

FILE



National Power Source  
PO Box 347  
Buffalo, NY 14231

19-1553-EL-CRS

July 31, 2019

Dear PUCO officials,

Please find enclosed my application for a power brokers license for the state of Ohio.

Thank you,

A handwritten signature in cursive script that reads "Michael Riester".

Michael Riester  
President, National Power Source

PUCO

2019 AUG -5 PM 3:15

RECEIVED-BOOKING CM

This is to certify that the images appearing are an  
accurate and complete reproduction of a case file  
document delivered in the regular course of business.  
Technician Bmm Date Processed 08/05/19

FILE



**Public Utilities  
Commission**

PUCO USE ONLY		
Date Received	Case Number	Version
	19-1553EL-CRS	May 2016

## 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.**

### A. APPLICANT INFORMATION

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

- ☐ Retail Generation Provider
 ☒ Power Broker  
☐ Power Marketer
 ☐ Aggregator

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

Legal Name National Power Source LLC  
 Address PO Box 347, Buffalo NY 14231  
 Telephone # (716) 725-9194 Web site address (if any) www.nationalpowersource.com

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

Legal Name National Power Source LLC  
 Address PO Box 347, Buffalo NY 14231  
 Telephone # (716) 725-9194 Web site address (if any) www.nationalpowersource.com

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

National Power Source LLC  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

RECEIVED - DOCKETING DIV  
 2019 AUG -5 PM 3:15  
 PUCO

**A-5 Contact person for regulatory or emergency matters**

Name Michael Riester

Title Owner

Business address PO Box 347, Buffalo, NY 14231

Telephone # (716) 725-9194 Fax # (888) 443-3938

E-mail address mriester@nationalpowersource.com

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

Name Michael Riester

Title Owner

Business address PO Box 347, Buffalo, NY 14231

Telephone # (716) 725-9194 Fax # (888) 443-3938

E-mail address mriester@nationalpowersource.com

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

Customer Service address PO Box 347, Buffalo NY 14231

Toll-free Telephone # (888) 480-5492 Fax # (888) 443-3938

E-mail address mriester@nationalpowersource.com

**A-8 Applicant's federal employer identification number # 205073371**

**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"/> <b>First Energy</b>             |                                      |                                     |                                     |                                     |
| <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"/> <b>Duke Energy</b>              | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
|  |                                      |                                     |                                     |                                     |
| <input type="checkbox"/> <b>American Electric Power</b>  |                                      |                                     |                                     |                                     |
| <input type="checkbox"/> Ohio Power                      | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |

<input checked="" type="checkbox"/> Columbus Southern Power	<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Mercantile	<input checked="" type="checkbox"/> Industrial
<input checked="" type="checkbox"/> Dayton Power and Light	<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Mercantile	<input checked="" type="checkbox"/> Industrial

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

August 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.
- 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** **Exhibit B-4 "Environmental Disclosure,"** 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. 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 statements (balance sheet, income statement, and cash flow statement) 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 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 Exhibit C-7 “Credit Report,”** provide a copy of the applicant’s credit report from Experion, Dun and Bradstreet or a similar organization. An applicant that provides an investment grade credit rating for Exhibit C-6 may enter “N/A” for Exhibit C-7.
- C-8 Exhibit C-8 “Bankruptcy Information,”** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.
- C-9 Exhibit C-9 “Merger Information,”** provide a statement describing any dissolution or merger or acquisition of the applicant within the two most recent years preceding the application.
- C-10 Exhibit C-10 “Corporate Structure,”** provide a description of the applicant’s corporate structure, not an internal organizational chart, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America. If the applicant is a stand-alone entity, then no graphical depiction is required and applicant may respond by stating that they are a stand-alone entity with no affiliate or subsidiary companies.

## **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** **Exhibit D-4 "FERC Power Marketer License Number,"** provide a statement disclosing the applicant's FERC Power Marketer License number. (Power Marketers only)

Michael Rinter - president  
Signature of Applicant and Title

Sworn and subscribed before me this 23rd day of July, 2019  
Month Year

Yash  
Signature of official administering oath

Yash K. Shah NYS Notary Public  
Print Name and Title

My commission expires on 10/20/2022

YATI K SHAH  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
LIC. #01SH6313393  
COMM. EXP. 10/20/22



# **AFFIDAVIT**

State of New York :

Amherst ss.  
(Town)

County of ERIE :

Michael Riester, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President (Office of Affiant) of National Power Source 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.

Michael Pinter - President  
Signature of Affiant & Title

Sworn and subscribed before me this 23rd day of July, 2019  
Month Year

K. Shah  
Signature of official administering oath

YATI K. SHAH NYS Notary Public  
Print Name and Title

My commission expires on 10/20/2022  
YATI K SHAH  
NOTARY PUBLIC STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
LIC. #01SH6313393  
COMM. EXP. 10/20/22

## **National Power Source**

### **Exhibit A-12 "Principal Officers, Directors and Partners**

Michael Riester  
President  
PO Box 347  
Buffalo, NY 14231  
(888) 480-5492

## **National Power Source LLC**

### **Exhibit A-13 Company History**

National Power Source was incorporated in 2006 and has been serving commercial and industrial customers on a national basis. We have operated in Ohio in the past.

**National Power Source LLC  
Exhibit A-14  
Articles of Incorporation and Bylaws**

There are none.

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "NATIONAL POWER SOURCE, LLC", FILED IN THIS OFFICE ON THE THIRTEENTH DAY OF JUNE, A.D. 2006, AT 3:14 O'CLOCK P.M.



4174164 8100

060570085

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4825594

DATE: 06-14-06

CERTIFICATE OF FORMATION

OF

NATIONAL POWER SOURCE, LLC  
A LIMITED LIABILITY COMPANY

FIRST: The name of the limited liability company is:

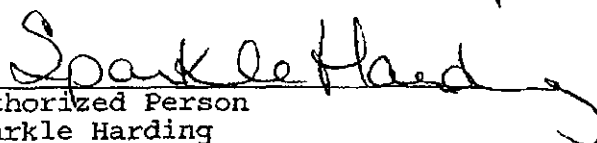
NATIONAL POWER SOURCE, LLC

SECOND: Its registered office in the State of Delaware is to be located at 2711 Centerville Road, Suite 400, in the City of Wilmington, County of New Castle, 19808, and its registered agent at such address is THE COMPANY CORPORATION.

THIRD: The company will be managed by members, the names and street addresses of those who are to serve until the first meeting of members or until their successors are elected are:

Michael E Riestler                      270 Piermont Ave. South Nyack NY 10960

IN WITNESS WHEREOF, the undersigned, being the individual forming the Company, has executed, signed and acknowledged this Certificate of Formation this thirteenth day of June, A.D. 2006.

  
\_\_\_\_\_  
Authorized Person  
Sparkle Harding

## **National Power Source**

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

National Power Source is licensed in the state of Maryland.



## **National Power Source**

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

National Power Source has experience consulting with natural gas and electricity end users for the purpose of contracting with third party suppliers. We have done work in New York, Illinois, California, Michigan, Oklahoma, Kansas and other states. We do not contract with these clients or bill them directly for our services. A fee is attached to the price that is contracted for from a third party supplier and the fee is then collected and remitted to National Power Source by the third party supplier. National Power Source power source never receives title to the commodity or any of the transportation contracts associated with the delivery of the commodity. National Power Source represents many of the natural gas and electricity retail providers and the client contracts directly with the selected suppliers for all services and commodities.

National Power Source maintains a toll free number for our clients to call if there are any complaints. We also provide on site meetings to respond to any complaints and update the clients on the status of their contracts with third party suppliers.

**National Power Source LLC**  
**Exhibit B-3**  
**Summary of Experience**

National Power Source has been providing energy broker services in New York, PA, MD and Ohio. We serve both commercial and industrial accounts comprising about 60 MW.

## **National Power Source**

### **Exhibit B-5 “Disclosure of Liabilities and Investigations”**

There are none.

## **National Power Source**

### **Exhibit C-1 “Annual Reports”**

National Power Source is not a public company and does not have shareholders. Annual reports are not required.

## **National Power Source**

### **Exhibit C-2 “SEC Filings”**

National Power Source is not a public company. SEC filings are not required.

## **National Power Source**

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

National Power Source will not be a competitive retail electric supplier and will not have any contractual or financial obligation to take ownership or deliver any commodity.

**National Power Source LLC**  
**Exhibit C-5**  
**Forecasted Financial Statements**

National Power Source does not prepare these statements. We have operated in Ohio under the Certificate number 12-591E (3). We do not expect any significant changes in the number of clients served or revenues.

**National Power Source**

Exhibit C-6”Credit Rating”

None available



**National Power Source**

Exhibit C-7”Credit Report”

None available

**National Power Source**

**Exhibit C-8"Bankruptcy Information"**

The have never been any bankruptcy filings.

**National Power Source**

**Exhibit C-9"Merger Information"**

There are none

## **National Power Source**

### **Exhibit "C 10" Corporate Structure**

National Power Source is a stand-alone entity with no affiliate or subsidiary companies. Here are two new electricity accounts that Crest would like to add. Can you price these for me? Please let me know if you are having problems collecting historical usage.