



DIS Case Number: 18-0640-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:** Management Services Partners LLC    **Country:** United States  
**Phone:** 2129608057    **Extension (if applicable):**    **Street:** 221 River St, 9th Fl (9182)  
**Website (if any):**    **City:** Hoboken    **Province/State:**  
**Postal Code:** 07030

### 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
PowerSetter	DBA	221 River St, 9th Fl (9182) Hoboken, NJ 07030	No	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
PowerSetter	DBA	221 River St, 9th Fl (9182) Hoboken, NJ 07030	No	File

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



Ed Nakon  
221 River St 9th Fl (9182)  
Hoboken, NJ 07030  
US  
enakon@powersetter.com  
8008336952

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

Ed Nakon  
221 River St 9th Fl (9182)  
Hoboken, NJ 07030  
US  
enakon@powersetter.com  
8008336952

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

<b>Phone:</b> 8008336952	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b>	<b>Extension (if applicable):</b>	<b>Street:</b> 221 River St 9th Fl (9182)
<b>Email:</b> enakon@powersetter.com		<b>City:</b> Hoboken
		<b>Province/State:</b> NJ
		<b>Postal Code:</b> 07030

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

81-3438117

**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**

Duke Energy Ohio

FirstEnergy - Cleveland Electric Illuminating  
 FirstEnergy - Ohio Edison  
 FirstEnergy - Toledo Edison  
 AES Ohio  
 American Electric Power (AEP)

### **Class of customer selection**

Commercial  
 Industrial  
 Residential

### **A-11. Start date**

Indicate the approximate start date the applicant began/will begin offering services: 05-13-2018

### **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
Ed Nakon	enakon@powersetter.com		221 River St 9th Fl (9182) Hoboken, NJ 07030 US
Vladislav Mark Feygin		Member	221 River St, 9th Floor (9182) Hoboken, NJ 07030 US

### **A-13. Company history**

PowerSetter (PS) is in business of brokering electricity and natural gas in deregulated markets in US. The company only engages in digital activities (via web portal) by providing energy rate comparison from multiple brokers on the platform. We only broker fixed term plans of 3 months or more without any monthly fees. Customers select the plans that best fit their energy goals, and enroll directly on PS website. The enrollments are then transmitted electronically to the suppliers governing the plans. PS notifies clients 30 days before their contract expiration so they can re-evaluate their options and not get exposed to higher variable rates. PS brokers both residential and commercial energy plans.



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The company has been in business for over 5 years and currently provides shopping services in NY, CT, NJ, OH, TX, NH, PA, ME, RI, IL.

### **A-14. Secretary of State**

Secretary of State Link: <https://businesssearch.ohiosos.gov?=businessDetails/4157701>

## 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: Management Services Partners currently operates in all deregulated areas within the following states:

New York  
Massachusetts  
New Jersey  
Connecticut  
Illinois  
Pennsylvania  
Maine  
New Hampshire  
Texas  
Georgia  
Michigan  
Ohio

### **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: All current enrollments are digital and take place on Management Services Partners website. Generally, the new enrollment is electronically transmitted to the supplier customer selected as soon as it is received. Then there is a feedback



loop to get the enrollment status back from the supplier, so that we can contact/notify the customer in case of any issues with the signup.

We provide contact email and the toll-free phone number for customer service inquiries. In case of the email requests we generally respond within 24 hours.

We service thousands of customers a month, and over the years designed the IT/Operation processes to make sure customer enrollments are submitted efficiently, and notify customers if there are any issues with their applications.

### **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

### **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-



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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.

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.

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: Management Services Partners, as a stand-alone entity, has been in electricity and natural gas brokering business for over 5 years. We have developed an advanced enrollment platform, where majority of customer enrollments are submitted electronically to the suppliers at the instant they take place on powersetter.com. We have also implemented a supplier feed-back loop, where we gather customer order information (i.e. whether order is new/pending/rejected/active, actual contract start/end dates, etc.) every hour directly from the suppliers' systems, and are able to answer any customer inquiries if they should arise. We also notify customers if their enrollments were rejected, alerting them to fix pending issues. Additionally, we have implemented an email notification mechanism where a customer receives notification 30 days prior to his/her current contract expiration, alerting them to the possible rate change. One of Management Services Partners members, Edward Nakon (Exhibit D-2), who has background in IT, spearheaded advancement of our operational/IT capabilities.

**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: Edward Nakon, EVP  
enakon@powersetter.com  
212-960-8057

Edward Nakon is EVP of business development, IT and customer service for Management Services Partners. Mr. Nakon is responsible for all areas related to growing digital footprint of the company that include developing internet and social media presence. He is also active in educating business and residential clients about benefits of energy deregulation, difference between electricity delivery and supply, renewable power options, and other energy related topics. Mr. Nakon is also in charge of all customer service inquiries at the company, and makes sure that all requests are answered in timely manner. Mr. Nakon was instrumental in putting all IT systems in place allowing Management Services Partners to provide high level of efficiency in handling customer enrollments, collecting enrollment statuses, and providing feedback client



responses. Mr. Nakon prior experiences span areas of IT and investment management where he served as an analyst covering financial markets and risks.



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# Application Attachments

# **Competitive Retail Electric Service Affidavit**

County of Hudson :

State of NJ :

Ed Nakon, 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.

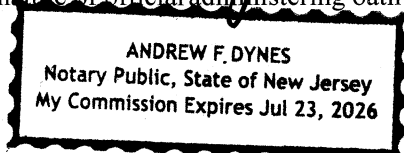
13. Affiant further sayeth naught.

*[Signature]* COO  
Signature of Affiant & Title

Sworn and subscribed before me this 6<sup>th</sup> day of April, 2022  
Month Year

*Andrew Dynes*  
Signature of official administering oath

Andrew F Dynes Store Supervisor  
Print Name and Title



My commission expires on Jul 23, 2026

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

**Case No(s). 18-0640-EL-AGG**

Summary: In the Matter of the Application of Management Services Partners LLC