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PC



**FELLER
LAW
GROUP**

20-1330-EL-AGG

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159 20th St., Suite 1B
Brooklyn, NY 11232

P. 212 590 0145

info@feller.law
www.feller.law

Via Federal Express

July 29, 2020

Public Utilities Commission of Ohio
Docketing Division
180 Broad Street
Columbus, Ohio 43215-3793

PUCO
2020 JUL 30 PM 1:09

Re: Application for Electric Aggregators/Power Marketers for Energy CX, LLC

Ladies/Gentlemen:

In regards to the above-referenced matter, enclosed please find one original application together with three copies of the same and one redacted copy. Additionally, Energy CX, LLC is seeking file the following exhibits under seal:

1. Exhibit C-3 – Financial Statements; and
2. Exhibit C-5 – Forecasted Financial Statements.

If you have any questions, or if I may provide you with additional information, please do not hesitate to contact me.

Respectfully,

Michelle Mann

Michelle Mann
Director of Government Affairs and
Regulatory Paralegal
Feller Law Group, PLLC
Phone: (718) 690-3480
Email: michellemann@feller.law

On behalf of Energy CX, LLC

Enclosures

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
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Technician GA Date Processed 7/30/20

FILE



PUCOHIO ONLY		
Date Received	Case Number	Version
2020 JUL 30	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 Energy CX, LLC
 Address 401 W. Ontario Street, Suite 402, Chicago, IL 60654
 Telephone # (847) 509-2290 Web site address (if any) www.energycx.com

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

Legal Name Energy CX, LLC
 Address 401 W. Ontario Street, Suite 402, Chicago, IL 60654
 Telephone # (847) 509-2290 Web site address (if any) www.energycx.com

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

Please see Exhibit A-4

A-5 Contact person for regulatory or emergency matters

Name Miles Rice
 Title Chief Operations Officer

Business address 401 W. Ontario Street, Suite 402, Chicago, IL 60654
Telephone # (847) 224-6906 Fax # (847) 509-2295
E-mail address miles@energycx.com

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

Name Ellen Rice
Title Vice President
Business address 401 W. Ontario Street, Suite 402, Chicago, IL 60654
Telephone # (833) 998-0830 Fax # (847) 509-2295
E-mail address team@energycx.com

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

Customer Service address 401 W. Ontario Street, Suite 402, Chicago, IL 60654
Toll-free Telephone # (833) 998-0830 Fax # (847) 509-2295
E-mail address team@energycx.com

A-8 Applicant's federal employer identification number # 842508506

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, 2020

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.

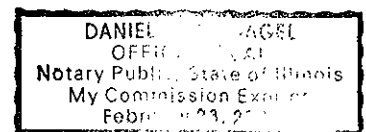

Signature of Applicant & Title

Sworn and subscribed before me this 16th day of July, 2020


Signature of official administering oath

Month Year
Miles Rice, Chief Operations Officer
Print Name and Title

My commission expires on 02-23-2023



AFFIDAVIT

State of Illinois :

Glencoe ss.
(Town)

County of Cook :

Miles Rice, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the Chief Operations Officer (Office of Affiant) of Energy CX, 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)

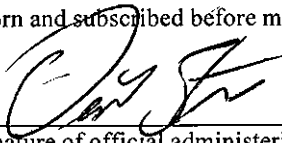
11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.

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.

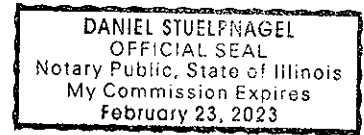


Signature of Affiant & Title

Sworn and subscribed before me this 16 day of July, 2020
Month Year



Signature of official administering oath



Miles Rice, Chief Operations Officer

Print Name and Title

My commission expires on   02-23-2023

D.S.

Exhibit A-4 – “Names Under Which The Applicant Does Business In North America”

Energy CX, LLC (*the Applicant*) only transacts business under its corporate legal name. The Applicant is a privately held company, 100% of which is owned by Mark Rice, President of Energy CX, LLC. The Applicant is a sister company of Biofuels Technology, LLC d/b/a Energy Connection, which operates in Illinois, New Jersey, and in Ohio itself (electric broker/aggregator certification only – Certificate Number: 19-1444E(1); Case Number: 19-2027-EL-AGG).

Energy CX, LLC received its competitive retail natural gas aggregator/broker certificate on February 27, 2020 (Certificate Number: 20-748G(1); Case Number 20-0168-GA-AGG) and its intention is to obtain it's aggregation and power broker license in Ohio so that it can broker and aggregate both commodities under one brand name (Energy CX, LLC).

Exhibit A-12 – “Principal Officers, Directors, and Partners”

Mark Rice, President
401 W. Ontario Street, Suite 402
Chicago, IL 60654

Ellen Rice, Vice President
401 W. Ontario Street, Suite 402
Chicago, IL 60654

Miles Rice, Treasurer and Secretary
401 W. Ontario Street, Suite 402
Chicago, IL 60654

Exhibit A-13 – “Company History”

Coming from a long line of innovators and entrepreneurs in the energy and chemical industries, Mark Rice founded Energy CX, LLC (the “Applicant”) (sister company of Biofuels Technology, LLC) in 2019. Prior to establishing Energy CX, LLC, Mr. Rice founded Biofuels Technology, LLC with the initial goal of eliminating waste from the biodiesel production process - an endeavor which involved salvaging glycerin and purifying it for resale. But after observing the potential within the emerging electric and gas industries and with its team of experts who have decades of experience, Mr. Rice decided to expand in the energy industry and created Energy CX, LLC. The Applicant received its first broker license in 2019 and has since expanded to markets across the United States and manages over one billion kWh annually.

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

Please see Articles of Organization from Illinois Secretary of State on the following page.

File Number

0758710-4



To all to whom these Presents Shall Come, Greeting:

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that

ENERGY CX, LLC, HAVING ORGANIZED IN THE STATE OF ILLINOIS ON APRIL 29, 2019, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.



***In Testimony Whereof, I hereto set
my hand and cause to be affixed the Great Seal of
the State of Illinois, this 29TH
day of MAY A.D. 2019 .***

Jesse White

Authentication #: 1914901856 verifiable until 05/29/2020

Authenticate at: <http://www.cyberdriveillinois.com>

SECRETARY OF STATE



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

APRIL 29, 2019

0758710-4

MARK S. LITNER
111 W. WASHINGTON ST., STE 900
CHICAGO, IL 60602-0000

RE ENERGY CX, LLC

DEAR SIR OR MADAM:

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF ORGANIZATION THAT CREATED YOUR LIMITED LIABILITY COMPANY. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

PLEASE NOTE! THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF THIS ANNIVERSARY MONTH NEXT YEAR. FAILURE TO TIMELY FILE MAY RESULT IN PENALTY AND DISSOLUTION. A PRE-PRINTED ANNUAL REPORT WILL BE MAILED TO THE REGISTERED AGENT AT THE REGISTERED OFFICE ADDRESS APPROXIMATELY 45 DAYS BEFORE THE DUE DATE.

A LIMITED LIABILITY COMPANY THAT INTENDS TO PROVIDE A PROFESSIONAL SERVICE REGULATED BY THE ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION MUST REGISTER WITH THAT AGENCY.

PUBLICATIONS/FORMS AND OTHER SERVICES ARE AVAILABLE ON OUR WEBSITE. VISIT WWW.CYBERDRIVEILLINOIS.COM TO VIEW THE STATUS OF THIS COMPANY, PURCHASE A CERTIFICATE OF GOOD STANDING, OR EVEN FILE THE ANNUAL REPORT REFERRED TO IN THE EARLIER PARAGRAPH.

SINCERELY YOURS,

JESSE WHITE
ILLINOIS SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
LIMITED LIABILITY DIVISION
(217) 524-8008

07587104

Form **LLC-5.5**
May 2018Secretary of State
Department of Business Services
Limited Liability Division
601 S. Second St., Rm. 851
Springfield, IL 62769
217-824-8608
www.cyberdriveillinois.comPayment must be made by certified
check, cashier's check, Illinois attorney's
check, C.P.A.'s check or money order
payable to Secretary of State.Illinois
Limited Liability Company Act
Articles of Organization**SUBMIT IN DUPLICATE**

Type or print clearly.

Filing Fee: \$150

Approved:

KH

FILE #

This space for use by Secretary of State.

FILED

APR 29 2019

JESSE WHITE
SECRETARY OF STATE

1. Limited Liability Company name (see Note 1): ENERGY CX, LLC
2. Address of principal place of business where records of the company will be kept: (P.O. Box alone or c/o is unacceptable.)
3501 WOODHEAD DR., #5, NORTHBROOK, IL 60062

3. Articles of Organization effective on: (check one)

☒ the filing date☐ a later date (not to exceed 60 days after the filing date): _____

Month, Day, Year

4. Registered agent's name and registered office address:

Registered agent:	<u>MARK</u>	<u>S.</u>	<u>LITNER</u>
(P.O. Box alone or c/o is unacceptable.)	First Name	Middle Initial	Last Name
Registered office:	<u>111</u>	<u>WEST WASHINGTON STREET</u>	<u>SUITE 900</u>
	Number	Street	Suite #
	<u>CHICAGO</u>	<u>IL</u>	<u>60602</u>
	City		ZIP

Note: The registered agent must reside in Illinois. If the agent is a business entity, it must be authorized to act as agent in this state.

5. Purpose(s) for which the Limited Liability Company is organized: (see Note 2)

The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act and/or exclusively for the purpose(s) stated below:

6. The duration of the company is perpetual unless otherwise stated. If the operating agreement provides for a dissolution date, enter that date here: _____

Month/Day

Year

LLC-8.5

7. Optional: Other provisions for the regulation of the internal affairs of the company: (If additional space is needed, use sheets of this size.)

8. The Limited Liability Company has or will have on the effective date of filing one or more members.

9. Name(s) and business address(es) of the manager(s) and any member with the authority of manager:

MARK RICE	3501 WOODHEAD DR., #5	NORTHBROOK	IL	60062
Name	Number & Street	City	State	ZIP
Name	Number & Street	City	State	ZIP
Name	Number & Street	City	State	ZIP
Name	Number & Street	City	State	ZIP
Name	Number & Street	City	State	ZIP

(If additional space is needed, use sheets of this size.)

10. Name and Address of Organizer(s):

I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

Dated: APRIL 29 2019
Month/Day Year

1. Mark S. Litner
Signature
 MARK S. LITNER, ORGANIZER
Name and Title (type or print)

If organizer is signing for a company or other entity,
 state name of company or entity.

2. _____
Signature

Name (type or print)

If organizer is signing for a company or other entity,
 state name of company or entity.

1. 111 WEST WASHINGTON ST, STE 900
Number Street
 CHICAGO
City
 IL 60602
State ZIP

2. _____
Number Street

City

State ZIP

Note 1: The name must contain the term Limited Liability Company, LLC or L.L.C. The name cannot contain any of the following terms: "Corporation," "Corp.," "Incorporated," "Inc.," "Ltd.," "Co.," "Limited Partnership" or "LP." However, a limited liability company that will provide services licensed by the Illinois Department of Financial and Professional Regulation must instead contain the term Professional Limited Liability Company, PLLC or P.L.L.C. in the name.

Note 2: A professional limited liability company must state the specific professional service or related professional services to be rendered by the professional limited liability company.

Exhibit A-15 "Secretary of State"

Please see Certificate of Good Standing from Ohio Secretary of State on the following page.

UNITED STATES OF AMERICA
STATE OF OHIO
OFFICE OF THE SECRETARY OF STATE

I, Frank LaRose, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show ENERGY CX, LLC, an Illinois For Profit Limited Liability Company, Registration Number 4339635, filed on May 22, 2019, is currently in FULL FORCE AND EFFECT upon the records of this office.



*Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 8th day of January, A.D. 2020.*

A handwritten signature in cursive script, appearing to read "Frank LaRose".

Ohio Secretary of State

Validation Number: 20200802082

Exhibit B-1 – “Jurisdictions of Operation”

State Licenses of Applicant

State	License Type	License Number	Status
ME	Gas Broker	Registered, no license number provided	Active
NH	Electric Aggregator	Docket No. DM 19-141	Active
NH	Gas Aggregator	Docket No. DM 19-140	Active
PA	Electric Broker	Docket No. A-2019-3011963	Active
PA	Gas Broker	Docket No. A-2019-3011398	Active
TX	Electric Broker	License No. BR190563	Active
DC	Electric Broker	EA 2020-01	Active
DC	Gas Broker	GA 2020-01	Active
MD	Electric Broker	IR-483	Active
MD	Gas Broker	IR-4385	Active
OH	Gas Broker	20-748G (1)	Active

Exhibit B-2 – “Experience & Plans”

Energy CX, LLC (“Energy CX”) provides a range of non-commodity energy advisory services to customers, including energy procurement (through reverse auction platform); contract negotiation and management with retail suppliers; market risk analysis and advice; energy data management and analysis; supply-side/demand-side management; and clean energy/energy efficiency financing and deployment.

Energy CX will at no time be taking title to electricity. Applicant will serve only in the capacity of an Electric Aggregator and Power Broker as defined in 4901:1-24 of the Administrative Code.

Energy CX will not be providing any billing statements to customers nor accepting prepayments or deposits. Customer inquiries and/or complaints can be handled directly by Energy CX as outlined below or through the customer’s local delivery company and/or competitive retail electric supplier.

Energy CX’s sales channels are referral/relationship-based marketing and online marketing. Applicant will only work with PUC-certificated competitive retail electric suppliers and will monitor and comply with all applicable existing and future federal, state, and municipal statutes and regulations. Applicant will respond to customer inquiries and complaints in accordance with industry best practices and the regulations of the PUCO. If any complaints or concerns should arise from customers or potential customers, Applicant’s customer service can be reached at 833-998-0830 (toll-free) or team@energycx.com.

Energy CX hereby states that it will respond to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Ohio Revised Code and contained in Chapter 4901:1-21 of the Administrative Code.

Exhibit B-3 –“Summary of Experience”

Applicant's received its first license as a broker in 2019 and has since expanded to markets across the United States and manages over eight hundred through kWh annually on the electric side.

Products & Services

Electricity Brokerage

- Fixed Price Solutions
- Flexible Index Solutions
- Block Solutions
- Peak Load Management
- Fixed Price
- Fixed Basis
- Index

CPower Load Response

- Automated Load Control
- Demand Response
- Ancillary Services
- Economic Programs

Renewable Energy

- Solar
- Renewable Energy
- Certificates (RECs)
- Generation Development

Energy Efficiency

- HVAC Infrastructure
- Building Automation &
- Analytics
- Light & Controls
- CHP

Onsite Generation

- Solar Solutions
- Fuel Cells
- Batteries & Storage
- Back-up/Emergency Generation

Customers Served

In 2019, Applicant brokered retail electricity supply service on behalf of the alternative retail electricity suppliers it represents to 898 non-residential customers and 0 residential customers.

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

Applicant does not have existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact its financial or operational status or ability to provide the services it is seeking to be certified to provide.

Exhibit C-1 – “Annual Reports”

Energy CX, LLC is not a publicly traded company and does not produce annual reports.

Exhibit C-2 – “SEC Filings”

Energy CX, LLC is not a publicly traded company and is not required to make SEC filings.

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Exhibit C-3 – “Financial Statements”

Copies of 2017 and 2018 tax returns are provided under seal and separate cover. Energy CX, LLC has an extension on filing its 2019 tax return.

Exhibit C-4 – “Financial Arrangements”

N/A

Energy CX, LLC is seeking to receive certification as a broker/aggregator of electric services only and will not take title to electricity in the state of Ohio. As such, the requirement to demonstrate financial arrangements to conduct competitive retail electric service as a business activity is not applicable to Energy CX, LLC.

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Exhibit C-5 – “Forecasted Financial Statements”

Please see confidential forecasted financial statements on the following page.

Exhibit C-6 – “Credit Rating”

N/A

Exhibit C-7 – “Credit Report”

Please see credit report on the following page.



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ENERGY CX, LLC

Report Date:

07/10/2020

B (Caution)

Accounts on file: NO

Your business has no tradeline accounts that are reporting to the Experian Business Credit Bureau and impacting your credit.

Legal Filings and Collections: NO

Your business has no reported legal filings or collections that are impacting your credit.

Business Address:
3501 WOODHEAD DR STE 5,
NORTHBROOK, IL 60062

Key Personnel:
MARK RICE, OFFICER

Industry (SIC Code): 1711:
1711

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Exhibit C-8 – “Bankruptcy Information”

Energy CX, LLC has not made any bankruptcy filings nor undergone any reorganization.

Exhibit C-9 – “Merger Information”

Energy CX, LLC has never merged or otherwise been reorganized.

Exhibit C-10 – “Corporate Structure”

