



DIS Case Number: 19-1286-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:** Reliable Power Alternatives Corp

**Country:** United States

**Phone:** 5162288000    **Extension (if applicable):**

**Street:** 400 Garden City Plaza, Suite 315

**Website (if any):** rpac.net

**City:** GARDEN CITY    **Province/State:** NY

**Postal Code:** 11530-3315

### 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
Reliable Power Alternative Corporation	Official Name	400 Garden City Plaza, Suite 315 Garden City, NY 11530	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
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### A-5. Contact person for regulatory matters



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Sara Mircholi  
400 Garden City Plaza, Suite 450  
Garden City, NY 11530  
US  
statelicense@rpac.net

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

Sara Mircholi  
400 Garden City Plaza, Suite 450  
Garden City, NY 11530  
US  
statelicense@rpac.net

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

<b>Phone:</b> 5162288000	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b> 5162288005	<b>Extension (if applicable):</b>	<b>Street:</b> 400 Garden City Plaza, Suite 315
<b>Email:</b> statelicense@rpac.net		<b>City:</b> Garden City
		<b>Province/State:</b> NY
		<b>Postal Code:</b> 11530

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

113591157

### 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  
Duke Energy Ohio

#### Class of customer selection



Commercial  
Industrial

#### A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 07-08-2021

#### 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
John Martorella	jmartorella@rpac.net		400 GARDEN CITY PLAZA SUITE 450 GARDEN CITY, NY 11530 US
Sara Mircholi	statelicense@rpac.net		400 Garden City Plaza, Suite 450 Garden City, NY 11530 US

#### A-13. Company history

RPAC has been providing energy services including electric, natural gas and renewable services since 2009.

#### 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.

Financial Reports Link(s): Will provide a copy by mail

### 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-



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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



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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: Reliable Power Alternatives Corp primary objected to manage energy procurement and renewable services for large commercial, industrial, non-profit and healthcare users of energy.

**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





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Commission

# Application Attachments

# Competitive Retail Electric Service Affidavit

County of MASSAU :

State of NEW YORK :

JOHN R. MARTORELL, Affiant, being duly sworn/affirmed, hereby states that:


1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
2. The applicant will timely file an annual report of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Sections 4905.10(A), 4911.18(A), and 4928.06(F), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10, 4911.18, and 4928.06(F), Ohio Revised Code.
4. The applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
5. The applicant will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the applicant.
6. The applicant will fully comply with Section 4928.09, Ohio Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The applicant will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The applicant will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the applicant will provide, it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio.
11. The Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating consumer complaints.

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

13. Affiant further sayeth naught.

  
\_\_\_\_\_  
Signature of Affiant & Title

Sworn and subscribed before me this 10th day of August, 2021  
Month Year

  
\_\_\_\_\_  
Signature of official administering oath

MICHAEL A. COHEN  
Notary Public, State Of New York  
Print Name and Title No. 02CO5041107  
Qualified In Nassau County  
Commission Expires March 27, 2023

My commission expires on \_\_\_\_\_



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
07/20/2011	201120000949	FOREIGN LICENSE/FOR-PROFIT (FLF)	125.00	.00	.00	.00	.00

**Receipt**

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

RELIABLE POWER ALTERNATIVES CORP.  
100 GARDEN CITY PLAZA STE 410  
GARDEN CITY, NY 11530

# STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted

2035305

It is hereby certified that the Secretary of State of Ohio has custody of the business records for  
**RELIABLE POWER ALTERNATIVES CORP.**

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

Document(s)

**FOREIGN LICENSE/FOR-PROFIT**

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

Document No(s):

**201120000949**

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 18th day of July, A.D.  
2011.

Ohio Secretary of State



**Reliable Power**  
Alternatives Corporation

## **Principal Officers, Directors, & Partners**

John Martorella

President

400 Garden City, Suite 315

Garden City, NY 11530

Stuart A. Belloff

Executive Vice President

400 Garden City, Suite 315

Garden City, NY 11530

Rick Frazier

VP of Business Development

400 Garden City, Suite 315

Garden City, NY 11530

**Exhibit B-4**

**Disclosure of Liabilities and Investigations**

**NONE**

## **Exhibit B-2**

### **Experience & Plans**

Reliable Power Alternatives Corporation (“RPAC”) is a consulting/advisory group focused on managing energy procurement for large commercial, industrial, big box retailers, municipalities, not-for-profits, healthcare and cultural users of energy.

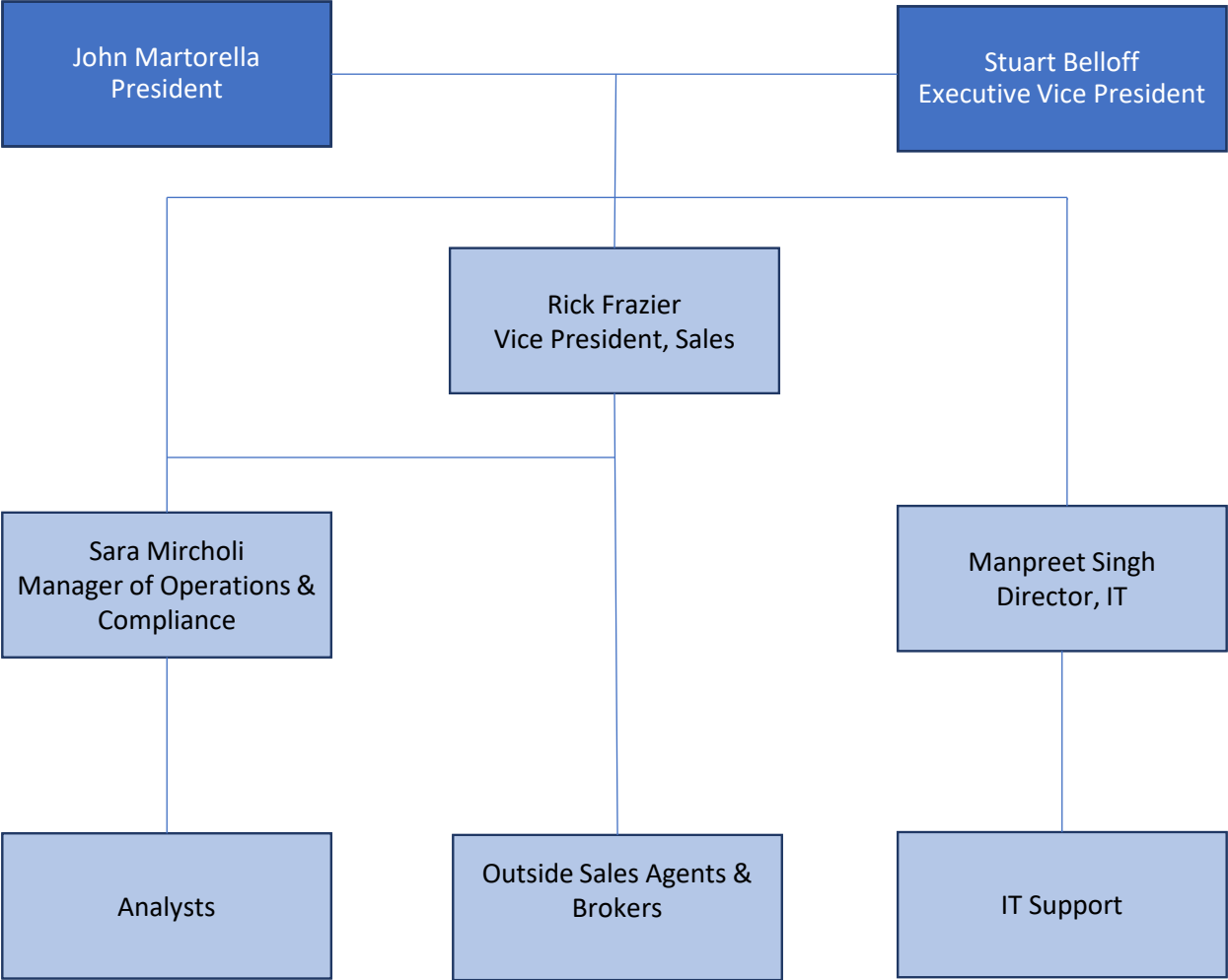
Reliable Power Alternatives Corp.’s primary objective is to capitalize on opportunities in a deregulated electric market. With its key executives having over 40 years combined experience in the power industry, and established relationships with other leading energy professionals and major power marketers, RPAC is poised to provide the flexibility necessary to customize solutions that best serve our client’s individual needs and preferences for energy commodities.

We represent the interests of the buyers of energy in the marketplace. Since we deal with all national energy suppliers, we know and have extensive experience with all products, contracts, etc. that are available in the deregulated markets. We operate in most of the deregulated states. Along with our energy procurement work, we also provide online reporting tools which are available to our customers as well as ongoing consulting services as part of our package. Bottom line, we manage risk, mitigate cost and save our customers a significant amount of money.

Other services we provide include: Demand Response bidding (in NY) on behalf of clients, sub metering and billing for tenants (through online applications), demand side management, sustainability studies leading to Energy Star and LEEDS qualifications, energy audit and management services.

RPAC does not enter into supply contracts directly with customers or provide billing statements. We assist customers in resolving issues with electric suppliers should they arise.

**Reliable Power Alternatives Corporation**  
**Organizational Chart as of 1/1/2021**





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

**Commission of Ohio Docketing Information System on**

**8/10/2021 11:24:15 AM**

**in**

**Case No(s). 19-1286-EL-AGG**

Summary: In the Matter of the Application of Reliable Power Alternatives Corp