



# Public Utilities Commission

Original AGG Case Number	Version
17 - 1720 -EL- AGG	May 2016

## RENEWAL APPLICATION FOR ELECTRIC AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit C-10 Corporate Structure). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division; 180 East Broad Street, Columbus, Ohio 43215-3793.

**This PDF form is designed so that you may input information directly onto the form. You may also download the form, by saving it to your local disk, for later use.**

### A. RENEWAL INFORMATION

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

☒ Power Broker ☒ Aggregator

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

Legal Name Arcadia Power, Inc.  
Address 555 11th St NW, Suite 400  
PUCO Certificate # and Date Certified 17-1258E(1)  
Telephone # (866) 526-0083 Web site address (if any) www.arcadiapower.com

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

Legal Name Arcadia Power, Inc.  
Address 555 11th St NW Washington, DC 20004  
Telephone # (866) 526-0083 Web site address (if any) www.arcadiapower.com

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

Arcadia Power, Inc.  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Richard Caperton  
Title Senior Director, Policy and Market Development  
Business address 555 11th St NW Washington, DC 20004  
Telephone # (866) 526-0083 Fax # \_\_\_\_\_  
E-mail address richard.caperton@arcadiapower.c

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

Name Dan Spar  
Title Director, Member Experience  
Business address 555 11th St NW Washington, DC 20004  
Telephone # (866) 526-0083 Fax # \_\_\_\_\_  
E-mail address dan.spar@arcadiapower.com

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

Customer Service address 555 11th St NW Washington, DC 20004  
Toll-free Telephone # (866) 526-0083 Fax # \_\_\_\_\_  
E-mail address support@arcadiapower.com

**A-8 Applicant's federal employer identification number # 46-3043513**

**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 checked="" type="checkbox"/> Corporation              | <input type="checkbox"/> Other _____                     |

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

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

**B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

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

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

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

**B-4** Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

☒ No ☐ Yes

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

**B-5** Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☒ No ☐ Yes

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

## **C. FINANCIAL CAPABILITY AND EXPERIENCE**

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

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

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

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

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

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

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

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

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

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

 CEO, Arcadia Power  
Signature of Applicant & Title

Sworn and subscribed before me this 21 day of August, 2019  
Month Year

 \_\_\_\_\_  
Signature of official administering oath

Margaret Mullooly, DC Notary  
Print Name and Title

My commission expires on 7/14/2024

# AFFIDAVIT

State of Washington, DC

ss.

(Town)

County of \_\_\_\_\_ :

KIRAN BHATRAJU, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the CEO (Office of Affiant) of ARCADIA POWER (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant,

1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification renewal are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
5. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
6. The Applicant herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
8. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)




11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the renewal application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.

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


 , CEO Arcadia Power  
Signature of Affiant & Title

Sworn and subscribed before me this 21 day of August, 2019  
Month Year

  
Signature of official administering oath

Margaret Mulbody, DC Notary  
Print Name and Title

My commission expires on 7/14/2024

District of Columbia  
Signed and Sworn to (or affirmed) before me on 8/21/19 (Date)  
by Kran Bhatnagar  
(Name(s) of Individual(s) Making Statement)  
Signature of Notarial Officer:   
Title of Office: DC Notary Public  
My Commission Expires: 7/14/2024



## A: Renewal Information

### ***Exhibit A-10: Principal Officers, Directors & Partners***

- Kiran Bhatraju, CEO, 555 11<sup>th</sup> St NW Washington, DC 20004, 866-526-0083
- Ben Kortlang, Director, 555 11<sup>th</sup> St NW Washington, DC 20004, 866-526-0083
- Alex Laskey, Director, 555 11<sup>th</sup> St NW Washington, DC 20004, 866-526-0083
- Dan Leff, Director, 555 11<sup>th</sup> St NW Washington, DC 20004, 866-526-0083

## B: Applicant Managerial Capability and Experience

### ***Exhibit B-1: Jurisdiction and Operation***

Arcadia Power is offering its brokerage services in the following states:

Connecticut (no license required)  
Delaware (license # 9211)  
Illinois (license # 17-0336)  
Maine (license # 2017-00312)  
Maryland (license # IR-3970)  
Massachusetts (license # EB-434)  
New Hampshire (license # DM-17-197)  
New Jersey (license # EA-0474 and PA-0209)  
New York (no license required)  
Ohio (license # 17-1258EW(1))  
Pennsylvania (A-2018-3005297)  
Rhode Island (license # D-96-6 (N9))  
Washington, DC (license # 19232)

### ***Exhibit B-2: Experience and Plans***

Founded in 2014, Arcadia Power is a direct-to-consumer energy services company that provides residential energy users with access to wind power, solar power, energy efficiency devices, and cost savings opportunities, all through a modern and digital user experience. We have over 300,000 members in all 50 states and were recently named one of Fast Company's Most Innovative companies in energy.

In competitive states, we offer our Smart Rate brokerage services to residential customers. Smart Rate is our free brokerage service designed to save customers on their supplier rate, provide free wind energy, and be cancelable at any time without early termination fees. Our Smart Rate program automatically searches for electric rates better than standard offer service and switches the customer once we find one. Additionally, the program comes with renewable energy certificates to match 50% of the customer's monthly usage at no charge. Finally, because our large number of customers allows us to negotiate favorable terms with suppliers, our Smart Rate Program can be easily canceled at any time with no fees or early termination fees.



We acquire customers digitally, through website and social media advertisements rather than traditional door-to-door or phone call marketing. Additional information about Arcadia Power can be found at [arcadiapower.com](http://arcadiapower.com) and additional information about Smart Rate can be found at <https://support.arcadiapower.com/hc/en-us/categories/360000722174-Smart-Rate>. We also maintain a large in-house customer experience team at our headquarters in Washington, D.C. who are available by phone or email seven days a week.

***Exhibit B-3: Disclosure of Liabilities and Investigations***

There are no such matters to disclose.

**C: Applicant Financials Capability and Experience**

***Exhibit C-1: Annual Reports***

Applicant is not a publicly traded company and does not produce an annual report. Applicant thus requests that this requirement be waived.

***Exhibit C-2: SEC Filings***

Applicant is not a publicly traded company and therefore is not required by the SEC to produce 10-K or 8-K filings. Applicant thus requests that this requirement be waived.

***Exhibit C-3: Financial Statements***

See Attachment C-3, which contains two years of audited financials. Applicant requests that these financial statements be kept confidential.

***Exhibit C-4: Financial Arrangements***

N/A

***Exhibit C-5: Forecasted Financial Statements***

See Attachment C-5, which contains the applicant's two succeeding years of forecasted income statements. Applicant requests that these forecasted financial statements be kept confidential.

***Exhibit C-6: Credit Rating***

Applicant does not currently possess a credit rating, but has included a credit report as part of this application.

***Exhibit C-7: Credit Report***

Applicant's Experian credit report can be found in Attachment C-7. Applicant requests that the credit report be kept confidential.

***Exhibit C-8: Bankruptcy Information***

Applicant has never filed for reorganization or protection from creditors and therefore has no bankruptcy information to provide.

***Exhibit C-9: Merger Information***

Applicant has never had any dissolution or merger or acquisition and therefore has no information to provide.

***Exhibit C-10: Corporate Structure***

Applicant is a stand-alone entity with no affiliate or subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America.

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

**Commission of Ohio Docketing Information System on**

**8/21/2019 11:15:56 AM**

**in**

**Case No(s). 17-1720-EL-AGG**

Summary: Text Renewal Application for Certification as a Competitive Retail Electric Power Broker/Aggregator electronically filed by Ms. Rebekah J. Glover on behalf of Arcadia Power, Inc.