



DIS Case Number: 15-1895-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: NRG Kiosk LLC dba Power Kiosk **Country:** United States
Phone: 8554754675 **Extension (if applicable):** **Street:** 351 W Hubbard St., #502
Website (if any): www.powerkiosk.com **City:** Chicago **Province/State:** IL
Postal Code: 60654

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
Power Kiosk	DBA	351 W Hubbard St #502 Chicago, IL 60654	Yes	File
NRG Kiosk LLC	Official Name	351 W Hubbard St #502 Chicago, IL 60654	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
Power Kiosk	DBA	351 W Hubbard St #502 Chicago, IL 60654	Yes	File
NRG Kiosk LLC	Official Name	351 W Hubbard St #502 Chicago, IL 60654	Yes	File



A-5. Contact person for regulatory matters

Hamed Babai
351 W Hubbard St., Suite 502
Chicago, IL 60654
US
licenses@powerkiosk.com
3014125780

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

Hamed Babai
351 W Hubbard St., Suite 502
Chicago, IL 60654
US
licenses@powerkiosk.com
3014125780

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

Phone: 3014125780	Extension (if applicable):	Country: United States
Fax: 8555694327	Extension (if applicable):	Street: 351 W Hubbard St #502
Email: licenses@powerkiosk.com		City: Chicago
		Province/State: IL
		Postal Code: 60654

A-8. Applicant's federal employer identification number

46-3278236

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

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
Mercantile
Residential

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 12-13-2023

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
Hamed Babai	licenses@powerkiosk.com	CEO	351 W Hubbard St., Suite 502 Chicago, IL 60654 US

A-13. Company history

NRG Kiosk LLC is a Technology-Enabled Energy brokerage company founded in August 2013. We have been in the business for a decade and have assisted a large number of commercial and residential customers choose their energy plans and stay informed. We provide the energy customers with access to competitive negotiated rates offered by multiple suppliers. We help the customer identify and enroll into the best energy plans according to their goals which can be cost reduction, risk avoidance or ESG compliance. Our technology allows the customer to have full visibility into contract performance and important market updates and alerts during their contract life time. We strive to provide accurate, intelligent and consistent solutions to energy client that helps them manage their energy accounts.



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: NRG Kiosk is currently doing business in IL, OH, PA, FL, GA, CA, MI, VA, NJ, NH, NY, NJ, MD, DC, DE, MA, RI, ME, NH, TX, BC CANADA, AB CANADA, ON CANADA.

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: Power Kiosk has been in energy brokerage business for over a decade and helped thousands of businesses and households find their ideal energy plans. Hamed babai, the CEO has over 12 years of experience in negotiating contracts with the suppliers and helping customers find their desired plan. We act as a broker and provide customers with a free assessment of their bills and proposal of their available options and savings analysis for each. We provide consultation over the phone to our customers and answer any questions they have regarding opting into a competitive plan. Every customer has a dedicated point of contact (Account manager) who they can call or email if any question arises during the contract term. They can use the same point of contact for any other support requests. Given our position as an energy broker, Power Kiosk will not issue bills top the customer. We have served customers in 32 states in USA, 4 countries. In Ohio we have experience helping clients in all deregulated utility territories including Vectren, Columbia gas, Duke Energy and Dominion.

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



Public Utilities Commission

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: Not applicable

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.

File(s) attached

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.

File(s) attached



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.

File(s) attached

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: Power Kiosk is an online brokerage firm specializing in providing multiple bids/quotes to residential and commercial clients through a proprietary platform that connects customers directly to all suppliers.

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: Hamed Babai, CEO of Power Kiosk has over 12 years of experience in the industry and founded Power Kiosk that currently manages over 16,000 customers and 110 suppliers in 32 states and provinces of the USA and Canada. Hamed



Public Utilities Commission

has a Ph.D. from Northwestern University and is an entrepreneur at heart with a love for the energy industry.

Tom Wolf is an Advisor to Power Kiosk. He is currently EVP of Wholesale Marketing and Sales for Twin Eagle Energy, a wholesale supplier active in the USA and Canada. Tom has over 30 years of experience consulting clients in the deregulated energy market.



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Commission

Application Attachments

Competitive Retail Electric Service Affidavit

County of Cook :

State of Illinois :

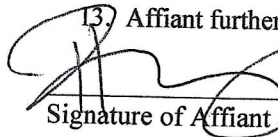
Hilda Rodriguez

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.

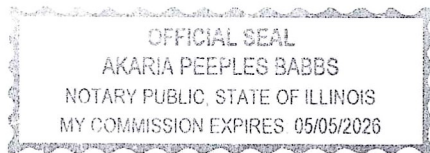
 Associate
Signature of Affiant & Title

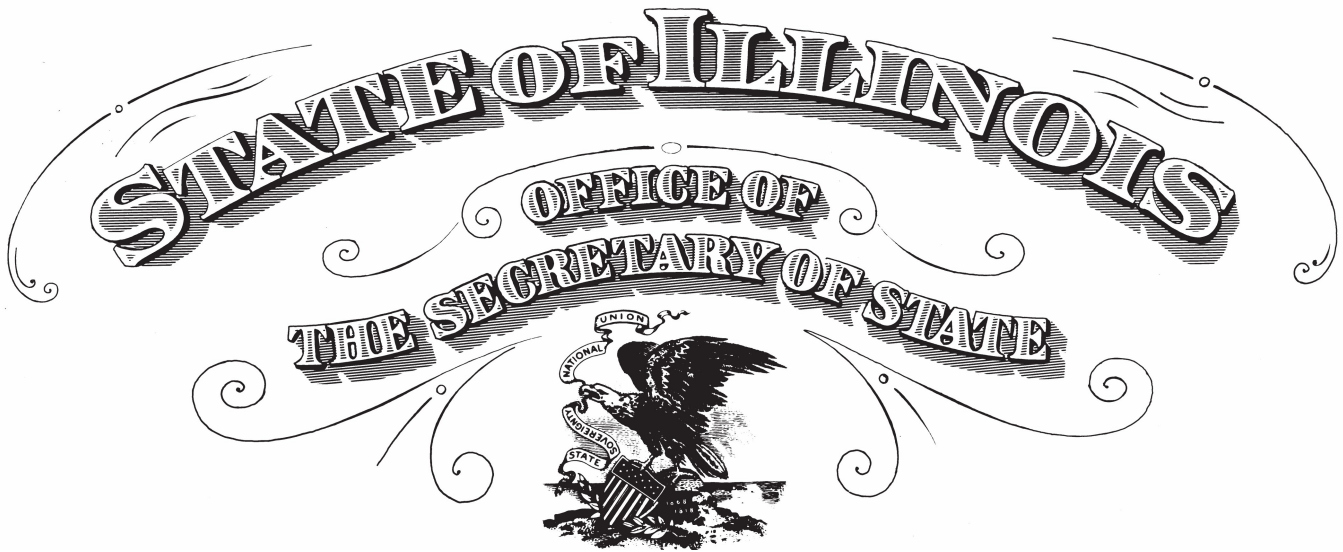
Sworn and subscribed before me this 28th day of November 2023
Month Year


Signature of official administering oath

Akaria Peoples Babbs
Print Name and Title

My commission expires on 05/05/2026

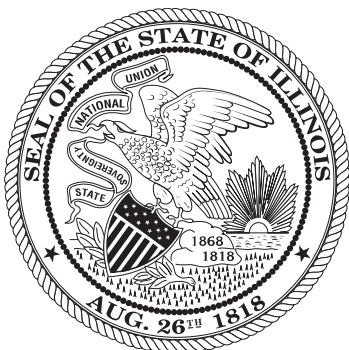




To all to whom these Presents Shall Come, Greeting:

I, Alexi Giannoulas, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that

NRG KIOSK LLC, HAVING ORGANIZED IN THE STATE OF ILLINOIS ON JULY 26, 2013, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.



In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this 28TH day of NOVEMBER A.D. 2023 .

Nrg Kiosk Llc

DUNS: 07-958-2486

Quick View Report

Company Information

351 W. Hubbard St Ste 502
Chicago, IL 60654

This is a **single location** location.

Telephone (301) 412-5780

Chief Executive: DIRECTOR(S): THE OFFICER(S)

Stock Symbol: NA

Year Started 2013

Employees 1

Financial Statement

Sales NA

Net Worth NA

History: NA

Financial Condition: NA

Financing: NA

SIC: 7371

Line of Business: Custom computer programing

Corporate Family:

This business is a single location of the corporate family.

Scores

PAYDEX®

80

ON TERMS



Based on up to 24 months of trade.

D&B PAYDEX® Key



High risk of late payment
(average 30 to 120 days beyond terms)



Medium risk of late payment
(average 30 days or less beyond terms)



Low risk of late payment
(average prompt to 30+ days sooner)

Credit Limit Recommendation

Risk Category
Low

Conservative Credit Limit
\$2.5k
Aggressive Credit Limit
\$10k



Rating
2R3

Number of employees: **2R** indicates **1 to 9** employees
Composite Credit Appraisal: **3** is fair

The credit rating was assigned based on D&B's assessment of the company's financial ratios and its cash flow. For more information, see the D&B Rating Key.

Below is an overview of the company's rating history since 10/16/2014

D&B Rating	Date Applied
2R3	2019-09-23
--	2014-10-16

The Summary Analysis section reflects information in D&B’s file as of August 21, 2023

D&B Viability Rating

3

Viability Score

3

9

5

1

High Risk

Low Risk

Compared to ALL US Businesses within the D&B Database:

- Level of Risk: **Low Risk**
- Businesses ranked 3 have a probability of becoming no longer viable: **3%**
- Percentage of businesses ranked 3: **15%**
- Across all US businesses, the average probability of becoming no longer viable: **14%**

2

Portfolio Comparison

2

9

5

1

High Risk

Low Risk

Compared to ALL US Businesses within the D&B Database:

- Model Segment: **Established Trade Payments**
- Level of Risk: **Low Risk**
- Businesses ranked 2 within this model segment have a probability of becoming no longer viable: **3%**
- Percentage of businesses ranked2 within this model segment: **16%**
- Within this model segment, the average probability of becoming no longer viable: **5%**

B

Data Depth Indicator

G
DescriptiveB
▼A
Predictive

Data Depth Indicator:

Rich Firmographics
 Extensive Commercial Trading Activity
 Basic Financial Attributes

K

Company Profile

Financial
DataNot
AvailableTrade
PaymentsAvailable
(3+Trade)Company
Size

Small

Years in
Business

Established

Compared to ALL US Businesses within the D&B Database:

- Financial Data: **Not Available**
- Trade Payments: **Available: 3+Trade**
- Company Size: **Small: Employees: <10 and Sales: <\$10K or Missing**
- Years in Business: **Established: 5+**

History & Operations

History

The following information was reported: **12/17/2020**

Officer(s):
 HAMED BABAI, MBR

DIRECTOR(S):
 THE OFFICER(S)

The Illinois Secretary of State's business registrations file showed that NRG Kiosk LLC was registered as a Limited Liability Company on July 26, 2013.
 Business started 2013.
 HAMED BABAI. Antecedents not available.
 Business address has changed from 345 E Ohio St Ste 2008, Chicago, IL, 60611 to 351 W. Hubbard St Ste 502 , Chicago, IL, 60654.

Operations

12/17/2020

Description:
 Provides computer programming services, specializing in software development.

Terms are undetermined. Sells to Undetermined.

Employees: 1 which includes officer(s).

Facilities: Occupies premises in a building.

SIC & NAICS

SIC:
Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&B's use of 8-digit SICs enables us to be more specific to a company's operations that if we use the standard 4-digit code. The 4-digit SIC numbers link to the description on the Occupational Safety & Health Administration (OSHA) Web site. Links open in a new browser window.

7371 0301 Computer software development

NAICS:
541511 Custom Computer Programming Services

Payments

PAYDEX® ®

The D&B PAYDEX® is a unique, dollar weighted indicator of payment performance based on up to 7 payment experiences as reported to D&B by trade references.

3 Month PAYDEX®

80 ▲

When weighted by dollar amount,
payments to suppliers average ON TERMS terms.

Based on payments collected over the last 3 months

24 Month PAYDEX®

80 ▲

When weighted by dollar amount,
payments to suppliers average ON TERMS terms.

Based on payments collected over the last 24 months

When dollar amounts are not considered, then
approximately 100 of the company's payments are within
terms.

- High risk of late payment (average 30 to 120 days beyond terms)
- Medium risk of late payment (average 30 days or less beyond terms)
- Low risk of late payment (average prompt to 30+ days sooner)

Payments Summary

Total (Last 24 Months): 7

	Total Received	Total Dollar Amount	Largest High Credit Payment summary	Within Terms	Days Slow			
					31	30-80	81-90	90
Top Industries								
Nonclassified	1	\$15,000.00	\$15,000.00	100%	0	0	0	0
Short-trm busn credit	1	\$7,500.00	\$7,500.00	100%	0	0	0	0
Other Categories								
Cash experiences	5	\$850	\$500	--	--	--	--	--
Unknown	0	\$0	\$0	--	--	--	--	--
Unfavorable comments	0	\$0	\$0	--	--	--	--	--
Placed for collections with D&B:	0	\$0	\$0	--	--	--	--	--
Other	0	N/A	\$0	--	--	--	--	--
Total in D&B's file	7	\$23,350	\$15,000	--	--	--	--	--

The highest Now Owes on file is \$5,000


The highest Past Due on file is \$0

There are 7 payment experience(s) in D&Bs file for the most recent 24 months, with 3 experience(s) reported during the last three month period.

Payments Details

Total (Last 24 Months): 7

Date	Paying Record	High Credit	Now Owes	Past Due	Selling Terms	Last sale w/f (Mo.)
07/2023	Ppt	\$7,500	\$100	\$0	--	1 mo
07/2023	(002)	\$100	--	--	Cash account	1 mo
06/2023	(003)	\$100	--	--	Cash account	1 mo
11/2022	(004)	\$100	--	--	Cash account	1 mo
11/2022	(005)	\$50	--	--	Cash account	1 mo
08/2022	(006)	\$500	--	--	Cash account	6-12 mos
12/2021	Ppt	\$15,000	\$5,000	\$0	--	1 mo

Payments Detail Key:  30 or more days beyond terms

Accounts are sometimes placed for collection even though the existence or amount of the debt is disputed.

Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.

Each experience shown is from a separate supplier. Updated trade experiences replace those previously reported.

Banking and Finance

Statement Update

Key Business Ratios from D&B

We currently do not have enough information to generate the graphs for the selected Key Business Ratio.

• [This Company](#)

Key Financial Comparisons

	(\$)	(\$)	(\$)
This Company's Operating Results Year Over Year			
Net Sales	NA	NA	NA
Gross Profit	NA	NA	NA
Net Profit	NA	NA	NA
Dividends / Withdrawals	NA	NA	NA
Working Capital	NA	NA	NA
This Company's Assets Year Over Year			
Cash	NA	NA	NA
Accounts Receivable	NA	NA	NA
Notes Receivable	NA	NA	NA
Inventories	NA	NA	NA
Other Current	NA	NA	NA
Total Current	NA	NA	NA
Fixed Assets	NA	NA	NA
Other Non Current	NA	NA	NA
Total Assets	NA	NA	NA
This Company's Liabilities Year Over Year			
Accounts Payable	NA	NA	NA
Bank Loan	NA	NA	NA
Notes Payable	NA	NA	NA
Other Current Liabilities	NA	NA	NA
Total Current Liabilities	NA	NA	NA
Other Long Term and Short Term Liabilities	NA	NA	NA
Deferred Credit	NA	NA	NA
Net Worth	NA	NA	NA
Total Liabilities and Net Worth	NA	NA	NA



We currently do not have any recent financial statements on file for your business. Submitting financial statements can help improve your D&B scores. To submit a financial statement, please call customer service at 800-333-0505.

Key Business Ratios

	This Company	Industry Median	Industry Quartile
Solvency			
Quick Ratio	NA	NA	NA
Current Ratio	NA	NA	NA
Current Liabilities to Net Worth	NA	NA	NA
Current Liabilities to Inventory	NA	NA	NA
Total Current	NA	NA	NA
Fixed Assets to Net Worth	NA	NA	NA
Efficiency			
Collection Period	NA	NA	NA
Inventory Turn Over	NA	NA	NA
Sales to NWC	NA	NA	NA
Acct Pay to Sales	NA	NA	NA
Profitability			
Return on Sales	NA	NA	NA
Return on Assets	NA	NA	NA
Return on NetWorth	NA	NA	NA

Public Filings

Summary

The following data includes both open and closed filings found in D&B's database on this company.

Record Type	# of Records	Most Recent Filing Date
Bankruptcy Proceedings	0	-
Judgments	0	-
Liens	0	-
Suits	0	-
UCCs	1	05/12/22

The following Public Filing data is for information purposes only and is not the official record.
Certified copies can only be obtained from the official source.

Judgments

We currently don't have enough data to display this section

Liens

We currently don't have enough data to display this section

Suits

We currently don't have enough data to display this section

UCC Filings

Type: Original
Sec.Party: U.S. SMALL BUSINESS ADMINISTRATION, BIRMINGHAM, AL
Debtor: NRG KIOSK LLC
Filing No.: 028476086
Filed With: SECRETARY OF STATE/UCC DIVISION, SPRINGFIELD, IL
Date Filed: 05/12/22
Latest Info Received: 06/23/22

The public record items contained herein may have been paid, terminated, vacated or released prior to today's date.

Government Activity

Summary

Borrower (Dir/Guar): NO
Administrative Debt: NO
Contractor: NO
Grantee: NO

**Party excluded
from federal program(s):** NO

Possible Candidate:

Labor Surplus Area: N/A
Small Business: YES (2023)
8(A) Firm: N/A

The public record items contained herein may have been paid, terminated, vacated, or released prior to today's date

The public record items contained herein may have been paid, terminated, vacated or released prior to today's date.

Special Events

12/17/2020

NRG KIOSK LLC was reported by the SBA as a recipient of a loan for \$204,740 from Fountainhead SBF LLC on 05/01/2020 under the Paycheck Protection Program as authorized under the CARES Act of 2020.

07/18/2020

On July 6, 2020, the SBA announced that this business was approved for a loan between \$150K - \$350K from Fountainhead SBF LLC through the SBA's Paycheck Protection Program, as part of the CARES Act, in response to the COVID-19 pandemic. The amount of the actual loan may vary from the approved amount.

09/20/2019

Business address has changed from 345 E Ohio St Ste 2008, Chicago, IL, 60611 to 351 W. Hubbard St Ste 502 , Chicago, IL, 60654.

Corporate Linkage

Parent

Company Name	DUNS #	City, State
NRG KIOSK LLC	07-958-2486	CHICAGO, ILLINOIS



NRG Kiosk LLC dba Power Kiosk

October 12, 2023

On April 20th, 2023, Power Kiosk applied for an aggregator license with the state of Connecticut. The CT Public Utilities Regulatory Authority (PURA) rejected the application and provided a Final Decision on August 16th, 2023. Power Kiosk reapplied for the application on October 12th, 2023, with the guidance of our legal team. As of December 13th, the application is in process with PURA, currently pending completion.

Attached are the final decision documents received on the first submission as well as the statement included with the second application.

Hamed Babai
CEO of Power Kiosk

Cover Page
Power Kiosk Statement Letter

NRG Kiosk LLC dba Power Kiosk

351 W Hubbard St, STE 502

Chicago, IL 60654

October 12, 2023

Public Utilities Regulatory Authority

10 Franklin Square

New Britain, CT 06051

Dear PURA Staff,

NRG Kiosk LLC dba Power Kiosk applied for an aggregator license on April 20, 2023, and promptly worked with PURA staff to answer follow-up questions. PURA ultimately rejected the application on August 16, 2023 due to concerns with our business model. We acknowledge that in the last round, we had a bias toward our existing broker model in the various states in which we operate.

Since then, we have taken the time to study Connecticut laws, hired an attorney to help us navigate them, and made crucial changes to our business model to comply with the regulations in the state of Connecticut.

Below are a few key changes:

1- We have adopted an aggregator model for Connecticut in which the customer agrees to pay Power Kiosk a fee in exchange for our work. They acknowledge this fee by signing an engagement letter in their application.

2- While [Powerkiosk.com](https://www.powerkiosk.com) is our site for brokers, it falls short for an aggregator business in Connecticut. We would use only [PowerKioskDirect.com](https://www.powerkioskdirect.com) in Connecticut, and for it to fit, we have added disclosures of fees and elaborated on the flow of the website to emphasize our active engagement with clients. Customers would use the interface to submit an inquiry. Our staff would then take over the conversation and help the client with their request.

3- We have elaborated on our services and point of contact with clients to demonstrate how our customers receive daily value from Power Kiosk regarding their energy accounts.

4- We have compiled a more comprehensive collection of training materials that staff and referral partners must study before marketing the services we offer to clients.

We request that PURA reconsider our application for an aggregator license in light of our changes. We would also be happy to cooperate with any requests to further alter our business model.

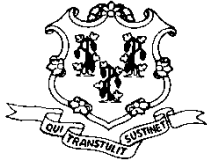
Thank you for your time.

Sincerely,

Hamed Babai

CEO of Power Kiosk

Cover Page
Final Decision Letter from PURA



STATE OF CONNECTICUT

**PUBLIC UTILITIES REGULATORY AUTHORITY
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051**

**DOCKET NO. 23-04-36 APPLICATION OF POWER KIOSK, LLC FOR A
CONNECTICUT ELECTRIC AGGREGATOR CERTIFICATE
OF REGISTRATION**

August 16, 2023

By the following Commissioners:

Marissa P. Gillett
John W. Betkoski, III
Michael A. Caron

DECISION

DECISION

On April 20, 2023, the Public Utilities Regulatory Authority (Authority) received an application from Power Kiosk, LLC (Power Kiosk) requesting that the Authority grant it an Electric Aggregator Certificate of Registration to all classes of customers (Application). The Authority opened Docket No. 23-04-36, Application of Power Kiosk, LLC for an Electric Aggregator Certificate of Registration for the purpose of reviewing the Application. The Authority denies Power Kiosk an Electric Aggregator Certificate of Registration.¹

Power Kiosk operates the website <https://powerkioskdirect.com/>. Interrog. Resp. EOE-8 and EOE-21. Through this website, Power Kiosk posts suppliers' rates and customers may click on a rate posted and directly enroll with the supplier. Interrog. Resp. EOE-21. When a customer uses this website to enroll with a supplier, Power Kiosk is compensated by the supplier pursuant to the agreements between Power Kiosk and the supplier provided in the Responses to Interrogatories EOE-5 and EOE-11. Id.

An aggregator represents the customer. The Authority has stated and clarified this repeatedly since 2011 and it is now axiomatic. See Final Decision, March 16, 2011, Docket No. 10-06-24, DPUC Review of the Current Status of the Competitive Supplier and Aggregator Market in Connecticut and Marketing Practices and Conduct of Participants in that Market; Motion No. 16 Ruling, March 30, 2023, Docket No 14-07-20RE01, PURA Development and Implementation of Marketing Standards and Sales Practices by Electric Suppliers - Revised Standards. Representing a customer is an active, not a passive, engagement. It requires the aggregator to act on behalf of the customer. In the case of <https://powerkioskdirect.com/>, Power Kiosk is not representing the customer when displaying the rates given to it by suppliers. In fact, Power Kiosk does nothing to act on behalf of the customer when a customer visits this website. The customer enters their own information, finds their own rate, and enrolls themselves. As Power Kiosk indicated, it does not even vet the rates to find the best ones, but simply displays all rates that suppliers provide to it. Interrog. Resp. EOE-23. The point of <https://powerkioskdirect.com/> is for the customer to be self-sufficient. Power Kiosk does not assist the customer, but simply charges the customer to use its website to find rates, a service that can be attained for free elsewhere.² Worse, Power Kiosk appears to charge customers for this service without their knowledge, as the Authority could not find anything on Power Kiosk's website explaining to customers that the rates on its website include a commission for Power Kiosk. Whether Power Kiosk is compensated directly by a supplier or through a commission based on the customer's usage, <https://powerkioskdirect.com/> appears to be a thinly-veiled agency between Power Kiosk and suppliers in which Power Kiosk simply displays rates for suppliers and is compensated by suppliers when a customer enrolls with them.

¹ On August 8, 2023, the Authority issued a proposed final Decision. All Participants were given the opportunity to file Written Exceptions to the proposed final Decision. Power Kiosk filed a Written Exception on August 8, 2023.

² Pursuant to the agreements Power Kiosk has with suppliers, Power Kiosk adds its commission to the rates the suppliers provide and suppliers pass on that commission to Power Kiosk based on the customer's usage. Customers may visit any supplier's website and find all available rates and enroll directly from there. Additionally, customers may visit www.energizect.com and find all publicly-available rates.

In addition to Power Kiosk not serving as the agent of a customer engaging with <https://powerkioskdirect.com/>, the model of <https://powerkioskdirect.com/> does not function within the conditions the Authority has placed on other aggregators' certificates. The Authority has required aggregators to provide multiple communications to customers prior to facilitating the enrollment with a supplier and customers must sign and return each of these communications. A "self-sufficient customer" model in which the customer immediately enrolls themselves does not function in such a way that the customer can agree to be "represented" by Power Kiosk in the transaction, see each rate and Power Kiosk's markup included within each rate, and sign and agree to each sequentially.

Power Kiosk also operates the website <https://powerkiosk.com/>. Application, Section A-2. This website is a platform.³ As Power Kiosk explained, it uses "1099 contractors to refer customers to Power Kiosk and its suppliers."⁴ Interrog. Resp. EOE-9. Power Kiosk requires these contractors (agents) to pay it a monthly or annual fee to use <https://powerkiosk.com/> and the agents serve customers as an aggregator under Power Kiosk's aggregator certificate ("Power Kiosk brokers automatically become licensed in all deregulated markets."). See <https://powerkiosk.com/brokers/>; <https://powerkiosk.com/solutions/>; <https://powerkiosk.com/>; see also, Response to Motion No. 6 Objection, p.1 ("a channel partner . . . buys a license from me."). These agents enter into an Agent Terms of Service agreement with Power Kiosk that requires the agent to pay Power Kiosk to receive access to the suppliers' prices on the website/platform and requires the agent to split its commission with Power Kiosk (i.e., Power Kiosk makes money from granting access to the platform and on each sale). Interrog. Resp. EOE-10(c); <https://powerkiosk.com/brokers/>. Currently Power Kiosk has 262 such agents, which it terms channel partners. Interrog. Resp. EOE-10 and EOE-13.

Any platform in which the applicant provides users access to supplier pricing and receives compensation from the users based on their enrollment of customers using the platform creates an agency between the applicant providing the platform and the users. Conn. Gen. Stat. § 16-245o(h) places several restrictions and responsibilities on an aggregator, and the aggregator's agent, when interacting with a customer. The Authority questions if any platform can function in a manner that meets the requirements of Conn. Gen. Stat. § 16-245o(h), but it is clear that Power Kiosk's does not. Power Kiosk licenses

³ The banner at the top of the website states, "Retail Energy's most intelligent cloud-based platform. The most trusted Energy Broker and Consultant Software in North America."

⁴ Power Kiosk uses the terms "1099 contractors," "channel partners," and "brokers." Power Kiosk stated that it "does not employ agents," but in the same interrogatory response provided a document it enters into with its 1099 contractors entitled "Agent Terms of Service." Interrog. Resp. EOE-9. Since Power Kiosk terms the entities with whom it enters the contracts as "agents" in both the title and throughout the document, the Authority rejects Power Kiosk's argument that it does not have agents. Any entity compensated by an aggregator to facilitate the enrollment of customers for the financial benefit of the aggregator is the aggregator's agent. As the Authority stated in its Ruling on Motion No. 16 in Docket No. 14-07-20RE01, there are only three entities that may engage with customers in the supplier market: suppliers, aggregators, and agents of either. Power Kiosk's continued attempts to create a fourth entity are unpersuasive. Moreover, Power Kiosk states on its website, "Power Kiosk brokers automatically become licensed in all deregulated markets." If entities contracting with Power Kiosk become licensed by virtue of that contract, then even Power Kiosk's website acknowledges it is creating an agency with its "brokers."

262 agents⁵ to interact with customers on its behalf and it does not sufficiently train or monitor those agents to ensure the interactions meet the statutory requirements.

The Authority finds that Power Kiosk's training of its agents is woefully insufficient, to the point of being effectively non-existent. In its response to Interrogatory EOE-20, Power Kiosk provided the training material it gives its agents. This material contains nothing regarding marketing restrictions and obligations, but instead contains only a primer on "Load Factor/Seasonal Gas Prices." Power Kiosk's responses make it clear that it currently has 262 agents for whom it has provided no information regarding the statutory constraints of Conn. Gen. Stat. § 16-245o and who have no information regarding what they must say and what they cannot say to Connecticut customers.

Having not trained its agents, Power Kiosk's description of its monitoring of its agents causes additional concerns. Power Kiosk indicated it does not record any transaction between its agents and customers and, despite requests for detailed responses, its responses to interrogatories regarding monitoring were vague. See Interrog. Resp. EOE-22, EOE-13, EOE-18, and EOE-20. For example, Power Kiosk stated that the first time an agent makes a sale, the agent has to provide identification ("Each referrer must provide 1 primary form of ID or 2 secondary forms of ID upon their first customer referral signing a requested contract with a supplier."); however, this requirement does nothing to ensure the marketing conducted to the end use customer was correct. Power Kiosk stated that each customer undergoes a compliance review, but gave scant details regarding the content of this review and specifically stated its purpose was to determine the customer's legitimacy,⁶ not the accuracy of what the agent conveyed to the customer or if the customer fully understood it. Interrog. Resp. EOE-18. Without recordings of the interactions between the customer and the agent, it is difficult to imagine how effective such a review could be when conducted for 262 agents. Interrog. Resp. EOE-22.

In its response to the Office of Education, Outreach, and Enforcement's Objection to Motion No. 6 in this docket, Power Kiosk argues vehemently that its customers are the agents with whom it contracts. Response to Motion No. 6 Objection, p. 1 ("The list that you want to publicize is a list of my customers. We have spent long hours and a significant amount to sell a license to these customers (Channel partners) . . . I spent6 [sic] months and \$3000 on average to find and curate a channel partner who *buys a license from me.*") (emphasis added); p. 2 ("What term we use is not essential here. I run my business, and I am disclosing that the list you are asking me to publish is my paying customers. I spent hours, money, and effort to acquire these paying customers. Why should anyone decide who is my customer or who isn't?"). Power Kiosk demonstrates a lack of managerial capabilities in understanding who its customers are and the difference between a customer and an agent. Its customers are the end users whom it is supposed to represent in facilitating a contract with suppliers. Although Power Kiosk's channel partners pay it,

⁵ Two hundred sixty-two is the number of agents indicated by Power Kiosk, but it is possible there are more. For example, if any agent of Power Kiosk subcontracts to its own agents, then Power Kiosk remains responsible for their actions as well. See Final Decision, July 17, 2019, Docket No. 10-06-18RE02, Application of Spark Energy, L.P. for an Electric Supplier License - Investigation Into Marketing.

⁶ As explained below, Power Kiosk's definition of a customer includes its agents; therefore, it is not clear that Power Kiosk's review determines anything regarding the end use customer.

that payment does not negate the fact that they are its agents. As Power Kiosk noted, these channel partners are purchasing the right to operate under Power Kiosk's aggregator certificate. They are selling on behalf of Power Kiosk to the *true* customers, and Power Kiosk does little to ensure such sales meet Connecticut's legal standards.⁷ Power Kiosk's primary concern should be not for its agents, but for the entities whom it is supposed to serve as an agent.

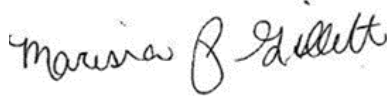
The Authority finds that Power Kiosk does not operate in a manner that will properly serve or protect Connecticut customers and that Power Kiosk has not demonstrated it has the managerial capability to serve as an aggregator. As a result, the Authority denies Power Kiosk an Electric Aggregator Certificate of Registration.⁸

⁷ Under Power Kiosk's logic, it must train and monitor one entity it sees as a customer (its channel partners who are paying it to be its agents) to sell to its actual customer (the end user customer enrolling with a supplier). It is unsurprising that working under such a model Power Kiosk cannot demonstrate sufficient managerial capabilities.

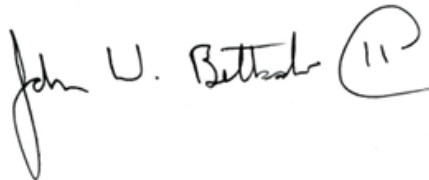
⁸ Nothing in this decision prevents Power Kiosk from functioning as an agent for suppliers. Any supplier that uses Power Kiosk as its agent must list Power Kiosk on its Form 6.

**DOCKET NO. 23-04-36 APPLICATION OF POWER KIOSK, LLC FOR A
CONNECTICUT ELECTRIC AGGREGATOR CERTIFICATE
OF REGISTRATION**

This Decision is adopted by the following Commissioners:



Marissa P. Gillett



John W. Betkoski, III



Michael A. Caron

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Public Utilities Regulatory Authority, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.



Jeffrey R. Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority

August 16, 2023

Date

Power Kiosk

Profit and Loss

January 1, 2022 - December 13, 2023

	TOTAL
Income	
Commissions From Suppliers	9,579,290.38
Product Reveue	41,000.00
SaaS Revenue	625,590.85
Total Income	\$10,245,881.23
Cost of Goods Sold	\$4,747,909.61
GROSS PROFIT	\$5,497,971.62
Expenses	
Advertising	137,225.18
Fraud Expenses	0.00
I Federal Income Tax (C Corp)	137,000.00
I State Income Tax	39,000.00
Interest Expense	53,174.00
IT Hosted Services	460,151.57
Office Expenses	341,059.75
Other General and Admin Expenses	226,416.34
Payroll Expenses	4,443,362.94
Travel	97,188.07
Total Expenses	\$5,934,577.85
NET OPERATING INCOME	\$ -436,606.23
Other Income	\$10,230.40
Other Expenses	\$691.04
NET OTHER INCOME	\$9,539.36
NET INCOME	\$ -427,066.87

Column1	08/31/2023	09/30/2023	10/31/2023	11/30/2023	12/31/2023	01/31/2024
revenue projections form Existing Contracts	\$27,374.37	\$40,270.49	\$28,081.69	\$31,775.96	\$34,204.89	\$12,391.54
revenue projections form Future Sales	\$8,000.00	\$13,221.49	\$14,500.98	\$16,730.91	\$18,225.22	\$21,570.15
Monthly Revenue	\$35,374.37	\$53,491.98	\$42,582.67	\$48,506.86	\$52,430.11	\$33,961.69
Monthly Expense	\$32,544.42	\$49,212.62	\$39,176.06	\$44,626.31	\$48,235.70	\$31,244.75
Net Revenue	\$2,829.95	\$4,279.36	\$3,406.61	\$3,880.55	\$4,194.41	\$2,716.94

For only Ohio projections the following assumptions are made.

1. Ohio share of our future business remains the same as its average value over the last 12 months.
2. New Sales grows at a rate of 6% each quarter.
3. Profit ratio (Cost / Revenue) of future remains the same as the average over the last year.

Hamed Babai, CEO

351 W Hubbard St., Suite 502
Chicago, IL 60654

licenses@powerkiosk.com ; hbabai@powerkiosk.com

312-273-5174

02/29/2024	03/31/2024	04/30/2024	05/31/2024	06/30/2024	07/31/2024	08/31/2024	09/30/2024	10/31/2024
\$12,525.57	\$14,976.36	\$15,473.18	\$16,132.21	\$14,490.79	\$21,210.52	\$10,908.19	\$8,289.93	\$9,974.58
\$23,209.08	\$24,848.00	\$28,385.74	\$29,068.99	\$29,752.23	\$32,223.14	\$34,979.41	\$35,744.32	\$38,452.57
\$35,734.64	\$39,824.36	\$43,858.92	\$45,201.19	\$44,243.02	\$53,433.66	\$45,887.60	\$44,034.25	\$48,427.15
\$32,875.87	\$36,638.41	\$40,350.21	\$41,585.10	\$40,703.58	\$49,158.97	\$42,216.59	\$40,511.51	\$44,552.98
\$2,858.77	\$3,185.95	\$3,508.71	\$3,616.10	\$3,539.44	\$4,274.69	\$3,671.01	\$3,522.74	\$3,874.17

11/30/2024	12/31/2024	01/31/2025	02/28/2025	03/31/2025	04/30/2025	05/31/2025	06/30/2025	07/31/2025
\$8,796.11	\$9,886.45	\$8,674.60	\$7,618.17	\$9,262.74	\$7,247.14	\$6,339.82	\$5,492.79	\$8,560.82
\$38,526.50	\$39,336.03	\$42,153.13	\$43,007.29	\$43,861.45	\$46,723.17	\$47,621.95	\$50,226.73	\$24,984.10
\$47,322.60	\$49,222.48	\$50,827.73	\$50,625.46	\$53,124.19	\$53,970.31	\$53,961.76	\$55,719.52	\$33,544.92
\$43,536.79	\$45,284.68	\$46,761.51	\$46,575.42	\$48,874.26	\$49,652.69	\$49,644.82	\$51,261.95	\$30,861.32
\$3,785.81	\$3,937.80	\$4,066.22	\$4,050.04	\$4,249.94	\$4,317.62	\$4,316.94	\$4,457.56	\$2,683.59

08/31/2025
\$5,624.99
\$52,818.20
\$58,443.19
\$53,767.73
\$4,675.46

Power Kiosk

Balance Sheet

As of December 31, 2022

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	\$1,272,474.88
Other Current Assets	
Payroll Refunds	243.00
Repayment	-1,346.16
Total Other Current Assets	\$ -1,103.16
Total Current Assets	\$1,271,371.72
TOTAL ASSETS	\$1,271,371.72
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	\$189,501.33
Other Current Liabilities	
DE Dropped Account	20,874.43
Direct Deposit Payable	-2,239.58
Payroll Liabilities	-3,467.66
Total Other Current Liabilities	\$15,167.19
Total Current Liabilities	\$204,668.52
Long-Term Liabilities	\$1,202,655.00
Total Liabilities	\$1,407,323.52
Equity	\$ -135,951.80
TOTAL LIABILITIES AND EQUITY	\$1,271,371.72

Power Kiosk

Balance Sheet

As of December 13, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	\$868,922.61
Other Current Assets	
Payroll Refunds	243.00
Repayment	
Repay	-1,346.16
Total Repayment	-1,346.16
Total Other Current Assets	\$ -1,103.16
Total Current Assets	\$867,819.45
TOTAL ASSETS	\$867,819.45
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
Capital One CC	674.59
Chase Business Credit Card 1	0.00
Citi bank	114.46
Credit Card 6856	35,929.09
Total Credit Cards	\$36,718.14
Other Current Liabilities	
DE Dropped Account	20,874.43
Direct Deposit Payable	-2,239.58
Payroll Liabilities	-1,659.85
Total Other Current Liabilities	\$16,975.00
Total Current Liabilities	\$53,693.14
Long-Term Liabilities	\$1,202,655.00
Total Liabilities	\$1,256,348.14
Equity	\$ -388,528.69
TOTAL LIABILITIES AND EQUITY	\$867,819.45

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on
12/15/2023 5:00:44 PM**

in

Case No(s). 15-1895-EL-AGG

Summary: In the Matter of the Application of NRG Kiosk LLC dba Power Kiosk