

The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SUPPLIER/GOVERNMENTAL AGGREGATOR FILING COVER FORM POST INITIAL CERTIFICATION

In the Matter of the Application of)
Agera Energy LLC) Case No. 20 - 0957 -GA- ABN
)
to:)
Abandon Retail Natural Gas Service Supplier Operations and Certificate in Ohio.

Name of Applicant: Agera Energy LLC

Applicant's Address: 555 Pleasantville Road, S107, Briarcliff Manor, NY 10510

Contact Person or Counsel: Raima Jamal, Regulatory Contact

Telephone Number: 914-205-5838

Mark the reason for filing this form, application, and supporting information. Check only one of the five main categories. Use separate copies of this form for each type of application.

1. ☐ Certification Renewal Application (to be filed 30 to 60 days prior to expiration of current certificate) per Rules 4901:1-27-09 and 4901:1-27-04 of the Ohio Administrative Code.
2. ☐ Notification of Material Change in Business (to be filed in the initial or most recent certification docket and within 30 days of the material change occurring) per Rule 4901:1-27-11 of the Ohio Administrative Code. Please check the following material change(s) that is(are) involved with this filing:
 - ☐ Change in ownership of five percent or more
 - ☐ Affiliation with public utility or change in affiliation with a public utility in this state
 - ☐ Retirement or other long-term changes to supply sources
 - ☐ Revocation, restriction, or termination of interconnection or service agreement with pipeline company or natural gas company
 - ☐ Fall of bond rating below BBB-
 - ☐ Fall of bond rating below Baa3
 - ☐ Filed or intend to file for some form of bankruptcy
 - ☐ Receipt of judgment, finding, or ruling that could affect fitness or ability to provide service
 - ☐ Other (please describe):
3. ☐ Certificate Transfer Application per Rule 4901:1-27-12 of the Ohio Administrative Code.
4. ☒ Abandonment Application (to be filed at least 90 days prior the effective date of the abandonment) per Rule 4901:1-27-12 of the Ohio Administrative Code. Please indicate which of the following two situations applies to the proposed abandonment:
 - ☒ Seek to abandon operations with no existing customers
 - ☐ Seek to abandon operations with existing customers
5. ☐ Other application (please describe):

The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SERVICE SUPPLIER/GOVERNMENTAL AGGREGATOR OPERATIONS AND CERTIFICATE ABANDONMENT APPLICATION

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

SECTION A - GENERAL INFORMATION

A-1 Applicant Information:

Name Agera Energy LLC

Address 555 Pleasantville Road, Briarcliff Manor, NY 10510

Telephone # 914-205-5838

Web site address www.ageraenergy.com

PUCO Certification Case # 15-0116-GA-CRS

Certificate # 15-415G(3)

A-2 Contact person for regulatory or emergency matters:

Name Mark Linzenbold

Title Chief Financial Officer

Business Address 555 Pleasantville Road, S107, Briarcliff Manor, NY 10510

Telephone # 914-205-5838

Fax #

Email Address mlinzenbold@ageraenergy.com

SECTION B - OPERATIONS/SERVICE INFORMATION

B-1 Date Applicant Will Cease Operations. August 14, 2020

B-2 Are customers being switched back to LDC ☒ **or contracts assigned** ☒ **?**

B-3 If contracts were/will be assigned, to whom? Constellation NewEnergy-Gas Division, LLC

B-4 In which month's billing cycle will the customers be switched? Ending March, 2020

B-5 Indicate total number of Ohio customers currently served N/A **, and by service territory:**

CGO

DEO

DUKE

VEDO

- B-6 Pursuant to Rule 4901:1-27-12 (B), applicant acknowledges that all contract terms and conditions were fulfilled prior to abandoning the operations provided under its certificate, or applicant has assigned such contracts to another retail natural gas supplier to fulfill the unexpired contract terms and conditions. YES ☐ NO ☒

SECTION C - EXHIBITS

- C-1 Exhibit C-1 "Notice to Director of the Consumer Services Department" provide a dated copy of the written notice that notified PUCO Department Director of Applicant's intent to assign customer contracts, pursuant to Rule 4901:1-29-10(D)(1)(a) of the Ohio Administrative Code.
- C-2 Exhibit C-2 "LDC Notice" provide a dated copy of the written notice provided to each LDC in each certified territory the CRNGS supplier operates of its intent to cease providing service pursuant to Rule 4901:1-27-12(B)(2) of the Ohio Administrative Code.
- C-3 Exhibit C-3 "Customer Notice" provide a dated copy of the notice that notified customers of the company's intent to abandon service pursuant to Rule 4901:1-27-12(B)(3); and if applicable, provide a dated copy of the notice that also notified customers of the company's intent to assign contracts to another supplier.
- C-4 Exhibit C-4 "Affidavit" provide a signed and notarized affidavit (*approved form attached herein*).

Applicant Signature:

Title: Chief Financial Officer

Date:

5-13-20

Exhibit B-6 Further Explanation of Agera Energy LLC's Response to Section B-6

As PUCO was previously notified, most of Agera Energy LLC's Ohio natural gas customers were assigned to Constellation NewEnergy-Gas Division, LLC ("Constellation") pursuant to a bankruptcy court order authorizing the sale. For those customers, their retail service is being continued under the same terms as their contract with Agera. Other customers were not assigned and, instead, their contracts were rejected in bankruptcy court proceedings. Those customers were notified of the rejection of their contracts and service was returned to their local utility.



November 11, 2019

Public Utilities Commission of Ohio
ATTN: Robert Fadley, Director of Service Monitoring and Enforcement
180 East Broad Street
Columbus, Ohio 43215

RE: Notice of assignment of Agera Energy LLC and Energy.me Midwest LLC Electric and Natural Gas Supply Agreements to Constellation NewEnergy, Inc. and Constellation NewEnergy-Gas Division, LLC

Dear Mr. Fadley:

Agera Energy, LLC, License # 12-881(E) and 15-415 (G) and energy.me midwest llc d/b/a energy.me, License # 12-549(E) (each, an “Agera Entity” and, collectively, “Agera”) are currently providing electric and/or gas supply service to residential and commercial customers in the State of Ohio.

Agera hereby provides written notice of its assignment of all of its rights and obligations under a portion of its competitive electric and natural gas retail service agreements to Constellation NewEnergy, Inc., License # 00-003E(10) and Constellation NewEnergy-Gas Division, LLC License # 09-153G(4), respectively, anticipated to be effective with the meter reads on or after the customers’ December billing cycles.

Please note that following the assignment, service of any contract to be assigned will continue under the same rates and terms and conditions established under the existing agreements with Agera. The below tables show the approximate number of customers to be assigned, by utility territory.

Agera Energy LLC		
Utility	Number of Residential Customers	Number of Commercial Customers
AEP - Ohio Power	50 (Electric)	208 (Electric)
AEP - Columbus Southern Power	39 (Electric)	170 (Electric)
Duke Gas	71 (Gas)	57 (Gas)
Duke Energy of Ohio	76 (Electric)	106 (Electric)
Dayton Power & Light	159 (Electric)	159 (Electric)
Dominion East	17 (Gas)	253 (Gas)
Cleveland Electric Illuminating Company	229 (Electric)	431 (Electric)
Toledo Edison	113 (Electric)	74 (Electric)
Ohio Edison	297 (Electric)	425 (Electric)
Columbia	177 (Gas)	643 (Gas)



Energy.Me Midwest LLC		
Utility	Number of Residential Customers	Number of Commercial Customers
AEP - Ohio Power	27	69
AEP - Columbus Southern Power	12	40
Duke Energy of Ohio	9	31
Dayton Power & Light	55	18
Cleveland Electric Illuminating Company	5	19
Toledo Edison	4	8
Ohio Edison	15	40

In addition, a copy of the notification that will be sent to affected customers on or about November 11, 2019, providing them with advance notice is enclosed herewith. Should you have any questions or need further information, please contact Ms. Raima Jamal at Agera at 914.205.5838 or Rjamal@ageraenergy.com. You may also contact Lynda Fohn at Constellation at 512.619.7859 or Lynda.fohn@constellation.com.

Yours very truly,

Agera and Constellation

Enclosure



May 7, 2020

Ohio Power Company
Columbus Southern Power
700 Morrison Rd.
Gahanna, OH 43230

Duke Energy of Ohio, Inc.
139 East Fourth Street
Cincinnati, OH 45202

FirstEnergy - Ohio Edison Company,
Toledo Edison Company and The
Cleveland Electric Illuminating Company
76 S Main St.
Akron, OH 44308

Columbia Gas of Ohio, Inc.
290 W. Nationwide Blvd.
Columbus, OH 43215

The Dayton Power and Light Company
1900 Dryden Rd.
Moraine, OH 45439

The East Ohio Gas Company, d/b/a Dominion
Energy Ohio
1201 E. 55th Street
Cleveland, OH 44103

Re: Notice of Agera Energy LLC Ceasing Operations and Abandoning Its Electric and Natural Gas Certificates (#14-881E and #15-415G) in Ohio

Dear Sir/Madam:

Agera Energy LLC, a competitive retail electric supplier and a competitive retail natural gas supplier certified in Ohio, is providing the required written notice pursuant to Rules 4901:1-24-12(B) and 4901:1-27-12(B)(2), Ohio Administrative Code, that it will file with the Public Utilities Commission of Ohio two abandonment applications for providers with no existing customers. The applications will be docketed in PUCO Case Nos. 20-956- EL-ABN and 20-957- GA-ABN. Agera Energy LLC requests that you promptly return its collateral posted.

If you have any questions about this notice, please contact Ms. Raima Jamal at (914) 205-5838 or rjamal@ageraenergy.com.

Thank you,

/s/ Raima Jamal
Raima Jamal
Legal Counsel



November 11, 2019

Re: Notice of Assignment of Electric or Gas Service Agreement with Agera Energy, LLC

Dear Valued Customer:

You previously received a Notice of Assignment and Assumption from Agera and energy.me midwest llc d/b/a energy.me (collectively, "Agera") dated October 22, 2019 informing you that in connection with Agera's chapter 11 bankruptcy proceeding, the service contract(s) you have with Agera in Ohio that are listed on the attached "Transferred Contract List" would be transferred from Agera to another energy supply company (the "Service Contract(s)"). In particular, Agera has entered into an agreement to sell certain parts of Agera's business, including the electric Service Contract(s), to Constellation NewEnergy, Inc. and natural gas Service Contract(s) to Constellation NewEnergy-Gas Division, LLC (collectively "Constellation"), for continued electricity and/or natural gas service by Constellation.

We are writing to inform you that on or after your December 2019 meter read, your electric or gas service agreement with Agera is expected to be assigned to Constellation. Transfer of the Service Contract(s) may occur sooner or later depending on a number of factors including the action of your local utility company. **The rates, and terms and conditions of your current service agreement with Agera will not change and will remain in effect through the term of the agreement.** Although you may receive a notification from your local utility confirming the change, **there is no action required on your part and there will be no interruption to your service.** Constellation will assume and perform the same supplier obligations previously performed by Agera. If you are billed by the utility, this will continue unchanged except that Constellation's information will replace Agera's on your monthly billing statements. If you were billed by Agera, you will begin receiving a bill from Constellation. Important Note: You may receive invoices from Agera after the date of this notice and after your service has been transitioned to Constellation for periods of service prior to that transition. The invoices will contain instructions detailing how you are to pay Agera.

If you have any questions or concerns about this assignment, please contact Agera at 877-273-7276 between 8:30 a.m. and 5:30 p.m. EST or by email at customercare@ageraenergy.com.

Upon assignment to Constellation, customer inquiries should be directed to Constellation using the contact information provided below. To learn more about Constellation, please visit www.constellation.com.

Residential Customers:
home@constellation.com
844-940-1633

Commercial Customers:
customercare@constellation.com
844-636-3749

Constellation
P.O. Box 4911
Houston, TX 77210

Agera sincerely appreciates your past business and is confident that you will enjoy being a Constellation customer.

Very truly yours,

Agera and Constellation Customer Care Teams



October 30, 2019

Re: Termination of Certain Ohio Service Contract(s) with Agera and Return to Utility Service

Dear Valued Customer:

We would like to notify you that Agera Energy, LLC and energy.me midwest llc d/b/a energy.me (collectively, "Agera") have commenced chapter 11 bankruptcy cases. We are providing you with this notice that certain service contract(s) you have with Agera in Ohio that are listed on the attached "Terminated Contract List" will be terminated between the date of this notice and the end of the year (the "Terminated Contract(s)"). Agera will no longer provide natural gas and/or electric service under the Terminated Contract(s) and your account(s) associated with the Terminated Contract(s) will be returned to the utility as promptly as possible for you to receive natural gas or electric supply service from your utility company.

If you have other contracts with Agera that are not listed in the attached Terminated Contract List, those contracts and related accounts are not affected by this notice and will continue to be served by Agera until such time as you receive a separate notice from Agera regarding the treatment of those contracts. No action is required for any contracts or accounts that are not listed in the attached Terminated Contract List.

Upon termination of service under the Terminated Contract(s), you will receive default service from your utility company in accordance with the applicable rates and terms of the utility company's natural gas or electric tariff unless you enroll to receive service from a new natural gas or electric supplier for the account(s) associated with the Terminated Contract(s). Until commencement of default service with your utility company, your Terminated Contract(s) with Agera will continue in effect and you will continue to receive natural gas or electric service at the rate that applies under your service contract. You will be responsible for payment of service provided during this period of time in accordance with any bills or invoices from Agera or your utility company.

Please be assured that there will be no interruptions in your natural gas and/or electric service as a result of the transfer to the utility company. You do not need to take any action for this switch to receive default service from the utility company.

If you have any questions regarding this notice, please call us at 877-273-7276 between 8:30 a.m. and 5:30 p.m. EST or contact us by email at customer care@ageraenergy.com.

Sincerely,

Agera Customer Care Team

The Public Utilities Commission of Ohio

RETAIL NATURAL GAS SERVICE SUPPLIER/GOVERNMENTAL AGGREGATOR OPERATIONS AND CERTIFICATE ABANDONMENT AFFIDAVIT EXHIBIT C-4

AFFIDAVIT

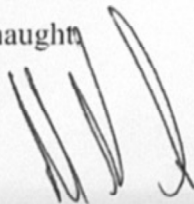
In the Matter of the Application of)
Agera Energy, LLC) Case No. 20-0957-GA-ABN
To Abandon Retail Natural Gas Service Supplier)
Or Ohio Natural Gas Governmental Aggregation)
Operations and Certificate in Ohio.)

County of Butler
State of PA

Mark Linzenbold, Affiant, being duly sworn/affirmed according to law, deposes and says that:
He/She is the Chief Financial Officer (Office of Affiant) of
(Name of Applicant).

1. Affiant is authorized to and does make this affidavit for said Applicant.
2. Applicant herein attests under penalty of false statement that all statements made in the application are true and complete.
3. Affiant further sayeth naught.

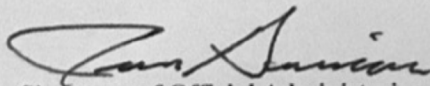
Affiant Signature & Title



Chief Financial officer

Sworn and subscribed before me this 13th day of

May Month 2020 Year



Signature of Official Administering Oath

Jason Handyside - Public Notary

Print Name and Title

Commonwealth of Pennsylvania - Notary Seal
Jason Handyside, Notary Public
Butler County
My commission expires January 24, 2023
Commission number 1339905
Member, Pennsylvania Association of Notaries

My commission expires on

1-24-23

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/27/2020 12:53:48 PM

in

Case No(s). 20-0957-GA-ABN

Summary: Application - Abandonment Application electronically filed by Mrs. Gretchen L. Petrucci on behalf of Agera Energy, LLC