



DIS Case Number: 18-1846-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:** Crimson Power Solutions, LLC    **Country:** United States  
**Phone:** 774-413-    **Extension (if applicable):**    **Street:** 110 State Road, Suite 8  
5334    **City:** Sagamore Beach    **Province/State:** MA  
**Website (if any):** www.crimsonpwr.com    **Postal Code:** 02562

### 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
Crimson Power Solutions, LLC	Official Name	110 State Road, Suite 8 Sagamore Beach, MA 02562	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
Crimson Power Solutions, LLC	Official Name	110 State Road, Suite 8 Sagamore Beach, MA 02562	Yes	File

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



## Public Utilities Commission

Peter Schmitt  
110 State Road, Suite 8  
Sagamore Beach, MA 02562  
US  
pschmitt@crimsonpwr.com

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

Peter Schmitt  
110 State Road, Suite 8  
Sagamore Beach, MA 02562  
US  
pschmitt@crimsonpwr.com

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

<b>Phone:</b> 774-413-5334	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b> 857-289-0500	<b>Extension (if applicable):</b>	<b>Street:</b> 110 State Road, Suite 8
<b>Email:</b> pschmitt@crimsonpwr.com	<b>City:</b> Sagamore Beach	<b>Province/State:</b> MA
	<b>Postal Code:</b> 02562	

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

82-5317537

### 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  
Mercantile

**A-11. Start date**

Indicate the approximate start date the applicant began/will begin offering services: 01-01-2019

**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
Peter Schmitt	pschmitt@crimsonpwr.com		110 State Road, Suite 8 Sagamore Beach, MA 02562 US

**A-13. Company history**

Company History:

Crimson Power Solutions (CPS) was founded in 2018, by Dr. Kevin Kelly, as a start-up energy consultant.

Dr. Kelly holds a Master's Degree from Harvard University and a Doctorate from Northeastern University focused in Energy Policy. Along with his academic background, Kevin has twenty-one years of experience in the deregulated energy market.

Principle Business Interests:

Crimson Power will solicit business in the following areas of energy:

- Commodity Procurement & Consulting
- Lighting Efficiency Projects
- Solar Net-Metering & Consulting

**A-14. Secretary of State**

Secretary of State Link: <https://businesssearch.ohiosos.gov?=businessDetails/4262471>

## 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: State			Status	License #
CT	Not Req	N/A		
ME	Approved	2018-00206		
MA	Approved	EB-457		
MI	Not Req	N/A		
NH	Approved	DM 18-060		
NY	Not Req	N/A		
OH	Approved	19-1357E (1)		
PA	Approved	A-2019-3007565		
RI	Not Req	N/A		
TX	Approved	BR190833		

### 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: Crimson Power Solutions' ownership and staff have a number of years of experience consulting with electric consumers in Ohio. Most of those customers are clients with accounts (locations) in multiple states. To provide for these clients, CPS will acquire licenses where required.

As a consultant, CPS will not directly contract or bill clients. However, Peter Schmitt (Vice President) will handle customer inquiries and complaints, and to the best of his abilities, act as an intermediary to ensure contractual obligations from the Energy Supply Companies (ESCOs), that its clients are on service with, are met according to industry and company rules, regulations and standards.

### 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: None – there are no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact CPS' financial or operations 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**

## **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.

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



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- 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: As a consultant, CPS will not directly contract or bill clients. CPS will act as an intermediary between ESCO and consumer. It will negotiated rates, terms, & products.

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





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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: Dr. Kevin Kelly – CEO

Dr. Kelly holds a Master's Degree from Harvard University and a Doctorate from Northeastern University focused in Energy Policy. Along with his academic background, Kevin has twenty-three + years of experience in the deregulated energy market.



Public Utilities  
Commission

# Application Attachments

# Competitive Retail Electric Service Affidavit

County of BARNSTABLE :

State of MASSACHUSETTS

Peter C. Schmitt

, 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]*

Signature of Affiant & Title

Sworn and subscribed before me this 22<sup>nd</sup> day of Feb., 2021  
Month Year

*[Signature]*

Signature of official administering oath



DYLAN W. DERBY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires August 19, 2027

Dylan Derby Banker Notary  
Print Name and Title

My commission expires on August 19, 2027

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

**Commission of Ohio Docketing Information System on**

**2/23/2021 10:34:12 AM**

**in**

**Case No(s). 18-1846-EL-AGG**

Summary: In the Matter of the Application of Crimson Power Solutions, LLC