



DIS Case Number: 16-2148-EL-AGG

## Section A: Application Information

### A-1. Provider type:

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

### A-2. Applicant's legal name and contact information.

**Legal Name:** PRX Energy LLC

**Country:** United States

**Phone:** (703) 584-4184    **Extension (if applicable):**

**Street:** 1001 State Street

**Website (if any):** www.prxenergy.com

**City:** Erie

**Province/State:** PA

**Postal Code:** 16501

### A-3. Names and contact information under which the applicant will do business in Ohio

Provide the names and contact information the business entity will use for business in Ohio. This does not have to be an Ohio address and may be the same contact information given in A-2.

Name	Type	Address	Active?	Proof
PRX Energy LLC	DBA	1001 State Street Erie, PA 16501	No	File

### A-4. Names under which the applicant does business in North America

Provide all business names the applicant uses in North America, including the names provided in A-2 and A-3.

Name	Type	Address	Active?	Proof
PRX Energy LLC	DBA	1001 State Street Erie, PA 16501	No	File

### A-5. Contact person for regulatory matters



## Public Utilities Commission

Gregory Shively  
5310 16th Road N  
Arlington, VA 22205  
US  
gshively@prxenergy.com  
7035844184

### A-6. Contact person for PUCO Staff use in investigating consumer complaints

Gregory Shively  
5310 16th Road N  
Arlington, VA 22205  
US  
gshively@prxenergy.com  
7035844184

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

<b>Phone:</b> (866) 412-7161	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b>	<b>Extension (if applicable):</b>	<b>Street:</b> 1001 State Street
<b>Email:</b> gshively@prxenergy.com		<b>City:</b> Erie
		<b>Province/State:</b> PA
		<b>Postal Code:</b> 16501

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

465511340

### A-9. Applicant's form of ownership

**Form of ownership:** Limited Liability Company (LLC)

### A-10. Identify current or proposed service areas

Identify each service area in which the applicant is currently providing service or intends to provide service and identify each customer class that the applicant is currently serving or intends to serve.

#### Service area selection

AEP Ohio  
DP&L



## Public Utilities Commission

Duke Energy Ohio

FirstEnergy - Cleveland Electric Illuminating

FirstEnergy - Ohio Edison

FirstEnergy - Toledo Edison

### Class of customer selection

Commercial

Industrial

### A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 12-01-2016

### A-12. Principal officers, directors, and partners

Please provide all contacts that should be listed as an officer, director or partner.

Name	Email	Title	Address
Bret Grady	bgrady@prxenergy.com	Director	112 Honeyridge Lane Holly Springs, NC 27540 US
Gregory Shively	gshively@prxenergy.com	Pres	5310 16th Road N Arlington, VA 22205 US

### A-13. Company history

PRX Energy LLC was formed in 2014 to provide energy consulting and brokerage services largely to higher education and small - mid sized manufacturing companies.

### A-14. Secretary of State

Secretary of State Link: <https://businesssearch.ohiosos.gov?=businessDetails/3953476>

## Section B: Applicant Managerial Capability and Experience

### B-1. Jurisdiction of operations



## Public Utilities Commission

List all jurisdictions in which the applicant or any affiliated interest of the applicant is certified, licensed, registered or otherwise authorized to provide retail natural gas service or retail/wholesale electric service as of the date of filing the application..

Jurisdiction of Operation: Maryland, Massachusetts, New Jersey, Pennsylvania, Illinois, Virginia

### **B-2. Experience and plans**

Describe the applicant's experience in providing the service(s) for which it is applying (e.g., number and type of customers served, utility service areas, amount of load, etc.). Include the 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 Sections 4928.10 and/or 4929.22 of the Ohio Revised Code.

Application Experience and Plan Description: PRX Energy contracts directly with customers using a Consulting Services Agreement that stipulates the terms of engagement including the fee for service, the term of service and term renewal protocols. PRX Energy does not sell electricity to customers nor do we take title to the electricity that our customers purchase. Therefore, much of the Section 4928.10 of the Revised code does not apply to our services. PRX Energy is however highly experienced with the contents of supplier invoices and does provide customers with an invoice review to assure accuracy with the supply contract terms. Furthermore, PRX Energy will assist its customers in dealing with supplier billing errors and other concerns. Essentially, PRX Energy, by representing its customer, acts as the customer in its engagements with suppliers that are operating under the terms of 4928.10 of the Revised Code.

### **B-3. Disclosure of liabilities and investigations**

For the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant, describe all existing, pending or past rulings, judgments, findings, contingent liabilities, revocation of authority, regulatory investigations, judicial actions, or other formal or informal notices of violations, or any other matter related to competitive services in Ohio or equivalent services in another jurisdiction..

Liability and Investigations Disclosures: PRX Energy has no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact financial or operational status.

### **B-4. Disclosure of consumer protection violations**

Has the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years?

No

**B-5. Disclosure of certification, denial, curtailment, suspension or revocation**

Has the applicant, affiliate, or a predecessor of the applicant had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, revoked, or cancelled or been terminated or suspended from any of Ohio's Natural Gas or Electric Utility's Choice programs within the past two years?

No

**B-6. Environmental disclosures**

Provide a detailed description of how the applicant intends to determine its generation resource mix and environmental characteristics, including air emissions and radioactive waste. Include the annual projection methodology and the proposed approach to compiling the quarterly actual environmental disclosure data. See 4901:1-21-09 of the Ohio Administrative Code for additional details of this requirement.

**PJM disclosure option chosen**

## Section C: Applicant Financial Capability and Experience

**C-1. Financial reporting**

Provide a current link to the most recent Form 10-K filed with the Securities and Exchange Commission (SEC) or upload the form. If the applicant does not have a Form 10-K, submit the parent company's Form 10-K. If neither the applicant nor its parent is required to file Form 10-K, state that the applicant is not required to make such filings with the SEC and provide an explanation as to why it is not required.

Does not apply

**C-2. Financial statements**



Provide copies of the applicant's two most recent years of audited financial statements, including a 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, provide 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 bank account numbers redacted**.

If the applicant is unable to meet the requirement for two years of financial statements, the Staff reviewer may request additional financial information.

Preferred to file this information confidentially

### **C-3. Forecasted financial statements**

Provide two years of forecasted income statements **based solely on the applicant's anticipated business activities in the state of Ohio**.

Include the following information with the forecast: a list of assumptions used to generate the forecast; a statement indicating that the forecast is based solely on Ohio business activities only; and the name, address, email address, and telephone number of the preparer of the forecast.

The forecast may be in one of two acceptable formats: 1) an annual format that includes the current year and the two years succeeding the current year; or 2) a monthly format showing 24 consecutive months following the month of filing this application broken down into two 12-month periods with totals for revenues, expenses, and projected net incomes for both periods. Please show revenues, expenses, and net income (revenues minus total expenses) that is expected to be earned and incurred in **business activities only in the state of Ohio** for those periods.

If the applicant is filing for both an electric certificate and a natural gas certificate, please provide a separate and distinct forecast for revenues and expenses representing Ohio electric business activities in the application for the electric certificate and another forecast representing Ohio natural gas business activities in the application for the natural gas certificate.

Preferred to file confidentially

### **C-4. Credit rating**



Provide a credit opinion disclosing the applicant's credit rating as reported by at least one of the following ratings agencies: Moody's Investors Service, Standard & Poor's Financial Services, Fitch Ratings or the National Association of Insurance Commissioners. If the applicant does not have its own credit ratings, substitute the credit ratings of a parent or an affiliate organization and submit 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 'Not Rated'.

This does not apply

#### C-5. Credit report

Provide a copy of the applicant's credit report from Experian, Equifax, TransUnion, Dun and Bradstreet or a similar credit reporting organization. If the applicant is a newly formed entity with no credit report, then provide a personal credit report for the principal owner of the entity seeking certification. At a minimum, the credit report must show summary information and an overall credit score. **Bank/credit account numbers and highly sensitive identification information must be redacted.** If the applicant provides an acceptable credit rating(s) in response to C-4, then the applicant may select 'This does not apply' and provide a response in the box below stating that a credit rating(s) was provided in response to C-4.

This does not apply.

#### C-6. Bankruptcy information

Within the previous 24 months, have any of the following filed for reorganization, protection from creditors or any other form of bankruptcy?

- Applicant
- Parent company of the applicant
- Affiliate company that guarantees the financial obligations of the applicant
- Any owner or officer of the applicant

No

#### C-7. Merger information

Is the applicant currently involved in any dissolution, merger or acquisition activity, or otherwise participated in such activities within the previous 24 months?



No

#### **C-8. Corporate structure**

Provide a graphical depiction of the applicant's corporate structure. Do not provide an internal organizational chart. The graphical depiction should include all parent holding companies, subsidiaries and affiliates as well as 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 the applicant may respond by stating that it is a stand-alone entity with no affiliate or subsidiary companies.

Stand-alone entity with no affiliate or subsidiary companies

### **Section D: Applicant Technical Capacity**

#### **D-1. Operations**

Power brokers/aggregators: Include details of the applicant's business operations and plans for arranging and/or aggregating for the supply of electricity to retail customers.

Operations Description: PRX manages competitive RFPs and reverse auctions for the benefit of client energy purchases. Resulting contracts are between the client and the supplier. PRX Energy advises during contract negotiations and provides insight on market trends for the purpose of determining proper pricing terms and term lengths.

#### **D-2. Operations Expertise & Key Technical Personnel**

Given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations. Include the names, titles, e-mail addresses, and background of key personnel involved in the operations of the applicant's business.

File(s) attached





Public Utilities  
Commission

# Application Attachments

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## Attachment: Professional Qualifications

### Gregg C. Shively

#### President & Managing Partner, PRX Energy

Gregg Shively is a 27-year energy and utility professional that has held prior management and executive positions with Stat Oil Energy Marketing, Pace Global Energy Services and Siemens Building Technologies.

Mr. Shively's professional goals are to improve the market's ability to develop and manage increasingly complex energy systems and leverage technology to simplify data intensive analytics, decision making and management metrics. To that end, Mr. Shively launched PRX Energy in 2014 as a high-end broker and consultancy practice to provide custom solutions across the energy supply chain.

PRX Energy works with clients to minimize energy cost and market risk and improve performance against sustainability goals which includes renewable energy projects, district heating and cooling systems, demand response and energy efficiency. Mr. Shively has a long history helping businesses and institutions fully leverage the competitive energy market using well-structured transactions, operating protocols, and long-term risk analysis.

Mr. Shively's background consists of deep experience in competitive and regulated retail and wholesale energy markets. By properly valuing energy opportunities and risks related to renewable energy projects, large-scale and distributed generation, midstream and wholesale supply investments, and district systems, Mr. Shively provides clear decision-making frameworks in support of strategic goals and objectives. A wealth of experience in a consulting capacity evaluating and understanding energy markets provides a strong base of experience to develop creative energy strategies that meet defined goals and provide for continuous improvement of cost, risk and sustainability metrics.

#### WORK EXPERIENCE

##### **President & Managing Partner**

PRX Energy

June 2014 – Present - Arlington, VA

PRX Energy provides Integrated Energy Portfolio services, strategic and sustainability consulting, renewable energy PPAs, district energy system analysis, and retail brokering services for energy consumers in North America. PRX services enable clients to build, analyze and manage creative and competitive energy portfolios that meet objectives for cost, risk and sustainability. With over 25 years in the energy industry as both a consultant and retail marketer, Mr. Shively has the experience to develop creative and compelling energy strategies and implementation plans that meet clear goals and objectives.

##### **Vice President and Executive Director**

Pace Global a Siemens Business and Siemens Building Technologies

May 1997 – June 2014 (17 years 2 months) Washington D.C. Metro Area

Vice President and Executive Director for the services, sales and accounts for the Sustainability and Energy Management segment within Siemens Infrastructure & Cities Sector, Building Technologies Division. Providing strategic direction to the business and its client, Mr. Shively managed a team of over 100 professionals engaged in natural gas, electricity, renewable and other energy commodity and mid-stream transactions.

Mr. Shively received numerous internal awards for business and managerial excellence and played a key role in growing the business, overseeing it during acquisition and integrating it into the Siemens operations.

### **Manager, Transportation & Exchange**

Statoil Energy NA

1992 – 1997 (5 years)

As Transportation and Exchange (T&E) manager, responsibilities included ensuring a balanced physical retail book, monitoring cash positions and risk across the customer base, purchasing and scheduling upstream transportation and storage accounts and regional supply pools. Experience also includes developing supply strategies to minimize delivered cost, optimizing owned assets in daily cash markets and managing a staff of professionals in a trade floor environment.

### **EDUCATION**

#### **Penn State University**

BS, Economics

1988 – 1992

Concentration in energy economics, business, competitive market design

#### **University of Notre Dame**

Executive Leadership Program

2006

*Find more information regarding Mr. Shively's background and experience including references from key colleagues over the last 25 years please visit LinkedIn.*

# Competitive Retail Electric Service Affidavit

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

State of Virginia \_\_\_\_\_ :

GREGORY C. SHIVER Affiant, being duly sworn/affirmed, hereby states that:

1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
2. The applicant will timely file an annual report of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Sections 4905.10(A), 4911.18(A), and 4928.06(F), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10, 4911.18, and 4928.06(F), Ohio Revised Code.
4. The applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
5. The applicant 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 will fully comply with Section 4928.09, Ohio Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The applicant 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 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, 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.
11. The Applicant will inform the Public Utilities Commission of Ohio 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 consumer complaints.



12. The facts set forth above are true and accurate 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.

13. Affiant further sayeth naught.

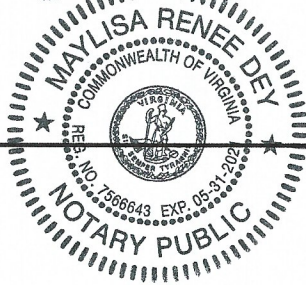
  
\_\_\_\_\_  
Signature of Affiant & Title

Sworn and subscribed before me this 19<sup>th</sup> day of October, 2020  
Month Year

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

Maylisa Dey - Notary  
Print Name and Title Public

My commission expires on May 31 2021



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

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 16-2148-EL-AGG**

Summary: In the Matter of the Application of PRX Energy LLC