) are not securities under RSA 421-B; OR 5) are federal covered securities under RSA 421-B. The statement above shall not by itself constitute a registration or a notice of exemption from registration of securities within the meaning of sections 448 and 461(i)(3) of the United States Internal Revenue Code and the regulation promulgated thereunder.

* Must be signed by a manager; if no manager, must be signed by a member.

DISCLAIMER: All documents filed with the Corporation Division become public records and will be available for public inspection in either tangible or electronic form.

Mailing Address - Corporation Division, NH Dept. of State, 107 N Main St, Rm 204, Concord, NH 03301-4989
Physical Location - State House Annex, 3rd Floor, Rm 317, 25 Capitol St, Concord, NH

Attachment A-14 Page 3 of 3

AMENDED ARTICLES OF ORGANIZATION

HOSPITAL ENERGY, L.L.C.

Organizer hereby files the following Articles of Organization for HOSPITAL ENERGY, L.L.C, a Connecticut limited liability company:

1. The name of the Limited Liability Company is HOSPITAL ENERGY, L.L.C
2. The nature of the business to be transacted or the purpose to be promoted or carried out by the Limited Liability Company is: To provide energy services to businesses.
4. The principal office of the Limited Liability Company is:

110 Riverview Drive
Guilford, CT 06437

5. The statutory agent for service is:

Mark Mininberg Business Address: 110 Riverview Drive
Guilford, CT 06437

Residence: 110 Riverview Drive
Guilford, CT 06437

Acceptance of Appointment:

~~~

5. Management shall be vested in the members.

6. Member Information:

Name: Mark Mininberg  
Title: Member  
Business Address: 110 Riverview Drive, Guilford, CT 06437

Residence:                      110 Riverview Drive, Guilford, CT 06437

7. Execution: September 13, 2012

Mar~~~r



**A-15 Exhibit A-15 “Secretary of State”**

See attached Ohio Secretary of State registration.



| DATE       | DOCUMENT ID  | DESCRIPTION                                     | FILING | EXPED  | CERT | COPY |
|------------|--------------|-------------------------------------------------|--------|--------|------|------|
| 05/14/2019 | 201913401978 | REGISTRATION OF FOREIGN FOR PROFIT LLC<br>(LFP) | 99.00  | 100.00 | 0.00 | 0.00 |

**Receipt**

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

INCorp SERVICES, INC.  
3773 HOWARD HUGHES PARKWAY  
SUITE 500S  
LAS VEGAS, NV 89169

# STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Frank LaRose  
4335788

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

**HOSPITAL ENERGY, LLC**

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

Document(s)

**REGISTRATION OF FOREIGN FOR PROFIT LLC**

Effective Date: 05/14/2019

Document No(s):

**201913401978**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio this  
14th day of May, A.D. 2019.

**Ohio Secretary of State**

Form 533B Prescribed by:

Date Electronically Filed: 5/14/2019

**OFFICE OF THE**  
Ohio Secretary of State

Toll Free: (877) SOS-FILE (877-767-3453) | Central Ohio: (614) 466-3910

[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov) | [Busserv@OhioSecretaryofState.gov](mailto:Busserv@OhioSecretaryofState.gov)File online or for more information: [www.OHBusinessCentral.com](http://www.OHBusinessCentral.com)

## Registration of a Foreign Limited Liability Company

**Filing Fee: \$99****Form Must Be Typed****CHECK ONLY ONE (1) BOX**

(1) Registration of a Foreign For-Profit Limited  
Liability Company  
(106-LFA)  
ORC 1705



Jurisdiction of Formation

NH

USA

State

Country

Date of Formation

12/27/2017

(2) Registration of a Foreign Nonprofit  
Limited Liability Company  
(106-LFA)  
ORC 1705



Jurisdiction of Formation

State

Country

Date of Formation

Name of Limited Liability Company in its jurisdiction of formation

HOSPITAL ENERGY, LLC

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its name in its jurisdiction of formation) is:

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd"

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

MARK MININBERG

Name

7 PORTWALK PLACE, UNIT 1523

Mailing Address

PORTSMOUTH

City

NH

State

USA

Country

03801

ZIP Code



The limited liability company hereby appoints the following as its agent upon whom process against the limited liability company may be served in the state of Ohio. The name and complete address of the agent is

INCORP SERVICES, INC.

Name of Agent

9435 WATERSTONE BOULEVARD, SUITE 140

Mailing Address

CINCINNATI

City

OH

State

45249

ZIP Code

The limited liability company irrevocably consents to service of process on the agent listed above as long as the authority of the agent continues, and to service of process upon the Ohio Secretary of State if:

- a. an agent is not appointed, or
- b. an agent is appointed but the authority of that agent has been revoked, or
- c. the agent cannot be found or served after the exercise of reasonable diligence.

**By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.**

**Required**

Must be signed by an authorized representative.

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.

MARK MININBERG

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

## **B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

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

The applicant, Hospital Energy, LLC and its subsidiary Hospital Energy Services, LLC, are licensed to provide retail or wholesale electric services, including aggregation services in the following jurisdictions:

CT, DC, DE, IL, MA, MD, ME, NJ, OH, PA, RI, VA

**B-2 Exhibit B-2 “Experience & Plans”**

The applicant does not market to the general public and works almost entirely for healthcare institutions that are voluntary members of hospital group purchasing organizations. Our business model is to maintain close contact with each institution, usually at the level of the finance, facilities or supply chain vice president. We assign dedicated staff to each hospital to address service, billing and other areas of concern on an ongoing basis.



### **B-3 Exhibit B-3 “Summary of Experience”**

**The applicant** has more than twenty-five years’ experience in providing energy advisory, broker and aggregation services to healthcare clients. As the authors of American Hospital Association Best Practices in Energy Procurement, (2017) we introduced the current standards in the industry:

Alignment of facilities, finance and supply chain leaders for consistent decision-making.

Analytics to provide an optimal balance of budget stability and savings opportunity.

Aggregation of energy spend to ensure best in class contract terms and lowest pricing.

We devote considerable time to organizing internal hospital energy committees to support internal alignment.

We provide industry-leading market analytics to support institutional decision-making.

We have organized many healthcare aggregations in the deregulated states, including a near majority of hospitals in the states of Connecticut, Massachusetts and New Hampshire; large aggregations of more than twenty-five hospitals in the states of California and Pennsylvania; and significant numbers of hospitals in Maine, Oregon, New York and Rhode Island.

Current hospital energy spend under management exceeds \$1 billion.

**B-4 Exhibit B-4 “Disclosure of Liabilities and Investigations”**

**The applicant 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.

**B-5 Exhibit 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

**No, the applicant has never been convicted of held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.**

**B-6 Exhibit 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



## **Exhibit B-6 Disclosure of Certification Denial, Curtailment, Suspension, or Revocation**

The Pennsylvania Public Utilities Commission (PUC) terminated and subsequently restored the electricity broker license of Hospital Energy (“HE”) for failure to file a required document.

HE has held a PUC electricity broker license in good standing since 2010. On November 3, 2018, the company received notice that its license had been terminated for failure to file a required broker bond with the PUC. HE produced copies of its bond and continuation certificates demonstrating that the instrument had been in full force and effect at all times. However, we subsequently learned that the bond had not been properly filed by License Logix, our license processor and that warning notices from the PUC had not been forwarded to us by said processor.

The PUC allowed HE to immediately apply for a new license, which was granted at the next available commission meeting on January 17, 2019.

**C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE**

**C-1 Exhibit C-1 “Annual Reports”**

The applicant is a sole proprietor LLC and does not file an annual report.

**C-2 Exhibit C-2 “SEC Filings”**

The applicant is a sole proprietor LLC and therefore does not file with the SEC.

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

See the confidential financial statements filed under seal contemporaneously with this filing.



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

N/A The applicant is not taking title to electricity or natural gas.

**C-5 Exhibit C-5 “Forecasted Financial Statements”**

The Applicant is not currently serving any hospitals in Ohio. While we plan to offer services this year, we are unable to forecast in good faith whether and which hospitals might choose to work with us.

Mark Mininberg  
President  
Hospital Energy, LLC  
7 Portwalk Place, Unit 1523  
Portsmouth, NH 03801  
(203) 668 3522  
[mark@hospitalenergy.com](mailto:mark@hospitalenergy.com)

**C-6 Exhibit C-6 “Credit Rating”**

N/A The Applicant is a sole proprietor LLC and does not have a credit rating.

**C-7 Exhibit C-7 “Credit Report”**

See Dun & Bradstreet report attached.



## CreditBuilder™

HOSPITAL ENERGY LLC - Full Company View

Saved by **Mark Mininberg** | 06-18-2019

## Summary

Report as of: 06-18-2019

## HOSPITAL ENERGY LLC

ACTIVE

GLOBAL ULTIMATE

**Address:** 7 Portwalk PI Unit 1523, Portsmouth, NH, 03801, UNITED STATES**Alerts:**

| PAYDEX® Score | Delinquency Predictor Percentile | Financial Stress Percentile | D&B Viability Rating |
|---------------|----------------------------------|-----------------------------|----------------------|
| -             | 68                               | 54                          | 6 6 E Q              |

## Company Profile



## D-U-N-S

11-683-5793

## Mailing Address

United States

## Employees

6 (6 here)

## Legal Form

Corporation (US)

## Telephone

(203) 668-3522

## Age (Year Started)

9 years (2010)

## Ownership

Not publicly traded

## Named Principal

MARK MININBERG, PRES

## Line of Business

Electric services

## Risk Assessment



## Delinquency Predictor Percentile



Low Risk (100)

High Risk (1)

Company's risk level is: **MODERATE**Probability of delinquency over the next 12 months: **3.93%**



## Past 12 Months

Low

High

## Financial Stress Percentile



Low Risk (100)

High Risk (1)

Company's risk level is: **MODERATE**Probability of failure over the next 12 months: **0.23%**

## Past 12 Months

Low

High

## Supplier Evaluation Risk Rating



Low Risk (1)

High Risk (9)

Company's risk level is: **MODERATE****Moderate** risk of supplier experiencing severe financial stress over the next 12 months

## Past 12 Months

High

Low

## D&amp;B Rating

Current Rating as of 11-02-2018

## Special Rating

-- :

Undetermined

## D&amp;B Viability Rating

## Portfolio Comparison Score



Low Risk (1)

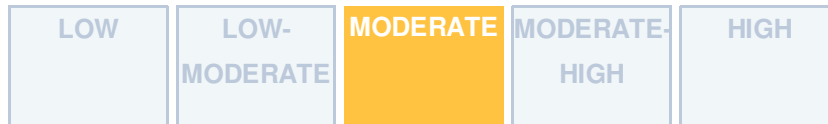
High Risk (9)

Company's risk level is: **MODERATE**

Probability that a company will go out of business, become dormant/inactive, or file for bankruptcy/insolvency within the next 12 months: **13%**

## D&B Guidance

### Overall Business Risk



### Maximum Credit Recommendation

**US\$ 37,500**

### Dun & Bradstreet Thinks...

- Overall assessment of this company: **STABILITY CONCERNS**
- Based on the perceived sustainability of this company: **AVERAGE-RISK-OF-DISCONTINUED-OPERATIONS-OR-BUSINESS-INACTIVITY**
- Based on the payment behavior of this company: **MODERATE-POTENTIAL-FOR-SEVERELY-DELINQUENT-PAYMENTS**

The recommended limit is based on a moderately low probability of severe delinquency.

## Legal Events



| Events       | Occurrences | Last Filed |
|--------------|-------------|------------|
| Bankruptcies | 0           | -          |
| Judgments    | 0           | -          |
| Liens        | 0           | -          |
| Suits        | 0           | -          |
| UCC          | 0           | -          |

## Trade Payments



### Highest Past Due

**US\$ 0**

Highest Now Owing  
**US\$ 0**

Total Trade Experiences  
**1**

Largest High Credit  
**US\$ 50**

Average High Credit  
**-**

## Ownership



This company is a **Headquarter**.

HOSPITAL ENERGY LLC  
UNITED STATES  
D-U-N-S Number [11-683-5793](#)

Total Members in [Family Tree](#) - 2

Subsidiaries

1

Branches

0

## Peers



You have not yet added any peers.

Items per page

«

»

## Financial Overview

This company has not provided financial statements to D&B.

## Inquiries



## 12 Month Summary

Total number of Inquiries

2

Unique Customers

0

## Risk Assessment

PAYDEX® Score

Based on months of data

NOT AVAILABLE

Risk of Slow Pay

-

Payment Behavior

-

## Understand My Score

## Payment History

Total Last 24 Months: 1


[View All](#)

| Date of Experience | Payment Status | Selling Terms | High Credit (US\$) | Now Owes (US\$) | Past Due (US\$) | Months Since Last Sale |
|--------------------|----------------|---------------|--------------------|-----------------|-----------------|------------------------|
| 12/18              | -              | Cash account  | 50                 | -               | -               | 1                      |

## Keys

| PAYDEX® | Payment Practices          |
|---------|----------------------------|
| 100     | Anticipate                 |
| 90      | Discount                   |
| 80      | Prompt                     |
| 70      | 15 Days Beyond Terms       |
| 60      | 22 Days Beyond Terms       |
| 50      | 30 Days Beyond Terms       |
| 40      | 60 Days Beyond Terms       |
| 30      | 90 Days Beyond Terms       |
| 20      | 120 Days Beyond Terms      |
| 1-19    | Over 120 Days Beyond Terms |
| UN      | Unavailable                |

## Delinquency Predictor Score

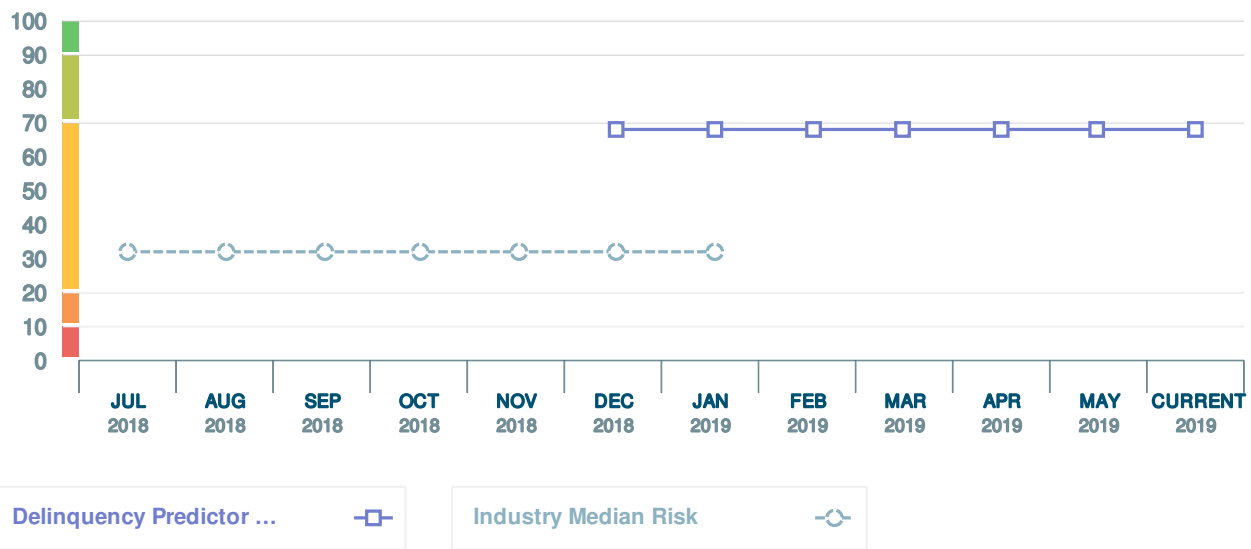
|                                                                                                                                                                                          |                                   |                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------------|
|  <p>Low Risk (100) High Risk (1)</p> <p>Based on a D&amp;B Delinquency Predictor Percentile of 68</p> | <p>Score</p> <p><b>524 --</b></p> | <p>Class</p> <p><b>3</b></p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------------|

## Factors Affecting Your Score:

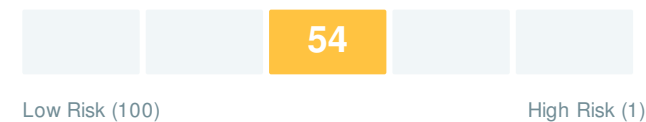
- No payment experiences reported
- Limited time under present management control
- Higher risk region based on delinquency rates for this region

|                                             |                                                       |                                                                       |
|---------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------|
| <p>Level of risk</p> <p><b>Moderate</b></p> | <p>Probability of Delinquency</p> <p><b>3.93%</b></p> | <p>Compared to Businesses in D&amp;B Database</p> <p><b>10.2%</b></p> |
|---------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------|

## Business and Industry Trends



### Financial Stress Score



Score  
**1481 --**

Class  
**3**

Based on a D&B Financial Stress Percentile of **54**

### Factors Affecting Your Score:

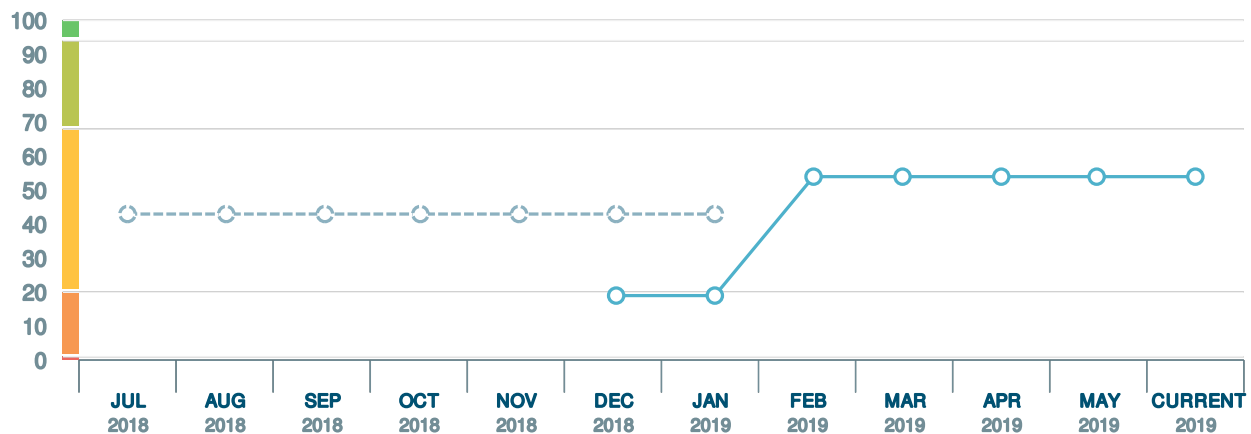
- Limited time under present management control

Level of risk  
**Moderate**

Probability of Failure  
**0.23%**

Average Probability of Failure for  
Businesses in D&B Database  
**0.48%**

### Business and Industry Trends



### Supplier Evaluation Risk Rating

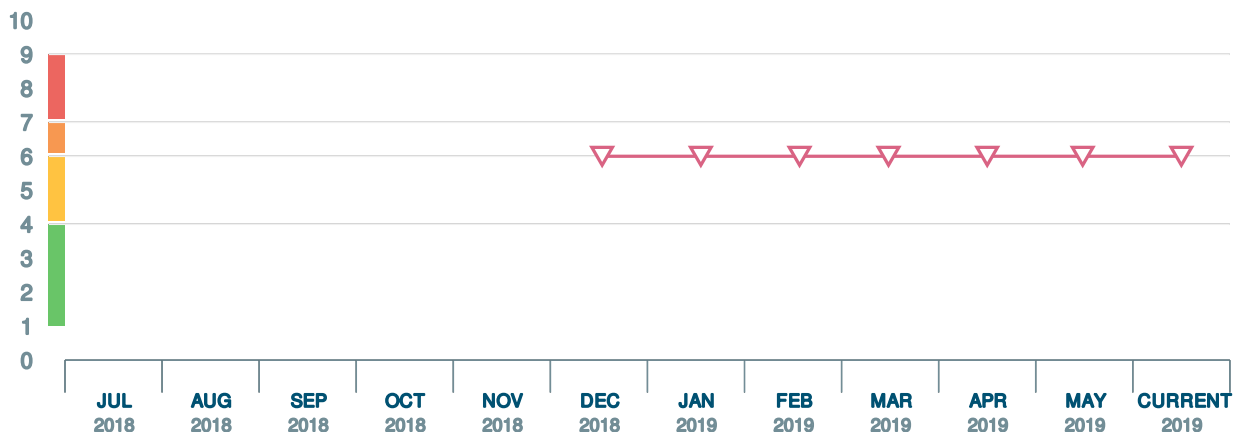
Based on 24 months of data



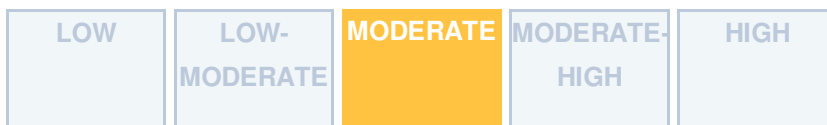


**Factors Affecting Your Score:**

- Limited number of payment experiences reported
- Limited business activity signals reported in the past 12 months
- Limited time in business

**Business and Industry Trends**

Supplier Evaluation Sc...

**Maximum Credit Recommendation****Overall Business Risk****Dun & Bradstreet Thinks...**

- Overall assessment of this company: **STABILITY CONCERNS**
- Based on the perceived sustainability of this company: **AVERAGE-RISK-OF-DISCONTINUED-OPERATIONS-OR-BUSINESS-INACTIVITY**
- Based on the payment behavior of this company: **MODERATE-POTENTIAL-FOR-SEVERELY-DELINQUENT-PAYMENTS**

**Maximum Credit Recommendation****US\$ 37,500**

The recommended limit is based on a moderately low probability of severe delinquency.

**D&B Rating**

Current Rating as of 11-02-2018

**Special Rating**

-- :

Undetermined

**D&B Viability Rating**

Portfolio Comparison Score

Level of risk

Rating Confidence Level

6

Low Risk (1)High Risk (9)

Moderate

Directional

Probability of becoming no longer viable13%

Percentage of businesses ranked with this score25%

Average probability of becoming no longer viable11%

Viability Score

6

Low Risk(1)High Risk (9)

Level of riskModerate

Probability of becoming no longer viable13%

Percentage of businesses ranked with this score14%

Average probability of becoming no longer viable30%

Data Depth Indicator

E

Predictive (A)Descriptive (G)

- Rich Firmographics
- Sparse Commercial Trading Activity
- No Financial Attributes

Company Profile

Q

Financial Data

Trade Payments

Company Size

Years in Business

Not Available

Available

Small

Established

Compared to ALL US Businesses within the D&B Database:

- Financial Data : Not Available
- Trade Payments : Available: 1-2 Trade
- Company Size : Small: Employees: <10 and Sales: <\$10K or Missing
- Years in Business : Established: 5+

Trade Payments

|                                         |                                                                  |                                                                     |
|-----------------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------|
| Trade Payments Summary                  |                                                                  |                                                                     |
| Overall Payment Behavior<br>Unavailable | % of Trade Within Terms<br>-                                     | Highest Past Due<br>US\$ 0                                          |
| Highest Now Owing:<br>US\$ 0            | Total Trade Experiences:<br>1<br>Largest High Credit:<br>US\$ 50 | Total Unfavorable Comments :<br>0<br>Largest High Credit:<br>US\$ 0 |

|                           |                                          |
|---------------------------|------------------------------------------|
| US\$ 0                    | US\$ 0                                   |
| Average High Credit:<br>- | <b>Total Placed in Collections:</b><br>0 |
|                           | Largest High Credit:<br>US\$ 0           |

| Trade Lines        |                |               |                    |                 |                 |                        |  |
|--------------------|----------------|---------------|--------------------|-----------------|-----------------|------------------------|--|
| Date of Experience | Payment Status | Selling Terms | High Credit (US\$) | Now Owes (US\$) | Past Due (US\$) | Months Since Last Sale |  |
| 12/18              | -              | Cash account  | 50                 | -               | -               | 1                      |  |

Legal Events

| Judgments        | Liens            | Suits            | UCC Filings      |
|------------------|------------------|------------------|------------------|
| 0                | 0                | 0                | 0                |
| Latest Filing: - | Latest Filing: - | Latest Filing: - | Latest Filing: - |

|                                                          |
|----------------------------------------------------------|
| D&B has not received any Public Filings for this company |
|----------------------------------------------------------|

Special Events

|                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| There have been no Special Events reported for your company. If you have had a change in ownership or with officers of the company, please call customer service at 800-333-0505. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Ownership

Family Tree

| Members in the Tree | Subsidiaries of this Company | Branches of this Company |
|---------------------|------------------------------|--------------------------|
| 2                   | 1                            | 0                        |

|                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exclude Branches                                                                                                                                               |
| <div><div>HQHospital Energy Llc11-683-5793 Portsmouth, NEW HAMPSHIRE</div><div>SHospital Energy Services, Llc06-924-8726 Portsmouth, NEW HAMPSHIRE</div></div> |

Company Profile

## Company Overview

## D-U-N-S

11-683-5793

## Mailing Address

United States

## Employees

6 (6 here)

## Legal Form

Corporation (US)

## Telephone

(203) 668-3522

## Age (Year Started)

9 years (2010)

## Ownership

Not publicly traded

## Named Principal

MARK MININBERG, PRES

## Line of Business

Electric services

## Business Registration

Corporate and business registrations reported by the secretary of state or other official source as of: -  
This data is for informational purposes only, certification can only be obtained through the Office of the Secretary of State.

|                 |                     |
|-----------------|---------------------|
| Registered Name | HOSPITAL ENERGY LLC |
|-----------------|---------------------|

|                  |                  |
|------------------|------------------|
| Corporation Type | Corporation (US) |
|------------------|------------------|

|                       |      |
|-----------------------|------|
| Business Commenced On | 2010 |
|-----------------------|------|

## Principals

## Officers

MARK MININBERG, PRES

## Directors

THE OFFICER(S)

## Company Events

## The following information was reported on: 06-01-2019

The New Hampshire Secretary of State's business registrations file showed that Hospital Energy LLC was registered as a Limited Liability Company on December 27, 2017, under file registration number 785017. Although this company operates as a Limited Liability Company, the members have elected to use officer titles to denote areas of responsibility.

Business started 2010.

MARK MININBERG. Antecedents not available.

## Business Activities And Employees

The following information was reported on: 06-01-2019

#### Business Information

**Description** Provides electric services (100%).  
Terms are on a fee basis. Sells to undetermined.

**Employees** 6. 6 employed here.

**Financing Status** Unsecured

#### SIC/NAICS Information

| SIC Codes   | SIC Description                 | Percentage of Business |
|-------------|---------------------------------|------------------------|
| 4911        | Electric services               | -                      |
| 49110000    | Electric services               | -                      |
| NAICS Codes | NAICS Description               |                        |
| 221118      | Other Electric Power Generation |                        |

#### Government Activity

[Dispute Government Activity](#)

##### Activity Summary

**Borrower(Dir/Guar)** No

**Administrative Debt** No

**Contractor** No

**Grantee** No

**Party excluded from federal program(s)** No

##### Possible candidate for socio-economic program consideration

**8(A) Firm** Yes

**Labor Surplus Area** Yes

**Small Business** Yes

## Financials

## Inquiries

### Inquiries-Summary - 12 Month

Total number of Inquiries

2

Unique Customers

0

### Inquiries-Summary

Over the past 12 months ending 6-2019, 2 individual requests for information on your company were received. The 2 inquiries were made by 0 unique customers indicating that some companies have inquired on your business multiple times and may be monitoring you. Of the total products purchased, 1, or 50 % came from the Retail Trade; 1, or 50 % came from the Finance, Insurance and Real Estate;

#### SIC/Sector

#### Type

#### Date

RETLTRD - Retail Trade

- Computer and software stores

D&amp;B Risk Solution

2018-12-20

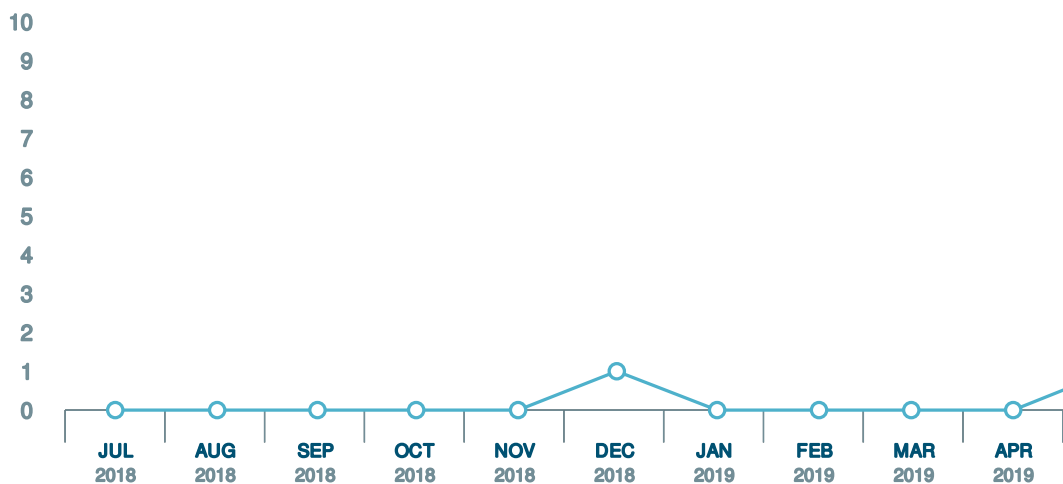
FIR - Finance, Insurance and Real Estate

- Surety insurance

General Data Request

2019-05-22

### Inquiries Trends - 12 Month



Inquiries Trends



Business Credit In...



Business Informat...



### Top-Five-Inquiries

**By SIC Sector**

|                                    |   |
|------------------------------------|---|
| Retail Trade                       | 1 |
| Finance, Insurance and Real Estate | 1 |

**By Report Type**

|                      |   |
|----------------------|---|
| D&B Risk Solution    | 1 |
| General Data Request | 1 |

**All-Inquiries**

| Industry                           | Total Inquiries | Last 30 Days | Last 90 Days | Last 180 Days | Last 365 Days |
|------------------------------------|-----------------|--------------|--------------|---------------|---------------|
| Retail Trade                       | 1               | 0            | 0            | 1             | 1             |
| Finance, Insurance and Real Estate | 1               | 1            | 1            | 1             | 1             |

**Peers Inquiries**

Please [add a peer](#) from peers page to start the comparison.

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

**The Applicant has not been subject to** 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”**

The Applicant was formerly a Connecticut limited liability company and engaged in an internal merger (both entities had identical ownership) to change its jurisdiction to New Hampshire.

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

The Applicant Hospital Energy, LLC (“HE”) is now a single member New Hampshire limited liability company and is essentially a stand-alone entity. HE is the sole owner of Hospital Energy Services, LLC, (HES), which does not have any operational role or resources and is a disregarded entity for tax purposes. HES currently exists only as the holder of certain legacy state broker licenses, (including the current Ohio electricity license). We are currently reapplying for licensure in the name of HE, after which HES will be dissolved.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**6/20/2019 10:54:16 AM**

**in**

**Case No(s). 19-1343-EL-AGG**

Summary: Application for Certification as an Electric Aggregator/Broker electronically filed by Mr. Robert Dove on behalf of Hospital Energy, LLC