

**DIS Case Number: 14-1594-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:** Secure Energy Solutions, LLC  
**Phone:** 413-733-2571  
**Website (if any):** www.secureenergy.org  
**Country:** United States  
**Street:** 515 Shaker Road  
**City:** East Longmeadow  
**Postal Code:** 01028  
**Province/State:** MA

### 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
Secure Energy Solutions, LLC	Official Name	515 Shaker Road East Longmeadow, MA 01028	Yes	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
Secure Energy Solutions, LLC	Official Name	515 Shaker Road East Longmeadow, MA 01028	Yes	File

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



## Public Utilities Commission

Erik Ness  
515 Shaker Rd.  
East Longmeadow, MA 01028-3126  
US  
eness@sesenergy.org  
4137332571

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

Erik Ness  
515 Shaker Rd.  
East Longmeadow, MA 01028-3126  
US  
eness@sesenergy.org  
4137332571

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

<b>Phone:</b> 413-733-2571	<b>Extension (if applicable):</b> 210	<b>Country:</b> United States
<b>Fax:</b> 413-733-2574	<b>Extension (if applicable):</b>	<b>Street:</b> 515 Shaker Road
<b>Email:</b> jhaynes@sesenergy.org	<b>City:</b> East Longmeadow	<b>Province/State:</b> MA
	<b>Postal Code:</b> 01028	

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

11-3776111

### 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



## Public Utilities Commission

AEP Ohio

DP&L

Duke Energy Ohio

FirstEnergy - Cleveland Electric Illuminating

FirstEnergy - Ohio Edison

FirstEnergy - Toledo Edison

### Class of customer selection

Commercial

Industrial

Mercantile

### A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 04-16-2012

### 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
Christopher Duby	cduby@sesenergy.org	President	515 Shaker Rd. East Longmeadow, MA 01028 US
Michael Schmidt	mschmidt@sesenergy.org	Dir of Ops	515 Shaker Road East Longmeadow, MA 01028 US
Erik Ness	eness@sesenergy.org		515 Shaker Rd. East Longmeadow, MA 01028-3126 US

### A-13. Company history

Secure Energy Solutions was founded in 2006 as an electricity and natural gas broker. Secure Energy operates domestically out of Massachusetts, and is licensed to procure energy throughout New England, and the many deregulated territories within the United States. Secure Energy now offers comprehensive energy efficiency projects and energy reduction initiatives.



**A-14. Secretary of State**

Secretary of State Link:

## **Section B: Applicant Managerial Capability and Experience**

**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..

File Attached

**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.

File(s) attached

**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..

File Attached

**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**

## 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**



## Public Utilities Commission

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.

Preferred to file this information confidentially

### 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.

File(s) attached

### **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



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
08/07/2009	200921800744	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	.00	.00	.00	.00

**Receipt**

This is not a bill. Please do not remit payment.

SECURE ENERGY SOLUTIONS  
146 CHESTNUT ST. SUITE 400  
SPRINGFIELD, MA 01103

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jennifer Brunner**

**1875081**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

**SECURE ENERGY SOLUTIONS, LLC**

and, that said business records show the filing and recording of:

Document(s)

**REG. OF FOR. PROFIT LIM. LIAB. CO.**

Document No(s):

**200921800744**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 6th day of August, A.D. 2009.

Ohio Secretary of State

## Exhibit B-3 “Disclosure of Liabilities and Investigations”

Secure Energy Solutions, LLC, has had no regulatory issues regarding its ability to provide services.

## Exhibit B-1 "Jurisdictions of Operation"

Secure Energy Solutions, LLC, is currently registered, licensed, and operating in the following States:

1. Massachusetts (Domestic)
2. Connecticut
3. Delaware
4. District of Columbia
5. Florida
6. Illinois
7. Maine
8. Maryland
9. Michigan
10. New Hampshire
11. New Jersey
12. New York
13. Ohio
14. Oregon
15. Pennsylvania
16. Rhode Island
17. Texas

## Exhibit B-2 "Experience & Plans"

Secure Energy Solutions, LLC is a broker/aggregator who does not take ownership of the power. Secure Energy Solutions, LLC currently contracts power through a number of competitive suppliers including AEP Energy, Agera Energy, Amerigreen Energy, APG&E, *Constellation New Energy*, *Direct Energy*, *Discount Power Inc*, *Great Eastern Energy*, *Hudson Energy*, *Infinite Energy*, *Liberty Power*, *Major Energy*, *NextEra Energy*, *Nordic Energy*, *NRG Energy*, *Spark Energy*, *Sprague*, *Suez*, *Summit Energy*, *Talen Energy*, *TransCanada* *USG&E* and *WGL Energy*.

Secure Energy Solutions uses a consultative approach to inform commercial, industrial & governmental customers about their options and current market conditions. The services we provide include reviewing energy load profiles, building competitive bidding situations, and also aggregating customers to pool their energy loads to achieve buying power. Secure Energy Solutions will not be taking ownership of the power, hence Secure Energy Solutions will not be collecting or remitting payment to either the customer, or Local Distribution Companies. The LDC and/or Supplier will provide billing services to the customer to collect and remit gross receipts tax to the State.

Secure Energy Solutions offers a full-time administrative staff whose duties include providing customer service. We have a toll-free number, (800) 655-9818 in which our customers may utilize during normal business hours. Each of our employees distributes business cards which also lists an office telephone number, personal telephone number as well as an email address which are all monitored daily. Furthermore, we have made it practice to mail within 3 days of contract a copy of the agreement in conjunction with a welcome letter which confirms the rate, term and Supplier information. The terms of each agreement explicitly details the rescission period, termination procedures, supplier contact information and individual account information.

## Exhibit D-1 "Operations"

Secure Energy Solutions solicits business through various prospecting activities. Secure Energy Solutions' representatives suggest and recommend product offerings that meets the needs of its clients operational goals. Secure Energy Solutions procures energy contracts utilizing its relationships with an array of third party energy suppliers. Secure Energy Solutions does not take possession of, nor own the power it transacts.

## Exhibit D-2 – “Operations Expertise and Key Technical Personnel”

Secure Energy Solutions is operated by 3 managing members, each with a minimum of 15 years of experience in the deregulated energy industry. Christopher Duby, President, possesses a Certified Energy Procurement Professional designation with the Association of Energy Engineers. In addition to the managing members, Secure Energy Solutions also employs and staffs Erik J. Ness, Esq., as Vice President & General Counsel. Erik also possesses a Certified Energy Procurement designation, as well as a Certified Energy Manager designation with the Association of Energy Engineers. Prior to joining Secure Energy Solutions, Attorney Ness practiced Utility and Energy law for a large firm, and later in a self-managed practice. Information for all can be found below:

1. Christopher A. Duby  
President  
515 Shaker Road  
East Longmeadow, MA 01028  
413-733-2571 Ext. 211
2. Kevin R. Mattson  
Chief Executive Officer  
515 Shaker Road  
East Longmeadow, MA 01028  
413-733-2571 Ext. 212
3. Joseph S. Fusco  
Vice President  
515 Shaker Road  
East Longmeadow, MA 01028  
413-733-2571 Ext. 215
4. Erik J. Ness  
Vice President & General Counsel  
515 Shaker Road  
East Longmeadow, MA 01028  
413-733-2571 Ext. 238

# Competitive Retail Electric Service Affidavit

County of HAMPDEN :

State of MASSACHUSETTS :

CHRISTOPHER DUBY, 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.

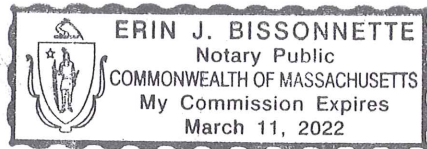
Chris A. De... President  
Signature of Affiant & Title

Sworn and subscribed before me this 16<sup>th</sup> day of DECEMBER, 2020  
Month Year

Erin J. Bissonnette  
Signature of official administering oath

ERIN J. BISSONNETTE  
Print Name and Title

My commission expires on MARCH 11, 2022



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

**Commission of Ohio Docketing Information System on**

**12/17/2020 3:09:12 PM**

**in**

**Case No(s). 14-1594-EL-AGG**

Summary: In the Matter of the Application of Secure Energy Solutions LLC