



DIS Case Number: 19-1146-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: PES Acion Corporation
Phone: 760.585.7000 **Extension (if applicable):**

Country: United States

Street: 3129 Tiger Run Ct Ste 119

Website (if any):

City: Carlsbad

Province/State: CA

Postal Code: 92010

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
PES Action Corp	DBA	3129 Tiger Run Ct Ste 119 Carlsbad, 92010	Yes	Link

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
Premier Energy Strategies	DBA	3129 Tiger Run Ct Ste 119 Carlsbad, CA 92010	Yes	Link
PES Action Corp	DBA	3129 Tiger Run Ct Ste 119 Carlsbad, 92010	Yes	Link



A-5. Contact person for regulatory matters

Jessica Ortiz

,

US

jessica@teampes.com

7605857000

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

Brad Dotson

3129 Tiger Run Ct Suite 119

Carlsbad, CA 92010

US

brad@teampes.com

7605857000

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

Phone: 7605857000

**Extension (if
applicable):**

Country: United States

Fax: 7608207615

Extension (if applicable):

Street: 3129 Tiger Run Ct Ste 119

Email: brad@teampes.com

City: Carlsbad

Province/State: CA

Postal Code: 92010

A-8. Applicant's federal employer identification number

261508045

A-9. Applicant's form of ownership

Form of ownership: Corporation

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

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 09-01-2012

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
Brad Dotson	brad@teampes.com	CEO	3129 Tiger Run Ct Suite 119 Carlsbad, CA 92010 US
Deanna Dotson	deanna@teampes.com	Controller	3129 Tiger Run Ct. Ste 119 Carlsbad, CA 92010 US

A-13. Company history

Premier Energy Strategies (PES) provides comprehensive Energy Price Risk Management for Commercial and Industrial energy consumers. Our independent and unbiased advice serves to maximize savings and eliminate price risk for each client we serve. Having served and protected clients through the advent of electrical deregulation in the early nineties, our experience has resulted in proven strategies that provide maximum benefit. For more information please write us at: info@teampes.com or call 760-585-7000.

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: Premier Energy Strategies is authorized to provide services in the following jurisdictions: Ohio, California, New York, Texas.

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: PES has over 20 years working with customers in the energy industry, from contracting to billing, as well as responding to customer inquiries. Additionally, the staff at PES has over 100 years' experience meeting customers' professional needs.

PES acknowledges Section 4928.10 of the Revised Code. Our current practices, documents and so forth comply with these requirements, and we intend to comply with them in the future.

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: Not Applicable.

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.

File(s) attached

C-6. Bankruptcy information

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

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

No

C-7. Merger information

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

No

C-8. Corporate structure

Provide a graphical depiction of the applicant's corporate structure. Do not provide an internal organizational chart. The graphical depiction should include all parent holding companies, subsidiaries and affiliates as well as a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America. If the applicant is a stand-alone entity, then no graphical depiction is required, and the applicant may respond by stating that it is a stand-alone entity with no affiliate or subsidiary companies.

Stand-alone entity with no affiliate or subsidiary companies

Section D: Applicant Technical Capacity

D-1. Operations

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

Operations Description: Since the early 1990's, PES has been providing comprehensive Energy Price Risk Management for several hundred Commercial and Industrial energy consumers in the following utility states/territories:

- California (Southern California Edison, San Diego Gas and Electric, Pacific Gas and Electric)
- New York (Consolidated Edison)
- Texas (AEP)

Our EP3 strategy provides our clients with a means to reduce electricity price risks when provided with fixed pricing options

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: Brad Dotson; CEO; 3129 Tiger Run Ct. Ste 119, Carlsbad, CA 92010; 760-585-7000

Mr. Dotson has been at the helm of Premier Energy Strategies (PES) for over 15 years and has decades of experience working in the regulated and deregulated electricity markets. PES provides comprehensive Energy Price Risk Management for Commercial and Industrial energy consumers. Our independent and unbiased advice serves to maximize savings and eliminate price risk for each client we serve.



Public Utilities
Commission

Application Attachments

Dashboard

Summary

Update Company Info

Tools

Pes Action Corporation DUNS: 02-941-3250

CS CreditSignal

Need help? [Start here](#)

Summary

Company Info

[Update Company Info](#)

740 Garden View Ct Ste 206
Encinitas, CA 92024
Phone: (760) 585-7000
URL:

DBA's :

Upgrade to CreditBuilder™ Today

Help build your D&B® scores and ratings
and benchmark your company against your
industry and competitors

Speak with a Credit Advisor to learn more
1-800-700-2733

Scores and Ratings

Score / Rating:	Status	Last Date Changed
PAYDEX®	Poor	10/07/2016
Delinquency Predictor Class	Poor	10/07/2016
Financial Stress Class	Poor	10/07/2016
Supplier Evaluation Rating	Fair	10/07/2016
D&B Rating	N/A	10/07/2016
D&B Viability Rating	Fair	

Alerts

There are currently no alerts issued for this
company. If you only recently began
monitoring this company, you will not
receive your first alerts until score changes
or events occur. To configure your alerts
notification settings, please [Click Here](#)

[Configure Alerts](#)

Competitive Retail Electric Service Affidavit

County of San Diego:

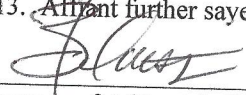
State of California :

Brad Dotson, 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 & CEO
Signature of Affiant & Title

Sworn and subscribed before me this _____ day of _____, _____
Month Year

Please See Attached CA Jurat

Signature of official administering oath

Print Name and Title

My commission expires on _____

CALIFORNIA NOTARIAL CERTIFICATE (JURAT)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

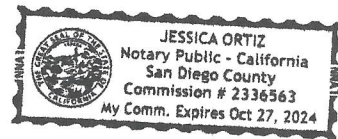
State of California
County of San Diego

Subscribed and sworn to (or affirmed) before me on this 11th day of June, 2021, by Brad Dotson, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature



(Seal)





DATE: 09/25/2012	DOCUMENT ID 201226800758	DESCRIPTION FOREIGN FOR PROFIT CORPORATION - LICENSE (FLF)	FILING 125.00	EXPED .00	PENALTY	CERT .00	COPY .00
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Receipt

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

PES ACTION
740 GARDEN VIEW COURT
#206
ENCINITAS, CA 92024

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted**2138294**

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

PES ACTION

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

Document(s):

FOREIGN FOR PROFIT CORPORATION - LICENSE

Authorization to transact business in Ohio is hereby given, until surrender, expiration or cancellation of this license.

Document No(s):

201226800758

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 24th day of September,
A.D. 2012.

Ohio Secretary of State



Form 530A 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

Foreign For-Profit Corporation Application for License

Filing Fee: \$125
(151-FLF)

2012 SEP 22
PM 1:00

The application is made to procure a ☒ Permanent License ☐ Temporary License (valid for six months)

Attach Certificate of Good Standing from the jurisdiction of formation (see instructions)

Name of Corporation **PES Action**

(Name must match the name on the Certificate of Good Standing)

Assumed name under which the corporation will do business, if its corporate name is not available in Ohio
(Must attach "Resolution of Foreign Corporation to Qualify Under An Assumed Name" Form 591)

Under the Laws of the Jurisdiction of

California

Jurisdiction of Formation

Date of Incorporation in Jurisdiction of Formation

11/28/2007

(Date must match the date provided on
the Certificate of Good Standing)

Date of Incorporation

The location of the principal office (non-Ohio) is:

740 Garden View Court, Suite 206

Mailing Address

Encinitas

City

CA

State

92024

ZIP Code

If there is a principal office within Ohio, the location is

Mailing Address

City

State

ZIP Code

A brief summary of the corporate purpose(s) to be exercised within Ohio

PES specializes in reducing utility bills for clients.

Appointment of Agent

The corporation hereby appoints the following as its statutory agent upon whom process against the corporation may be served in Ohio.

REGISTERED AGENTS INC.

Name

2012 W. 25TH, #501

Mailing Address

CLEVELAND

City

Ohio

State

44113

ZIP Code

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

The entity above 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.

Pursuant to Ohio Revised Code 1703.29 (A), a foreign corporation is required to pay an additional \$250 fee if the application is being made to enable the corporation to prosecute or defend a legal action. Please see Ohio Revised Code or the instructions for more information.

- ☒ No, the corporation is not filing for this purpose and an additional fee is not included.
- ☐ Yes, the application is being filed for this purpose and the additional \$250 fee is included with the filing fee.

If yes then:

Pursuant to Ohio Revised Code 1703.29(B), a foreign corporation that began transacting business in Ohio prior to 2009 without a license may be required to provide a certificate from the tax commissioner which states that the corporation has paid all franchise taxes which it should have paid had it qualified to do business in this state.

Did the corporation begin transacting business in Ohio prior to 2009?

- ☐ Yes, the D4 certificate from the tax commissioner is attached.
- ☒ No, the corporation began transacting business in 2009 or later, therefore, a D4 certificate is not required.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

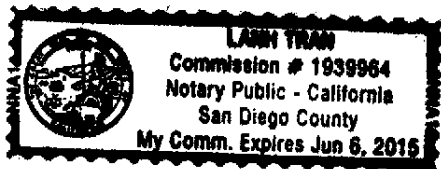
- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of

San Diego

Subscribed and sworn to (or affirmed) before me on this

20 day of September, 2012, by
Date Month Year

(1)

Brad Dotson

Name of Signer

proved to me on the basis of satisfactory evidence
 to be the person who appeared before me (.) ☒

(and

(2)

Name of Signer

proved to me on the basis of satisfactory evidence
 to be the person who appeared before me.)

Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

*Though the information below is not required by law, it may prove
 valuable to persons relying on the document and could prevent
 fraudulent removal and reattachment of this form to another document.*

Further Description of Any Attached Document

Title or Type of Document:

Foreign for-profit Corp. App for
& License

Document Date:

9/20/12

Number of Pages:

4

Signer(s) Other Than Named Above:

None**RIGHT THUMBPRINT
OF SIGNER #1**

Top of thumb here

**RIGHT THUMBPRINT
OF SIGNER #2**

Top of thumb here

State of California
Secretary of State

CERTIFICATE OF STATUS

ENTITY NAME:

PES ACTION

FILE NUMBER: C3069179
FORMATION DATE: 11/28/2007
TYPE: DOMESTIC CORPORATION
JURISDICTION: CALIFORNIA
STATUS: ACTIVE (GOOD STANDING)

I, DEBRA BOWEN, Secretary of State of the State of California,
hereby certify:

The records of this office indicate the entity is authorized to
exercise all of its powers, rights and privileges in the State of
California.

No information is available from this office regarding the financial
condition, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate
and affix the Great Seal of the State of
California this day of September 07, 2012.

Debra Bowen

DEBRA BOWEN
Secretary of State

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/5/2021 1:14:12 PM

in

Case No(s). 19-1146-EL-AGG

Summary: In the Matter of the Application of PES Action Corporation