

FILE



**THE
GERTSBURG**
LAW FIRM CO., LPA

December 1, 2020

VIA FEDEX OVERNIGHT

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

Re: Vanguard Energy Services, L.L.C.

Dear Sir/Madam:

Enclosed herewith please find the original and two (2) copies of the Renewal Application for Competitive Retail Electric Service Provider Application and pertinent attachments for filing. Also enclosed is the Motion for Protective Order along with Exhibits C-2, C-3, and C-5 to be filed under seal.

If you should have any questions or require anything further, do not hesitate to contact me directly at (440) 571-7773 or ev@gertsburglaw.com.

Very truly yours,

Emily O. Vaia
Emily O. Vaia, Esq.

Enclosures

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician SL Date Processed 12.3.20

Our Core Values

We innovate. We commit. We connect. We are family.

2020 DEC -3 AM 11:12
PUCO
RECEIVED
PUBLIC UTILITIES COMMISSION
COLUMBUS, OHIO

2020 DEC -3 AM 11:13



Competitive Retail Electric Service (CRES)
Provider Application

Case Number: 14 - 1942 - EL - AGG

Please complete all information. Identify all attachments with a label and title (example: Exhibit C-2 Financial Statements). For paper filing, you can mail the original and two complete copies to the Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793.

A. Application Information

A-1. Provider Type.

Select the competitive retail electric service (CRES) provider type(s) for which the applicant is seeking certification. Please note you can select more than one.

Aggregator



Power Broker



Power Marketer



Retail Electric
Generation Provider



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

Provide the name and contact information of the business entity.

Legal Name: Vanguard Energy Services, LLC
Street Address: 850 E Diehl Rd., Suite 142
City: Naperville State: IL Zip: 60563
Telephone: 630.955.1500 Website: www.vanguardenergy.net

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: Vanguard Energy Services, LLC
Street Address: 850 E Diehl Rd., Suite 142
City: Naperville State: IL Zip: 60563
Telephone: 630.955.1500 Website: www.vanguardenergy.net

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

Provide all business names the applicant uses in North America. You do not need to include the names provided in A-2 and A-3.

Name(s): Vanguard Energy Services, LLC Vanguard Power Services, LLC

VES-New Jersey, LLC

VES-Texas, LLC

A-5. Contact person for regulatory matters.

Name: Neil Anderson Title: Vice President
Street Address: 850 E Diehl Rd., Suite 142
City: Naperville State: IL Zip: 60563
Telephone: 630.955.1500 Email: nanderson@vanguardenergy.net

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

Name: Neil Anderson Title: Vice President
Street Address: 850 E Diehl Rd., Suite 142
City: Naperville State: IL Zip: 60563
Telephone: 630.955.1500 Email: nanderson@vanguardenergy.net

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

Street Address: 850 E Diehl Rd., Suite 142
City: Naperville State: IL Zip: 60563
Toll-free Telephone: 888.955.1920 Email: customerservice@vanguardenergy.net

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

FEIN: 46-0520256

A-9. Applicant's form of ownership (select one).

Sole Proprietorship	Limited Liability Partnership (LLP)	Corporation	Partnership
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Limited Liability Company (LLC)	Other: _____		
<input checked="" type="checkbox"/>			

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	Duke Energy Ohio	FirstEnergy – Cleveland Electric Illuminating
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

FirstEnergy – Ohio
Edison



FirstEnergy – Toledo
Edison



Class of customer selection:

Commercial



Industrial



Mercantile



Residential



A-11. Start Date.

Indicate the approximate start date the applicant began/will begin offering services.

Date: December 2014

A-12. Principal officers, directors and partners.

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

A-13. Company history.

Provide an attachment with a concise description of the applicant's company history and principal business interests.

A-14. Secretary of State.

Provide evidence that the applicant is currently registered with the Ohio Secretary of State.

B. Managerial Capability

Provide a response or attachment for each of the sections below.

B-1. Jurisdiction of operations.

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.

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.

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.

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? If yes, attach a document detailing the information.

Yes

☐

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? If yes, attach a document detailing the information.

Yes

☐

No

☒

B-6. Environmental disclosure.

This section is only applicable if power marketer or retail electric generation provider has been selected in A-1.

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.

C. Financial Capability

Provide a response or attachment for each of the sections below.

C-1. Financial reporting.

Provide a current link to the most recent Form 10-K filed with the Securities and Exchange Commission (SEC) or attach a copy of 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.

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.

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.

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".

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.

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? If yes, attach a document detailing the information.

Applicant

Parent company of the applicant

Affiliate company that guarantees the financial obligations of the applicant

Any owner or officer of the applicant

Yes

☐

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? If yes, attach a document detailing the information.

Yes

☐

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.

C-9. Financial arrangements.

This section is only applicable if power marketer or retail electric generation provider has been selected in A-1.

Provide copies of the applicant's financial arrangements to satisfy collateral requirements to conduct retail electric/natural gas business activities (e.g., parental guarantees, letters of credit, contractual arrangements, etc., as described below).

Renewal applicants may provide a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU's collateral requirements. The statement or letter must be on the utility's letterhead and dated within a 30-day period of the date the applicant files its renewal application.

First-time applicants or applicants whose certificate has expired must meet the requirements of C-9 in one of the following ways:

1. The applicant itself states that it is investment grade rated by Moody's Investors Service, Standard & Poor's Financial Services, or Fitch Ratings and provides evidence of rating from the rating agencies. If you provided a credit rating in C-4, reference the credit rating in the statement.

2. The applicant's parent company is investment grade rated (by Moody's, Standard & Poor's, or Fitch) and guarantees the financial obligations of the applicant to the LDU(s). Provide a copy of the most recent credit opinion from Moody's, Standard & Poor's or Fitch.
3. The applicant's parent company 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 parent company's financials and a copy of the parental guarantee must be included in the application if the applicant is relying on this option.
4. The applicant can provide evidence of posting a letter of credit with the LDU(s) listed as the beneficiary, in an amount sufficient to satisfy the collateral requirements of the LDU(s).

D. Technical Capability

Provide an attachment for each of the sections below.

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.

Power Marketers/Generators: Describe the operational nature of the applicant's business, specifying whether operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail ancillary services, as well as other services used to arrange for the purchase and delivery of electricity to retail customers.

D-2. Operations expertise and key technical personnel.

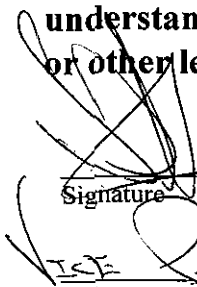
Provide evidence of the applicant's experience and technical expertise in performing the operations described in this application. Include the names, titles, e-mail addresses, telephone numbers and background of key personnel involved in the operational aspects of the applicant's business.

D-3. FERC power marketer authorization.

This section is only applicable if power marketer or retail electric generation provider has been selected in A-1.

Provide the FERC docket granting the applicant power marketer authority.

As authorized representative for the above company/organization, I certify that all the information contained in this application is true, accurate and complete. I also understand that failure to report completely and accurately may result in penalties or other legal actions.



Signature

VICE PRESIDENT

Title

11 / 12 / 2020

Date

Competitive Retail Electric Service Affidavit

County of DuPage :

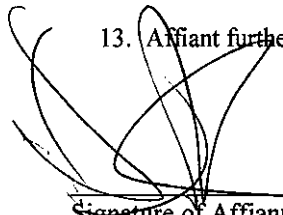
State of Illinois :

Neil Anderson, 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.

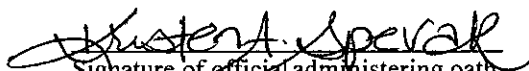
12. The facts set forth above are true and accurate to the best of his/her knowledge, information, and belief and that he/she expects said applicant to be able to prove the same at any hearing hereof.

13. Affiant further sayeth naught.


Signature of Affiant & Title VICE PRESIDENT



Sworn and subscribed before me this 11th day of October, 2020
Month Year


Signature of official administering oath

Kristen A. Spevak
Print Name and Title

My commission expires on 3, Aug. 2021

Exhibit A-12 Principal Officers, Directors, & Partners

Name	Title	Address	Telephone
Neil Anderson	Managing Partner, Vanguard Energy, LLC	6027 Rosinweed Ln, Naperville, IL 60564	630.544.4900
Paul Bougadis	Managing Partner, Vanguard Energy, LLC	1161 Summit Hills Ln, Naperville, IL 60563	630.605.0200
Scott Pellock	Managing Partner, Vanguard Energy, LLC	13345 Mary Lee Court, Plainfield, IL 60563	630.240.5721
John Weir	Managing Partner, Vanguard Energy, LLC	2 N 190 Harley Rd, Elburn, IL 60119	630.750.5982
Mike Westbrook	President, BlueMark Energy, LLC	1325 E. 15 th Street, #205, Tulsa, OK 74120	918.238.2003

Exhibit A-13 Company History

Applicant has been providing commodity risk management services to commercial, industrial, and not-for-profit entities since 2003. The Company takes a hands-on approach assisting clients manage their energy needs.

Entity#: 2338167
Filing Type: FOREIGN LIMITED LIABILITY COMPANY
Original Filing Date: 10/27/2014
Location: --
Business Name: VANGUARD ENERGY SERVICES, L.L.C.

Status: Active
Exp. Date: -

Agent/Registrant Information

MGGM SERVICE CORPORATION
1001 LAKESIDE AVE.
STE. 1400
CLEVELAND OH 44114
10/27/2014
Active

Filings

Filing Type	Date of Filing	Document ID
REG. OF FOR. PROFIT LIM. LIAB. CO.	10/27/2014	201430001033

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

I, Frank LaRose, Secretary of State of the State of Ohio, do hereby certify that this is a list of all records approved on this business entity and in the custody of the Secretary of State.



*Witness my hand and the seal of the
Secretary of State at Columbus,
Ohio this 18th of November, A.D. 2020*

Ohio Secretary of State

A handwritten signature in black ink, appearing to read "Frank LaRose".

Exhibit B-1 Jurisdictions of Operation

Entity	State	Approved	Docket/Cert	Commodity	License
Applicant	IL	10/24/2012	12-0561	Electric	ABC, Agent, Broker, Consultant
Applicant	MA	10/24/2019	EB-495	Electric	Electricity Broker License
Applicant dba VES- New Jersey, LLC	NJ	03/27/2020	EA-0640	Electric	Energy Agent
Applicant	PA	08/08/2019	A-2019-3010992	Electric	EGS Broker/Marketer
Applicant dba VES- Texas, LLC	TX	08/26/2019	BR190173	Electric	Electricity Broker

Exhibit B-2 Experience & Plans

1. Contracting with customers. Vanguard Energy Services, LLC has been contracting with clients for electricity in Illinois since 2006. We currently manage over 1,800 electric accounts.
2. Providing contracted services. We will facilitate the interaction between our clients and the supplier they choose. We will ensure our clients understand key components of each supplier's contract. The supplier will then become responsible for enrolling and billing our client with each respective utility.
3. Providing billing statement. Vanguard Energy Services, LLC intends to be compensated by each supplier. Therefore we will not need to provide our client with a billing statement.
4. Responding to customer inquiries and complaints pursuant to ORC 4928.10. Vanguard Energy Services, LLC provides our clients with a high-touch, professional engagement. We have a reputation of integrity with the suppliers and clients we currently work with and expect to expand on that approach with our growth into Ohio. We will be engaged with our clients if an issue arises. Our clients have access to several points of contact within our organization including sales staff, customer service, and senior management.

Exhibit B-3 Disclosure of Liabilities and Investigations

None, there are no existing, pending, or past rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations, or any other matters.

Exhibit C-1 Financial reporting

Vanguard Energy Services, LLC is a privately held company and therefore does not have Form 10-k filings.

Exhibit C-2 Financial statements

In compliance with Ohio Administrative Code 4901-01-24(D)(2), three (3) unredacted copies of the confidential information in response to Exhibit C-2 are being submitted under seal with a Motion for Protective Order.

Exhibit C-3 Forecasted Financial Statements

The confidential information in response to Exhibit C-3 are being submitted under seal with a Motion for Protective Order.

Exhibit C-4 Credit Rating

Not Rated.

Exhibit C-5 Credit Report

The confidential information in response to Exhibit C-5 are being submitted under seal with a Motion for Protective Order.

Exhibit C-8 Corporate Structure

Vanguard Energy Services, L.L.C. ("VES-OK") is an Oklahoma Limited Liability Company. Vanguard Energy Services, a Delaware Limited Liability Company ("VES-DE") owns 100% of VES-OK. BlueMark Energy L.L.C. an Oklahoma Limited Liability Company, and Vanguard Energy, L.L.C., an Illinois Limited Liability Company, own membership interests of 35% and 65% respectively in VES-DE.

Exhibit D-1 Operations

Power brokers/aggregators: Applicant works closely with clients and prospects to understand their energy profile, needs, and contract expectations. Vanguard Energy Services, LLC has access to several Ohio certified Power Marketers.

Exhibit D-2 Operations expertise and key technical personnel

Individual: Neil Anderson, CPA
Title: Vice President Financial Services
Email: nanderson@vanguardenergy.net
Phone: 630.955.1500

Neil has been with Vanguard for over 17 years. His background includes financial accounting, treasury, and regulatory matters.

Individual: Paul Bougadis
Title: Vice President Business Development
Email: pbougadis@vanguardenergy.net
Phone: 630.955.1500

Paul has been with Vanguard for over 17 years. His background includes sales and sales management as well as product development.

Individual: Scott Pellock
Title: Vice President Origination
Email: spellcok@vanguardenergy.net
Phone: 630.955.1500

Scott has been with Vanguard for over 17 years. His background includes sales and sales management as well as product development.

Individual: John Weir
Title: Vice President Fulfillment, Trading and Risk Management
Email: jweir@vanguardenergy.net
Phone: 630.955.1500

John has been with Vanguard for over 17 years. His background includes marketing, information system management, risk management, and sales.



Instructions for Competitive Retail Electric Service (CRES) Providers

- I. **Where to file:** Applications can be completed and submitted via the PUCO Community. Paper applications, an original plus two copies, can be mailed to: Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus Ohio 43215-3793.
- II. **Case Number:** If Applicant is applying for any combination of broker and/or aggregator, the application must be filed with an "AGG" purpose code. If the application includes marketer and/or retail electric generation provider, then the purpose code must be "CRS".
- III. **Renewal applications:** A certificate is valid for two years from the date of issuance. An application for renewal should be filed in the Applicant's existing case number 30-90 days prior to the expiration date printed on the certificate.
- IV. **Confidentiality:** An applicant may file financial statement, ^{C2} forecasted financial statements, ^{C3} financial arrangements, credit ratings, and credit reports ^{C5} under seal. Confidentiality for other items must be requested in a motion filed in the docket. Motions for protective orders must be filed in accordance with Ohio Administrative Code 4901:1-24 and 4901:1-24.
- V. **Commission approval process:** The Commission approval process begins when the Commission's Docketing Division receives and time/date stamps the application. An incomplete application may be suspended or rejected. An application that has been suspended an incomplete may cause delay in certification. The Commission may approve, suspend, or deny an application within 30 days. If no action is taken, the application is deemed automatically approved on the 31st day after the official filing date. Upon approval, the Commission will issue a numbered certificate that specifies the service(s) for which the applicant is certified and the dates for which the certificate is valid.
- VI. **Material change:** Providers are required to notify the Commission of any changes to the information provided in its most recent application within thirty days of the change.
- VII. **Governing law:** The certification and renewal of competitive providers is governed by Chapters 4901:1-21, 4901:1-24, 4901:1-27, 4901:1-28, and 4901:1-29 of the Ohio Administrative Code, and Sections 4928.08 and 4929.20 of the Ohio Revised Code.
- VIII. **Questions:** Questions regarding the application should be directed to CRES@puco.ohio.gov or CRNGS@puco.ohio.gov.

This page is for informational purposes and should not be filed with the application.