

DIS Case Number: 13-0327-EL-CRS

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: EDF Energy Services, LLC **Country:** United States
Phone: 281-781-0333 **Extension (if applicable):** **Street:** 601 Travis St., Suite 1700
Website (if any): www.edfenergyna.com **City:** Houston **Province/State:** TX
Postal Code: 77002

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
EDF Energy Services, LLC	Official Name	601 Travis St. Suite 1700 Houston, TX 77002	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
EDF Energy Services, LLC	Official Name	601 Travis St. Suite 1700 Houston, TX 77002	Yes	File

A-5. Contact person for regulatory matters

Jason Cox
601 Travis St, Suite 1700
Houston, TX 77002
US
jason.cox@edfenergyservices.com
2817810357

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

Cherie Fuller
601 Travis Street Suite 1700
Houston, TX 77002
US
cherie.fuller@edfenergyservices.com
2816531778

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

Phone: 877-432-4530	Extension (if applicable):	Country: United States
Fax:	Extension (if applicable):	Street: 601 Travis St., Suite 1700
Email: customercare@edfenergna.com		City: Houston Province/State: TX
		Postal Code: 77002

A-8. Applicant's federal employer identification number

20-5936915

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
 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: 01-12-2013

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
Deborah Merrill	deborah.merril@edenergyna.com	President	601 Travis St. Suite 1700 Houston, TX 77002 US
Terry Nutt	terry.nutt@edenergyna.com	Chief Financial Officer	601 Travis St. Suite 1700 Houston, TX 77002 US
Gerald Nemec	gerald.nemec@edenergyna.com	General Counsel and Secretary	601 Travis St. Suite 1700 Houston, TX 77002 US
Jason Earnheart	jason.earnheart@edenergyna.com	Chief Commercial Officer	601 Travis St. Suite 1700 Houston, TX 77002 US

A-13. Company history

EDF Energy Services, LLC provides retail electric services to industrial and commercial customers in the state of Ohio.



In 2006 TexRep 2, LLC was formed. In 2009 TexRep2, LLC changed its name to Eagle Industrial Power Services (TX), LLC. In 2010 there was another name change to EDF Industrial Power Services (TX), LLC. There also were formed EDF Industrial Power Services (NY), LLC; EDF Industrial Power Services (IL), LLC; and EDF Industrial Power Services (OH), LLC. In 2014, EDF Industrial Power Services (TX), LLC changed names again to EDF Energy Services, LLC. Finally in 2015, the OH and IL entities merged into EDF Energy Services, LLC.

EDF Energy Services, LLC ('EDFES') is consistently ranked as one of the nation's top ten retail electricity, natural gas, and environmental products suppliers focused exclusively on commercial and industrial customers. EDFES is able to offer a complete suite of services that include energy supply, hedging, strategies, and risk management products along with options for response and on-site generation management.

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..

Jurisdiction of Operation: CA, CT, DE, DC, IA, IL, ME, MA, MD, MI, NH, NJ, NV, NY, OH, OR, PA, RI, TX

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: The Applicant currently supplies approximately 40.5 Twh to large industrial and commercial customers in the various states that it is licensed to do business in. The Applicant serve approximately 1,110 customers and 19,500 meters. The Applicant targets specifically large industrial and large commercial customers.



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Activities for contracting with customers is provided by EDF-employed electricity contracting personnel that have extensive experience in the various markets where EDF conducts business. Do to the nature of the customer classes that EDF serves, all contract negotiation is done directly with the customer of the customer's representative.

Activities for billing and invoicing are performed by EDF-employed personnel with extensive experience billing and invoicing in the markets EDF conducts business. In these markets, EDF serves and invoices a broad industrial and commercial customer base. All customers have access to EDF's proprietary online portal which provides customers with direct access to invoices, all market information, and asset specific data.

Customers have access to a 24-hour phone number as well as an email address for all customer service inquiries and complaints.

All contracting , billing, and customer service inquiries are handled in accordance with applicable Ohio Revised Code provisions.

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: There are no pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that would adversely impact the Applicant's financial or operating status or ability to provide the services it is seeking to be certified to provide.

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



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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.

File(s) attached

C-9. Financial arrangements

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).

Preferred to file confidentially

Section D: Applicant Technical Capacity

D-1. Operations



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.

Operations Description: The Applicant sells retail electricity that it procures to large industrial and commercial customers in the state of Ohio. The Applicant's personnel manages scheduling activities in the Ohio market. These employees have extensive knowledge of scheduling retail power in the various ISOs including ERCOT, PJM, MISO, NYISO, and CAISO. The provision of ancillary services is from the PJM Interconnection LLC.

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.

Operations Expertise & Personnel Description: The Applicant currently supplies approximately 40.5 Twh to large industrial and commercial customers in the various states that it is licensed to do business in. The Applicant serve approximately 1,110 customers and 19,500 meters. The Applicant utilizes experienced personnel to manage all aspects of its retail operations in the Ohio market.

Cherie Fuller is a twenty+ year power industry veteran and Vice President Retail Operations for EDF Energy Services. Cherie joined the EDF Commercial and Industrial team in 2011, after spending the prior 14 years in various wholesale and retail energy positions at Dynegy and Fulcrum Energy. In 2015 Cherie's role at EDF was expanded to include responsibility for the entire Retail C&I portfolio including business development, new market entry, forecasting, pricing, regulatory, customer service and reporting. In 2019 Cherie was given the role of Vice



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President, Retail Operations where she is responsible for billing, transaction management, customer service, collections and data and analytics.

Erin Miles is a twenty+ year energy industry professional and the North American Controller for EDF Energy Services. Erin joined the EDF Finance team in 2020, after spending the prior 6 years in various finance roles at Direct Energy. Erin's role is responsible for general accounting, gross margin accounting, financial statement reporting, financial budgeting and analysis, derivatives, and technical accounting. Prior to her time in industry, Erin worked in public accounting in various roles.

Deanna Castille is a twenty+ year energy industry veteran and Director of Operations for EDF Energy Services responsible for billing and transaction management. Deanna joined the EDF Operations in 2017, after spending prior 11 years in various finance, audit and operational roles at Constellation Energy. Prior to her time in industry, Deanna worked in public and private accounting in various roles.

Chris Armitage is the Desk Head , Generation Services East. Chris oversees all energy management activities throughout EDF's Eastern grid operations which includes the commercial management of generation assets in PJM, MISO, NYISO, NEPOOL, and SERC markets. During his career in the energy business, Chris has successfully managed all generation dispatch and trading of wholesale operations and managed all aspects of short to mid-term trading activities and supply management of load obligations. Chris has been with EDF since 2003.

Scheduling and Real-time Operations

The Applicant conducts 24-hour scheduling and real-time desk operations for coordination with control centers to implement scheduling changes, reserve implementation, curtailment orders, and interruption plan implementation. Applicant has extensive experience scheduling operation in every major electricity hub in the country.

D-3. FERC Power Marketer and License Number

Provide a statement disclosing the applicants FERC Power Marketer License Number (Power Marketers Only).

EDF Energy Services, LLC was granted electricity market-based rate authority in FERC Docket No. ER16-325-000. Previous entity EDF Industrial Power Services (OH), LLC that merged into EDF Energy Services, LLC was granted electricity market-based rate authority in FERC Docket No. was ER13-1680-000.



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Application Attachments



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
04/28/2014	201411501468	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	.00		.00	.00

Receipt

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

EDF TRADING NORTH AMERICA, LLC
REBEKAH MONICA
4700 W SAM HOUSTON PARKWAY N. STE 250
HOUSTON, TX 77041

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted

2290239

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

EDF ENERGY SERVICES, LLC

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

Document(s)

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

Document No(s):

201411501468

Effective Date: 04/25/2014



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 28th day of April, A.D.
2014.

Ohio Secretary of State



Form 533B Prescribed by:
Ohio Secretary of State

JON HUSTED
Ohio Secretary of State

Central Ohio: (614) 466-3910
Toll Free: (877) SOS-FILE (767-3453)
www.OhioSecretaryofState.gov
Bussserv@OhioSecretaryofState.gov

Mail this form to one of the following:

Regular Filing (non expedite)
P.O. Box 670
Columbus, OH 43216

Expedite Filing (Two-business day processing
time requires an additional \$100.00).
P.O. Box 1390
Columbus, OH 43216

Registration of a Foreign Limited Liability Company

Filing Fee: \$125

CHECK ONLY ONE (1) BOX

- (1) ☒ Registration of a Foreign For-Profit Limited Liability Company
(106-LFA)
ORC 1705

Jurisdiction of Formation

Date of Formation

- (2) ☐ Registration of a Foreign Nonprofit Limited Liability Company
(106-LFA)
ORC 1705

Jurisdiction of Formation

Date of Formation

Name of Limited Liability Company in its jurisdiction of formation

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its name in its jurisdiction of formation) is:

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "ltd.," or "ltd"

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

Name

Mailing Address

City

State

ZIP Code

The limited liability company hereby appoints the following as its agent upon whom process against the limited liability company may be served in the state of Ohio. The name and complete address of the agent is

Capitol Corporate Services, Inc.

Name

4568 Mayfield Rd., Ste 204

Mailing Address

Cleveland

City

Ohio

State

44121

ZIP Code



If the agent is an individual and using a P.O. Box, check this box to confirm that the agent is an Ohio resident.

The limited liability company irrevocably consents to service of process on the agent listed above as long as the authority of the agent continues, and to service of process upon the Ohio Secretary of State if:

- a. an agent is not appointed, or
- b. an agent is appointed but the authority of that agent has been revoked, or
- c. the agent cannot be found or served after the exercise of reasonable diligence.

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required

Must be signed by an authorized representative.

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.

Signature

By (if applicable)

Eric Dennison, Senior Vice President

Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name



Form 590 Prescribed by:

JON HUSTED
 Ohio Secretary of State

 Central Ohio: (614) 466-3910
 Toll Free: (877) SOS-FILE (767-3453)
www.OhioSecretaryofState.gov
Busserv@OhioSecretaryofState.gov

2014 APR 25 AM 8:30

Consent for Use of Similar Name

(To be filed with new business formation document or amendment to change business name where a name conflict will occur.)

 Name of Entity/Individual Giving Consent EDF Industrial Power Services (OH), LLC

 Charter/Registration/License Number of Entity giving Consent 2176186

 Gives it Consent To EDF Industrial Power Services (TX), LLC

 To Use The Name EDF Energy Services, LLC

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

REQUIRED

Consent form must be signed by an authorized representative of the consenting entity.

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.


 Signature

Senior Vice President

By (if applicable)

W. Eric Dennison

Print Name

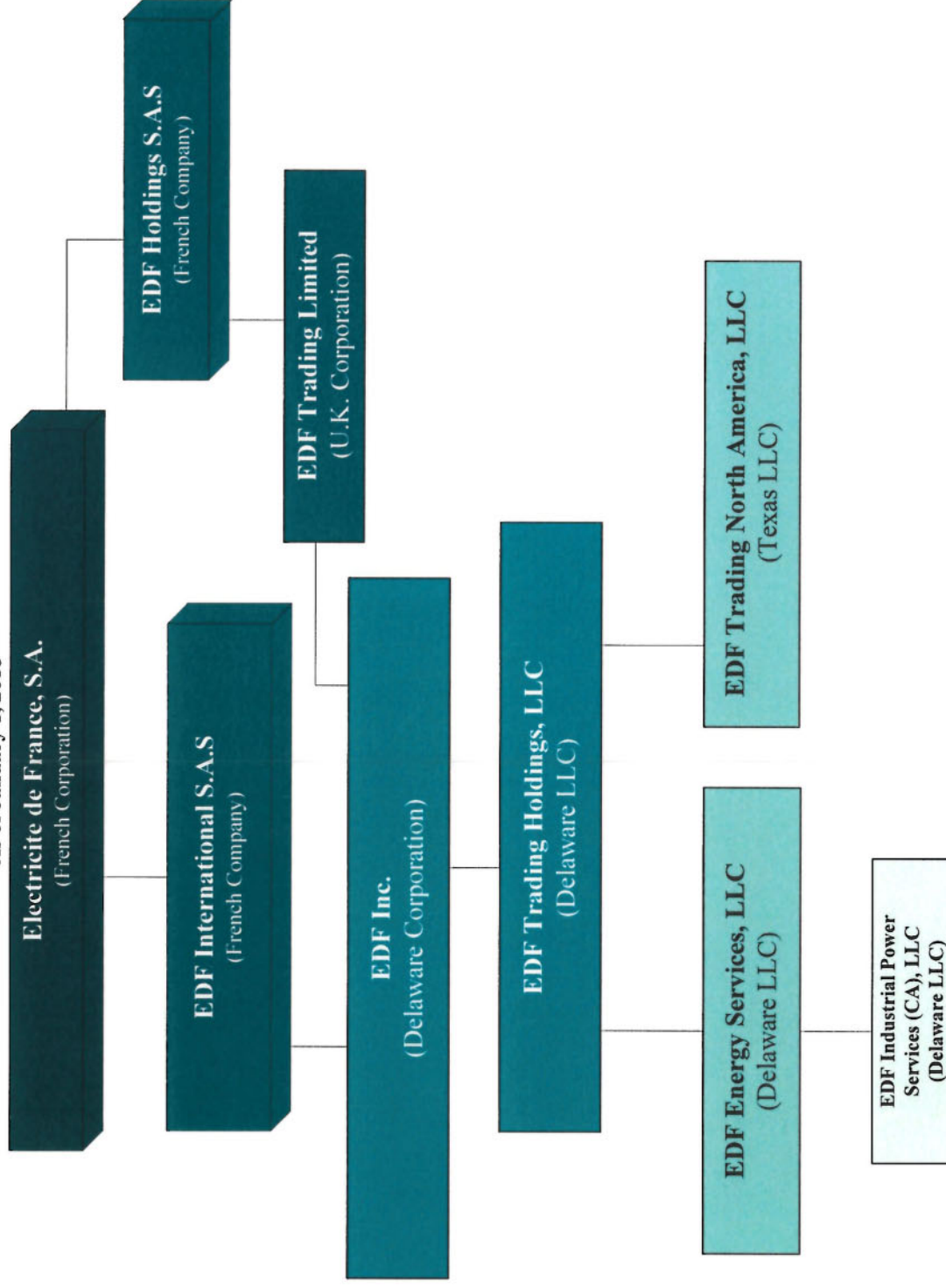
Signature

By (if applicable)

Print Name

EDF Ownership Structure

As of January 1, 2018



Competitive Retail Electric Service Affidavit

County of Harris :


State of Texas :

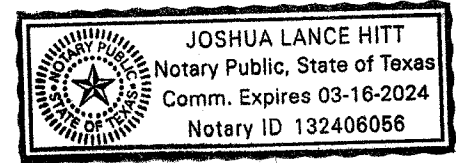
Deborah Merrill, Affiant, being duly sworn/affirmed, hereby states that:

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.

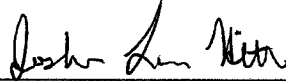
12. The facts set forth above are true and accurate to the best of his/her knowledge, information, and belief and that he/she expects said applicant to be able to prove the same at any hearing hereof.

13. Affiant further sayeth naught.

 President
Signature of Affiant & Title



Sworn and subscribed before me this 4th day of February, 2021
Month Year


Signature of official administering oath

Joshua Lance Hitt, Regulatory Analyst
Print Name and Title

My commission expires on March 16, 2024

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/8/2021 10:04:19 AM

in

Case No(s). 13-0327-EL-CRS

Summary: In the Matter of the Application of EDF Energy Services LLC