

**DIS Case Number: 13-1751-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:** TFS Energy Solutions, LLC

**Country:** United States

**Phone:** 2032059650    **Extension (if applicable):**

**Street:** 9 West Broad Street 9th Floor

**Website (if any):** www.traditionenergy.com

**City:** Stamford

**Province/State:** CT

**Postal Code:** 06902

### 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
Tradition Energy	DBA	9 West Broad Street, 9th Floor Stamford, CT 06902	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
Tradition Energy	DBA	9 West Broad Street, 9th Floor Stamford, CT 06902	Yes	File

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



Brian McDermott  
9 W Broad St, 9th Floor  
Stamford, CT 06902  
US  
brian.mcdermott@tradition.com  
2032059650

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

Brian McDermott  
9 W Broad St, 9th Floor  
Stamford, CT 06902  
US  
brian.mcdermott@tradition.com  
2032059650

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

<b>Phone:</b> 2033511594	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b> 203-967-0426	<b>Extension (if applicable):</b>	<b>Street:</b> 9 West Broad Street, 9th Floor
<b>Email:</b> brian.mcdermott@traditionenergy.com	<b>City:</b> Stamford	<b>Province/State:</b> CT
	<b>Postal Code:</b> 06902	

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

20-4436965

**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: 09-06-2013

### **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
Brian McDermott	brian.mcdermott@tradition.com	Managing Director	9 W Broad St, 9th Floor Stamford, CT 06902 US
Alan Kurzer	alan.kurzer@tradition.com	Chief Executive Officer	9 West Broad Street, 9th Floor Stamford, CT 06902 US

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

Applicant was formed on March 3, 2006 for the purpose of carrying on the business of the provision of retail energy brokerage services and all activities reasonably related thereto. Applicant provides energy management solutions (which include supply management and procurement; data management and reporting; sustainability consulting services and market research and intelligence) to its customers. Applicant works with its customers to solicit bids from energy suppliers; assist in the selection of an energy supplier; and manage its continuing energy costs and needs.. Applicant is a Delaware limited liability corporation and is part of the Tradition Group. The Tradition Group is a group of institutional brokers of financial products and commodities with offices in 30 countries.



**A-14. Secretary of State**

Secretary of State Link: <https://businesssearch.ohiosos.gov?=businessDetails/1888661>

**A-15. Proof of Ohio Employee and Office**

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:** Cogency Global Inc.  
3958-D Brown Park Drive  
Hillard, OH 43026  
US  
info@cogencyglobal.com  
8002210102

## 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 currently is authorized to provide brokering services in the following states:

Connecticut  
Delaware  
District of Columbia  
Illinois  
Maine  
Maryland  
Massachusetts  
New Hampshire  
New Jersey  
Ohio  
Pennsylvania  
Rhode Island  
Texas



Tradition Energy is also authorized to provide similar services in the Province of Ontario.

## **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: Experience:

Applicant is one of the world's largest and most experienced full-service energy management consultants serving more than 1300 commercial, industrial and governmental clients ranging from Fortune 500 global companies to medium-sized businesses to local municipalities. Applicant advises its clients on trends affecting the energy markets and assists them in managing their energy price risk exposure and in developing and implementing risk management strategies to control and reduce their electricity and natural gas expenditures. Applicant provides energy management solutions (which include supply management and procurement; data management and reporting; sustainability consulting services and market research and intelligence) to its customers.

Applicant has managed over 116 billion kWh in energy usage and more than \$130 billion in electricity and natural gas spend.

Plans:

Applicant will not take title to electricity in the State of Ohio and intends to follow its existing business model in providing services in Ohio. Applicant plans to contract with its customers to solicit bids from energy suppliers; assist in the selection of an energy supplier and manage its continuing energy costs and needs. Applicant does not intend to provide billing statements to customers. Applicant uses a toll-free number to handle customer inquiries and complaints.

## **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: Applicant's electricity broker license in the Commonwealth of Pennsylvania was cancelled due to the failure to deliver a hard copy of the original Bond (although an electronic form of the Bond was received.) Applicant has since been



## Public Utilities Commission

licensed to provide electricity brokerage services in the Commonwealth of Pennsylvania under a new docket number.

### **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):

[https://tradition.com/media/335615/Rapport\\_annuel\\_2022\\_ANG\\_web.pdf](https://tradition.com/media/335615/Rapport_annuel_2022_ANG_web.pdf)

### **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.

File(s) attached

## 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.

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.

Operations Description: Applicant is a long standing and experienced full-service energy management consultants serving more than 1300 commercial, industrial and governmental clients ranging from Fortune 500 global companies to medium-sized businesses to local municipalities. Applicant is an independent, unbiased and transparent client advocate. It assists its clients in managing their energy price risk exposure and in developing and implementing risk management strategies to control and reduce their electricity and natural gas expenditures and explore sustainability options. Applicant optimizes energy procurement by working with over 140 rigorously vetted energy suppliers globally, to achieve the most competitive rates, terms and supply arrangements available in each market.



Applicant's procurement and supply management services include the following services: supplier vetting and management; customized requests for proposals (RFPs); tariff and tax analysis; contract and credit negotiation; contract management; demand response; utility tax consulting and negotiation; market research and intelligence; strategic risk management; data management and reporting and sustainability consulting services.

**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.

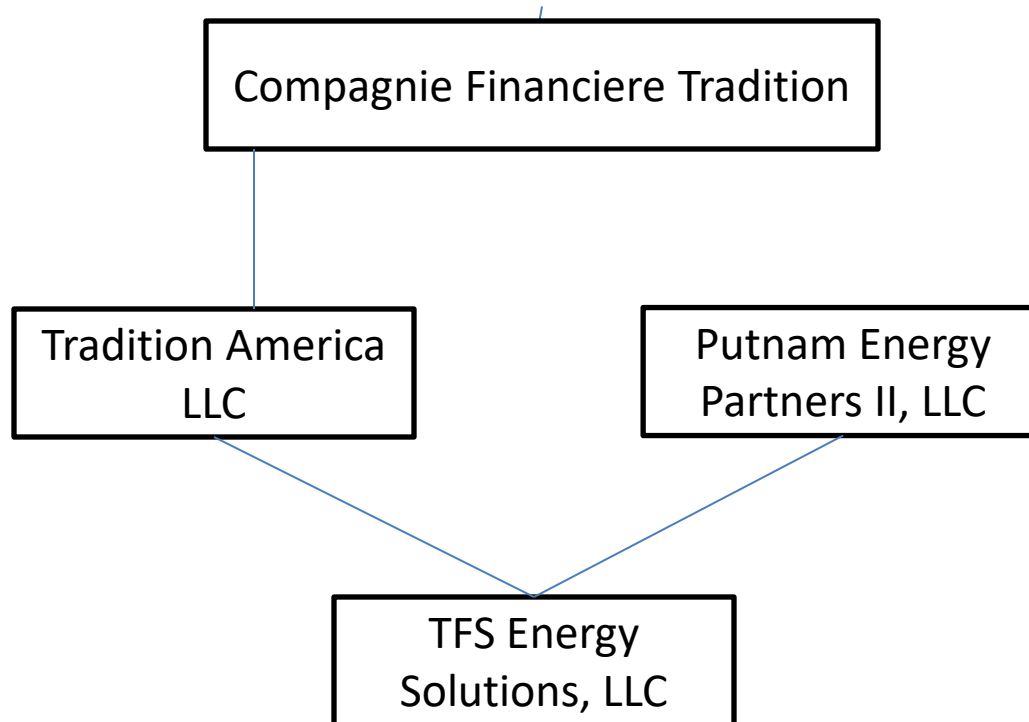
File(s) attached



Public Utilities  
Commission

# Application Attachments

TFS ENERGY SOLUTIONS, LLC  
CORPORATE STRUCTURE



## **Exhibit D-2: Operations Expertise and Key Technical Personnel**

Applicant has been advising clients in energy commodities markets since 1986. Our professional energy consultants are the trusted advisers to more than 1,300 Commercial and Industrial and Governmental clients ranging from Fortune 500 companies to medium-sized businesses to local municipalities. Applicant is supplier neutral and serves as an independent, unbiased advocate for its clients to ensure that suppliers compete fairly for business.

Applicant's key officers and their relevant experience and contact information are listed below:

### **Alan Kurzer, Chief Executive Officer**

9 West Broad Street, 9<sup>th</sup> Floor, Stamford, CT 06902

[Alan.Kurzer@tradition.com](mailto:Alan.Kurzer@tradition.com)

Tel: 203-351-1590

Alan Kurzer is the founder and CEO of TFS Energy Solutions, LLC, d/b/a Tradition Energy and co-founder and President of TFS Energy, LLC, the institutional brokerage affiliate of Tradition Energy. Mr. Kurzer has over 35 years of energy industry experience in the global physical and derivative markets for crude oil, refined products, natural gas and electricity. Prior to merging the SDI Energy Group with Tradition to form TFS Energy, LLC, in 2000, he spent over 12 years running SDI's predecessor, Gerald Energy and was CEO of Gerald Commodities, a futures clearing firm. Mr. Kurzer began his career with Caltex Petroleum (Chevron/Texaco) where he held a variety of supply and trading positions in New York, Singapore and Dallas. Mr. Kurzer holds a B.A. from Binghamton University and an M.B.A. from Cornell University.

### **Brian McDermott, Executive Director, Head of Operations**

9 West Broad Street, 9<sup>th</sup> Floor, Stamford, CT 06902

[Brian.McDermott@traditionenergy.com](mailto:Brian.McDermott@traditionenergy.com)

Tel: 203-205-9650

Brian McDermott is responsible for managing Applicant's Pricing and Sourcing, Client Services, Account Management, Research, and System Development groups and is a member of Applicant's Management Committee. He has over 20 years of experience in the wholesale and retail electricity and natural gas markets and has spent his entire career at Tradition and its predecessors. Mr. McDermott began his career on the floor of the New York Mercantile Exchange (NYMEX) for Gerald Energy and then brokered OTC wholesale natural gas for TFS Energy. Mr. McDermott holds a B.A. from The State University of New York at Albany and is Series 3 licensed.

# Competitive Retail Natural Gas Service Affidavit

County of Fairfield:

State of Connecticut:

Brian McDermott, 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.

Brian S. McDermott, Managing Director  
Signature of Affiant & Title

Sworn and subscribed before me this 10<sup>th</sup> day of July, 2023  
Month Year

Susan Detorres  
Signature of official administering oath

SUSAN DETORRES, NOTARY PUBLIC  
Print Name and Title

My commission expires on 10/31/2023

Susan Detorres  
Notary Public-Connecticut  
My Commission Expires  
October 31, 2023

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

**7/10/2023 9:50:43 AM**

**in**

**Case No(s). 13-1751-GA-AGG**

Summary: In the Matter of the Application of TFS Energy Solutions LLC