Ohio | Public Utilities Commission

DIS Case Number: 09-0922-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: Midwest Utility Consultants Inc
Phone: 5138312800 **Extension (if applicable):**
Website (if any): midwestuc.com

Country: United States
Street: 5123 Romohr Road
City: Cincinnati **Province/State:** OH
Postal Code: 45244

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
Midwest Utility Consultants, Inc.	Official Name	5123 ROMOHR RD CINCINNATI, OH 45244-5033	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

A-5. Contact person for regulatory matters

Patrick Maue
5123 Romohr Rd

Cincinnati, OH 45244
US
pat@midwestuc.com
5138312800

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

Patrick Maue
5123 Romohr Rd
Cincinnati, OH 45244
US
pat@midwestuc.com
5138312800

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

Phone: 513-831-2800	**Extension (if applicable):**	**Country:** United States
Fax:	**Extension (if applicable):**	**Street:** 5123 ROMOHR RD
Email: pat@midwestuc.com		**City:** CINCINNATI **Province/State:** OH
		Postal Code: 45244-5033

A-8. Applicant's federal employer identification number

31-1613651

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 - Ohio Edison

Ohio | Public Utilities Commission

Class of customer selection

Commercial
Industrial
Residential

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 01-01-1994

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
Patrick Maue	pat@midwestuc.com	Pres	5123 Romohr Rd Cincinnati, OH 45244 US

A-13. Company history

For over 27 years, Midwest Utility Consultants has been a professional cost recovery company specializing in solutions to reduce utility costs including electric, natural gas, water and sewer, storm water, solid waste and recycling, telecommunications, fire and alarms, back flow and elevator monitoring. With our shared savings fee structure, we receive no fee compensation if we do not find any savings or refund opportunities. Our fees are paid exclusively from implemented savings and/or refunds after the savings is realized. Our structure is based on a 50/50 shared savings for a period of 36 months with savings after that time going directly to the client.

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: Midwest Utility Consultants is not currently certified in any other jurisdiction.

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: Midwest Utility Consultants has been providing electric and natural gas alternatives to its clients since 1994 & has developed a standard professional Billing & Monitoring agreement that it uses with its clients. All new interactions with prospects occur as a result of recommendations and testimonials from existing clients. Midwest works as the liaison between the client and the electric/natural gas provider. Midwest explains all verbiage with in the provider's agreement & will negotiate pricing on behalf of the client. Any questions, comments or complaints about the service are also facilitated by Midwest Utility Consultants. Clients can reach members of the Midwest team either by telephone or email.

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 existing, pending or past rulings, judgements, contingent liabilities, revocation of authority, regulatory investigations or any other matter that could adversely affect Midwest Utility Consultants financial or operational statue or ability to provide services that 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 orheld 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
- 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.

Ohio | Public Utilities Commission

Operations Description: Patrick Maue has over 27 years experience in the utility consultation field and his staff has facilitated the negotiation of agreements for over 200 of the company's electric clients including industrial, commercial & non-profit. As a professional cost recovery company specializing in solutions to reduce utility costs including electric, natural gas, water & sewer, storm water, telecommunications, solid waste and recycling, fire and alarms, back flow and elevator maintenance. With our shard savings fee structure, if Midwest does not find savings or refunds to implement, we receive no compensation. Midwest's fees are paid exclusively from implement savings and/or refunds after the savings is realized. Our fee structure is based on a 50/50 shared savings plan for 36 months with any ongoing savings going directly to the client. Mr. Maue intends to continue to be very focused on industrial, commercial and non-profit clients by identifying their electric and natural gas requirements and matching those with available resources from providers certified by the Commission. Midwest Utility Consultants intends to continue to provide consulting services to retail end-user clients with the renewing of the Certification.

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: Patrick Maue has over 27 years experience in the utility consultation field and his staff has facilitated the negotiation of agreements for over 200 of the company's electric clients including industrial, commercial & non-profit. As a professional cost recovery company specializing in solutions to reduce utility costs including electric, natural gas, water & sewer, storm water, telecommunications, solid waste and recycling, fire and alarms, back flow and elevator maintenance. With our shard savings fee structure, if Midwest does not find savings or refunds to implement, we receive no compensation. Midwest's fees are paid exclusively from implement savings and/or refunds after the savings is realized. Our fee structure is based on a 50/50 shared savings plan for 36 months with any ongoing savings going directly to the client. Mr. Maue intends to continue to be very focused on industrial, commercial and non-profit clients by identifying their electric and natural gas requirements and matching those with available resources from providers

certified by the Commission. Midwest Utility Consultants intends to continue to provide consulting services to retail end-user clients with the renewing of the Certification.

Ohio | Public Utilities Commission

Application Attachments

ARTICLES OF INCORPORATION

(Under Chapter 1701 of the Ohio Revised Code)
Profit Corporation

The undersigned, desiring to form a corporation, for profit, under Sections 1701.01 et seq. Of the Ohio Revised Code, do hereby state the following:

FIRST. The name of said corporation shall be:

Midwest Utility Consultants, Inc.

SECOND. The place in Ohio where its principal office is to be located is:

90 North Fifth Street ,Batavia , Clermont County, Ohio.

THIRD. The purpose(s) for which this corporation is formed is:

To provide customers with an analysis of their utility costs and recommend ways to reduce that cost

All other legal activities

. . . 4

FOURTH The number of shares which the corporation is authorized to have outstanding is:

850 Shares
Common Stock
No Par Value

IN WITNESS WHEREOF, we have hereunto, subscribed our names, this 19 day of May, 1998

By Patrick Maue, Incorporator
Patrick Maue

By _____, Incorporator

By _____, Incorporator

ORIGINAL APPOINTMENT OF STATUTORY AGENT

The undersigned, being at least a majority of the incorporators of _____ Midwest Utility Consultants, Inc., hereby appoint Patrick Maue _____ to be statutory agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. The complete address of the agent is:

90 North Fifth Street

Batavia , Ohio 45103

Patrick Maue
(Incorporator)

_____
(Incorporator)

_____
(Incorporator)

ACCEPTANCE OF APPOINTMENT

The undersigned, Patrick Maue _____, named herein as the statutory agent for Midwest Utility Consultants, Inc. hereby acknowledges and accepts the appointment of statutory agent for said corporation

Patrick Maue
Statutory Agent

JC ID ---> 199816900650

MIDWEST UTILITY CONSULTANTS
90 North 5th Street
Batavia, OH 45103

CINCINNATI OH 452
PM
MAY
1998

Bob Taft
Secretary of State
30 East Broad Street, 14th Floor
Columbus, OH 43266

JC ID ---> 199816900650

	DATE	DOCUMENT NO	DESCRIPTION		FILING	EXPED	PENALTY	CERT	COPY
1.	7/31/1998	199816900650	ARF DOMESTIC ARTICLES/FOR PROFIT		85.00	0.00	0.00	0.00	0.00
				TOTAL	85.00	0.00	0.00	0.00	0.00

Return To:
MIDWEST UTILITY CONSULTANTS
90 N 5TH ST
BATAVIA, OH 45103-0000

cut along the dotted line

The State of Ohio
Certificate

Secretary of State - Bob Taft

1017108

It is hereby certified that the Secretary of State of Ohio has custody of the business records for MIDWEST UTILITY CONSULTANTS, INC. and that said business records show the filing and recording of:

Document(s)	Document No(s):
DOMESTIC ARTICLES/FOR PROFIT	199816900650

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 27th day of May, A.D. 1998

Bob Taft
Secretary of State

ARTICLES OF INCORPORATION

(Under Chapter 1701 of the Ohio Revised Code)
Profit Corporation

The undersigned, desiring to form a corporation, for profit, under Sections 1701.01 et seq. Of the Ohio Revised Code, do hereby state the following:

FIRST. The name of said corporation shall be:

Midwest Utility Consultants, Inc.

SECOND. The place in Ohio where its principal office is to be located is:

90 North Fifth Street ,Batavia , Clermont County, Ohio.

THIRD. The purpose(s) for which this corporation is formed is:

To provide customers with an analysis of their utility costs and recommend ways to reduce that cost

All other legal activities

FOURTH The number of shares which the corporation is authorized to have outstanding is:

850 Shares
Common Stock
No Par Value

IN WITNESS WHEREOF, we have hereunto, subscribed our names, this 19 day of May, 1998

By Patrick Maue, Incorporator
Patrick Maue

By _____, Incorporator

By _____, Incorporator

ORIGINAL APPOINTMENT OF STATUTORY AGENT

The undersigned, being at least a majority of the incorporators of _____ Midwest Utility Consultants, Inc., hereby appoint Patrick Maue_____ to be statutory agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. The complete address of the agent is:

90 North Fifth Street

Batavia , Ohio 45103

Patrick Maue
(Incorporator)

_____
(Incorporator)

_____
(Incorporator)

ACCEPTANCE OF APPOINTMENT

The undersigned, Patrick Maue_____, named herein as the statutory agent for Midwest Utility Consultants, Inc. hereby acknowledges and accepts the appointment of statutory agent for said corporation

Patrick Maue
Statutory Agent

JC ID ----> 199816900650

MIDWEST UTILITY CONSULTANTS
90 North 5th Street
Batavia, OH 45103

CINCINNATI OH 452
PM
MAY
1998

Bob Taft
Secretary of State
30 East Broad Street, 14th Floor
Columbus, OH 43266

JC ID ----> 199816900650

	DATE	DOCUMENT NO	DESCRIPTION		FILING	EXPED	PENALTY	CERT	COPY
1.	7/31/1998	199816900650	ARF DOMESTIC ARTICLES/FOR PROFIT		85.00	0.00	0.00	0.00	0.00
				TOTAL	85.00	0.00	0.00	0.00	0.00

Return To:
MIDWEST UTILITY CONSULTANTS
90 N 5TH ST
BATAVIA, OH 45103-0000

cut along the dotted line

The State of Ohio
Certificate

Secretary of State - Bob Taft

1017108

It is hereby certified that the Secretary of State of Ohio has custody of the business records for MIDWEST UTILITY CONSULTANTS, INC. and that said business records show the filing and recording of:

Document(s)	Document No(s):
DOMESTIC ARTICLES/FOR PROFIT	199816900650

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 27th day of May, A.D. 1998

Bob Taft
Bob Taft
Secretary of State

Competitive Retail Natural Gas Service Affidavit

County of _Clermont_____ :

State of __Ohio_____ :

Patrick J. Maue, 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 and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.

3. The applicant will timely pay any assessment made pursuant to Sections 4905.10 and 4911.18(A), Ohio Revised Code.

4. 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. 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. Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.

7. Applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.

8. 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.

9. 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.

10. Affiant further saye~~th~~naught.

Patrick J. Maue President

Signature of Affiant & Title

Sworn and subscribed before me this 22 day of October, 2021

Month Year

Ellen J. Cashman

Signature of official administering oath

Ellen J. Cashman

Print Name and Title

Notary Public, State of Ohio

My Commission Expires Mar. 05, 2022

My commission expires on 03/05/2022

Competitive Retail Electric Service Affidavit

County of __Clermont___ :

State of __Ohio_____ :

Patrick J. Maue, 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 saveth naught.

Patrick Kane - President

Signature of Affiant & Title

Sworn and subscribed before me this 22 day of October, 2021

Month Year

Ellen J. Cashman

Signature of official administering oath

Ellen J. Cashman
Notary Public, State of Ohio
My Commission Expires Mar. 05, 2022

My commission expires on 03/05/2022

This foregoing document was electronically filed with the Public Utilities Commission of Ohio Docketing Information System on

11/4/2021 1:10:44 PM

in

Case No(s). 09-0922-EL-AGG

Summary: In the Matter of the Application of Midwest Utility Consultants Inc