

DIS Case Number: 19-0467-GA-AGG

Section A: Application Information

A-1. Provider type:

☒ Retail Natural Gas
Broker

☒ Retail Natural Gas
Aggregator

☐ Retail Natural Gas
Marketer

A-2. Applicant's legal name and contact information.

Legal Name: TEK Utilities LLC

Country: United States

Phone: 8886923275 **Extension (if applicable):**

Street: 1880 Mackenzie Drive, Suite 207

Website (if any): www.tekutilities.com

City: Upper Arlington **Province/State:** OH

Postal Code: 43220

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
TEK Utilities LLC	Official Name	1880 Mackenzie Dr Ste 207 Upper Arlington, OH 43220	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
TEK Utilities LLC	Official Name	1880 Mackenzie Dr Ste 207 Upper Arlington, OH 43220	Yes	File

A-5. Contact person for regulatory matters



Anthony King
1880 Mackenzie Drive Ste 207
Upper Arlington, OH 43220
US
aking@tekutilities.com
8886923275

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

Anthony King
1880 Mackenzie Drive Ste 207
Upper Arlington, OH 43220
US
aking@tekutilities.com
8886923275

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

Phone: 6148050788	Extension (if applicable):	Country: United States
Fax: 614-437-2015	Extension (if applicable):	Street: 1880 Macenzie Dr Ste 207
Email: aking@tekutilities.com	City: Upper Arlington	Province/State: OH
	Postal Code: 43220	

A-8. Applicant's federal employer identification number

83-3588542

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

Columbia Gas of Ohio
Dominion Energy Ohio
Duke Energy Ohio
CenterPoint Energy Ohio

Class of customer selection

Industrial
Small Commercial
Large Commercial

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 03-29-2019

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
Anthony King	aking@tekutilities.com	President	1880 Mackenzie Drive Ste 207 Upper Arlington, OH 43220 US

A-13. Company history

TEK Utilities LLC is an Ohio Limited Liability Company established in February 2019. TEK Utilities was started with the intention of focusing on, but not limited to, providing services as a CRES Broker and CRNG Broker throughout the State of Ohio along with ancillary products and services to all customer classes.

A-14. Secretary of State

Secretary of State Link:

A-15. Proof of Ohio Employee and Office



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Provide proof of an Ohio Office and Employee in accordance with Section 4929.22 of the Ohio Revised Code. List the designated Ohio employee's name, Ohio office address, telephone number and web site address

Employee Name: Anthony King
1880 Mackenzie Drive Ste 207
Upper Arlington, OH 43220
US
aking@tekutilities.com
8886923275

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: Applicant is not licensed, registered or otherwise authorized to provide retail or wholesale electric services 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: TEK Utilities LLC will rely on its President, Anthony King's, experience as detailed in Exhibit B-3.

TEK Utilities LLC's focus will always be on providing the highest level of service to our clients while maintaining the most stringent of ethical and business standards. We will only hire and work with those individuals that are deemed to hold themselves up to our high level of standard. We will utilize a network of employees, agents and/or consultants to provide CRES Broker related services to all customer classes in the State of Ohio. We will develop and utilize a comprehensive training program focused on our values and especially the professional standards expected by the State of Ohio and the PUCO. Policies and Procedures will be



developed and regularly updated to maintain our internal standards as well as those of any governing body.

TEK Utilities LLC will contract with clients through various methods, as deemed appropriate by management and clients. We will provide all required notifications and communications methods and our focus will always be on maintaining the highest level of client satisfaction including responding to all client or other inquiries in a timely manner. Billing will be based on each clients' preference either directly or through a 3rd party.

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: TEK Utilities does not have any existing, pending, or past rulings or judgements as described in this section.

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.

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

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

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Operations Description: TEK Utilities LLC's focus will always be on providing the highest level of service to our clients while maintaining the most stringent of ethical and business standards. We will only hire and work with those individuals that are deemed to hold themselves up to our high level of standard. We will utilize a network of employees, agents and/or consultants to provide CRES Broker related services to all customer classes in the State of Ohio. We will develop and utilize a comprehensive training program focused on our values and especially the professional standards expected by the State of Ohio and the PUCO. Policies and Procedures will be developed and regularly updated to maintain our internal standards as well as those of any governing body.

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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: Anthony King, President of TEK Utilities LLC. Mr. King served as Executive Director of an Ohio registered CRES Marketer for over 5 years. Mr. King helped establish this company with its first customers in 2014 through its rapid growth to over 50,000 customers and over 1,000,000 MWh of annual usage in less than 5 years. Mr. King was responsible for management of all facets of the company including regulatory affairs, customer support, sales/marketing, accounting/finance and legal/contracting. Mr. King developed and managed to all company's policies and procedures with a focus on customer support and company had a tremendous track record of customer satisfaction with very limited customer complaints through the PUCO and Better Business Bureau and of those limited complaints, all were resolved satisfactorily.

This CRES Marketer serves residential customers through online enrollment and customer initiated telephonic enrollments as well as being the supplier for over 35 governmental aggregations across the state. They serve small commercial, mercantile and industrial customers acquired through direct B2B marketing efforts, registered CRES Brokers and its aggregation programs as well serving residential customers through its online platform. They



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serve customers all 4 EDUs, AEP Ohio (CSP and OP), FirstEnergy (Ohio Edison, Cleveland Electric Illuminating Co. and Toledo Edison), Dayton Power and Light and Duke Energy Ohio.



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Commission

Application Attachments



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	CERT	COPY
02/07/2019	201903703366	DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG (LCP)	99.00	0.00	0.00	0.00

Receipt

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

HRABCAK & COMPANY, L.P.A.
67 E. WILSON BRIDGE RD., SUITE 100
WORTHINGTON, OH 43085

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Frank LaRose
4290822

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

TEK UTILITIES LLC

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

Document(s)

DOMESTIC FOR PROFIT LLC - ARTICLES OF ORG

Effective Date: 02/06/2019

Document No(s):

201903703366



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
7th day of February, A.D. 2019.

Ohio Secretary of State

Form 533A Prescribed by:

OFFICE OF THE
Ohio Secretary of State



Date Electronically Filed: 2/6/2019
Toll Free: (877) SOS-FILE (877-767-3453) | Central Ohio: (614) 466-3910
www.OhioSecretaryofState.gov | Busserv@OhioSecretaryofState.gov
File online or for more information: www.OHBusinessCentral.com

Articles of Organization for a Domestic Limited Liability Company

Filing Fee: \$99
Form Must Be Typed

CHECK ONLY ONE (1) BOX

- (1) ☒ Articles of Organization for Domestic
For-Profit Limited Liability Company
(115-LCA)

- (2) ☐ Articles of Organization for Domestic
Nonprofit Limited Liability Company
(115-LCA)

Name of Limited Liability Company **TEK UTILITIES LLC**

(Name must include one of the following words or abbreviations:
"limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd".)

Optional: Effective Date (MM/DD/YYYY) **2/6/2019**

(The legal existence of the corporation begins upon the filing of the articles or on a later date specified that is not more than ninety days after filing.)

Optional: This limited liability company shall exist for

Period of Existence

Optional: Purpose

** Note for Nonprofit LLCs

The Secretary of State does not grant tax exempt status. Filing with our office is not sufficient to obtain state or federal tax exemptions. Contact the Ohio Department of Taxation and the Internal Revenue Service to ensure that the nonprofit limited liability company secures the proper state and federal tax exemptions. These agencies may require that a purpose clause be provided. **

Original Appointment of Statutory Agent

The undersigned authorized member(s), manager(s) or representative(s) of

TEK UTILITIES LLC

(Name of Limited Liability Company)

hereby appoint the following 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:

HRABCAK AND COMPANY LPA

(Name of Statutory Agent)

67 E WILSON BRIDGE RD STE 100

(Mailing Address)

WORTHINGTON

(Mailing City)

OH

(Mailing State)

43085

(Mailing ZIP Code)

Acceptance of Appointment

The Undersigned, HRABCAK AND COMPANY LPA, named herein as the
(Name of Statutory Agent)

Statutory agent for TEK UTILITIES LLC
(Name of Limited Liability Company)

hereby acknowledges and accepts the appointment of statutory agent for said limited liability company.

Statutory Agent Signature JAMES B CURTIN TREASURER OF HRABCAK AND COMPANY LPA
(Individual Agent's Signature / Signature on Behalf of Business Serving as Agent)

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required

Articles and original appointment of agent must be signed by a member, manager or other representative.

If the authorized representative is an individual, then they must sign in the "signature" box and print his/her name in the "Print Name" box.

If the authorized representative is a business entity, not an individual, then please print the entity name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print his/her name and title/authority in the "Print Name" box.

JAMES B CURTIN REPRESENTATIVE

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

Competitive Retail Natural Gas Service Affidavit

County of Franklin :

State of Ohio :

Anthony King, 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 sayeth naught.

Anthony King, President
Signature of Affiant & Title

Sworn and subscribed before me this 23rd day of February, 2023
Month Year

Bonita D. Williams
Signature of official administering oath

Print Name and Title

My commission expires on _____



**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on
2/23/2023 11:25:45 AM**

in

Case No(s). 19-0467-GA-AGG

Summary: In the Matter of the Application of TEK Utilities LLC