



PUCO USE ONLY – Version 1.07		
Date Received	Renewal Certification Number	ORIGINAL CRS Case Number
		- - GA-CRS

## RENEWAL CERTIFICATION APPLICATION COMPETITIVE RETAIL NATURAL GAS SUPPLIERS

Please **type or print** all required information. Identify all attachments with an exhibit label and title (*Example: Exhibit A-16 - Company History*). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division, 13<sup>th</sup> Floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

**This PDF form is designed so that you may directly input information onto the form. You may also download the form by saving it to your local disk.**

### SECTION A - APPLICANT INFORMATION AND SERVICES

**A-1 Applicant intends to renew its certificate as: (check all that apply)**

- Retail Natural Gas Aggregator     Retail Natural Gas Broker     Retail Natural Gas Marketer

**A-2 Applicant information:**

Legal Name

Address

Telephone No.  Web site Address

Current PUCO Certificate No.  Effective Dates

**A-3 Applicant information under which applicant will do business in Ohio:**

Name

Address

Web site Address  Telephone No.

**A-4 List all names under which the applicant does business in North America:**


**A-5 Contact person for regulatory or emergency matters:**

Name  Title

Business Address

Telephone No.  Fax No.  Email Address

**A-6 Contact person for Commission Staff use in investigating customer complaints:**

Name [redacted] Title [redacted]  
Business address [redacted]  
Telephone No. [redacted] Fax No. [redacted] Email Address [redacted]

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

Customer service address [redacted]  
Toll-Free Telephone No. [redacted] Fax No. [redacted] Email Address [redacted]

**A-8 Provide "Proof of an Ohio Office and Employee," in accordance with Section 4929.22 of the Ohio Revised Code, by listing name, Ohio office address, telephone number, and Web site address of the designated Ohio Employee**

Name [redacted] Title [redacted]  
Business address [redacted]  
Telephone No. [redacted] Fax No. [redacted] Email Address [redacted]

**A-9 Applicant's federal employer identification number** [redacted]

**A-10 Applicant's form of ownership: (Check one)**

- |  |  |
|--|--|
| <input type="checkbox"/> Sole Proprietorship                 | <input type="checkbox"/> Partnership                     |
| <input type="checkbox"/> Limited Liability Partnership (LLP) | <input type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Corporation                         | <input type="checkbox"/> Other [redacted]                |

**A-11 (Check all that apply) Identify each natural gas company service area in which the applicant is currently providing service or intends to provide service, including identification of each customer class that the applicant is currently serving or intends to serve, for example: residential, small commercial, and/or large commercial/industrial (mercantile) customers.** (A mercantile customer, as defined in Section 4929.01(L)(1) of the Ohio Revised Code, means a customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within the state or consumes natural gas, other than for residential use, as part of an undertaking having more than three locations within or outside of this state. In accordance with Section 4929.01(L)(2) of the Ohio Revised Code, "Mercantile customer" excludes a not-for-profit customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within this state or consumes natural gas, other than for residential use, as part of an undertaking having more than three locations within or outside this state that has filed the necessary declaration with the Public Utilities Commission.)

<input type="checkbox"/>	Columbia Gas of Ohio	<input type="checkbox"/>	Residential	<input type="checkbox"/>	Small Commercial	<input type="checkbox"/>	Large Commercial / Industrial
<input type="checkbox"/>	Dominion East Ohio		Residential	<input type="checkbox"/>	Small Commercial	<input type="checkbox"/>	Large Commercial / Industrial
<input type="checkbox"/>	Duke Energy Ohio		Residential	<input type="checkbox"/>	Small Commercial		Large Commercial / Industrial
<input type="checkbox"/>	Vectren Energy Delivery of Ohio	<input type="checkbox"/>	Residential	<input type="checkbox"/>	Small Commercial	<input type="checkbox"/>	Large Commercial / Industrial

**A-12 If applicant or an affiliated interest previously participated in any of Ohio’s Natural Gas Choice Programs, for each service area and customer class, provide approximate start date(s) and/or end date(s) that the applicant began delivering and/or ended services.**

**Columbia Gas of Ohio**

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

**Dominion East Ohio**

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

**Duke Energy Ohio**

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

**Vectren Energy Delivery of Ohio**

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

**A-13 If not currently participating in any of Ohio’s four Natural Gas Choice Programs, provide the approximate start date that the applicant proposes to begin delivering services:**

<input type="checkbox"/>	<b>Columbia Gas of Ohio</b>	<b>Intended Start Date</b>	
<input type="checkbox"/>	<b>Dominion East Ohio</b>	<b>Intended Start Date</b>	
<input type="checkbox"/>	<b>Duke Energy Ohio</b>	<b>Intended Start Date</b>	
<input type="checkbox"/>	<b>Vectren Energy Delivery of Ohio</b>	<b>Intended Start Date</b>	

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.**

- A-14 Exhibit A-14 "Principal Officers, Directors & Partners,"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
- A-15 Exhibit A-15 "Corporate Structure,"** provide a description of the applicant's corporate structure, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale natural gas or electricity to customers in North America.
- A-16 Exhibit A-16 "Company History,"** provide a concise description of the applicant's company history and principal business interests.
- A-17 Exhibit A-17 "Articles of Incorporation and Bylaws,"** provide the articles of incorporation filed with the state or jurisdiction in which the applicant is incorporated and any amendments thereto, *only if the contents of the originally filed documents changed since the initial application.*
- A-18 Exhibit A-18 "Secretary of State,"** provide evidence that the applicant is still currently registered with the Ohio Secretary of the State.

**SECTION B - APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED**

- B-1 Exhibit B-1 "Jurisdictions of Operation,"** provide a current list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail natural gas service, or retail/wholesale electric services.
- B-2 Exhibit B-2 "Experience & Plans,"** provide a current description of the applicant's experience and 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 Section 4929.22 of the Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.
- B-3 Exhibit B-3 "Summary of Experience,"** provide a concise and current summary of the applicant's experience in providing the service(s) for which it is seeking renewed certification (e.g., number and types of customers served, utility service areas, volume of gas supplied, etc.).
- B-4 Exhibit B-4 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational

status or ability to provide the services for which it is seeking renewed certification since applicant last filed for certification.

**B-5 Exhibit B-5 "Disclosure of Consumer Protection Violations,"** disclose whether the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant has been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws since applicant last filed for certification.

No       Yes

**If Yes, provide a separate attachment labeled as Exhibit B-5 "Disclosure of Consumer Protection Violations," detailing such violation(s) and providing all relevant documents.**

**B-6 Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation,"** disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, or revoked, or whether the applicant or predecessor has been terminated from any of Ohio's Natural Gas Choice programs, or been in default for failure to deliver natural gas since applicant last filed for certification.

No       Yes

**If Yes, provide a separate attachment, labeled as Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation," detailing such action(s) and providing all relevant documents.**

## SECTION C - APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

- C-1 Exhibit C-1 "Annual Reports,"** provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information, labeled as Exhibit C-1, or indicate that Exhibit C-1 is not applicable and why.
- C-2 Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 whether the applicant is not required to file with the SEC and why.
- C-3 Exhibit C-3 "Financial Statements,"** provide copies of the applicant's two most recent years of audited financial statements (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, it shall file audited or officer-certified financial statements covering the life of the business.
- C-4 Exhibit C-4 "Financial Arrangements,"** provide copies of the applicant's current financial arrangements to conduct competitive retail natural gas service (CRNGS) as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.)
- C-5 Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's CRNGS operation, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer.

- C-6 **Exhibit C-6 "Credit Rating,"** provide a statement disclosing the applicant's current credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant.
- C-7 **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's current credit report from Experion, Dun and Bradstreet, or a similar organization.
- C-8 **Exhibit C-8 "Bankruptcy Information,"** provide a list and description of any reorganizations, protection from creditors, or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or since applicant last filed for certification.
- C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant since applicant last filed for certification.


**SECTION D – APPLICANT TECHNICAL CAPABILITY**

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

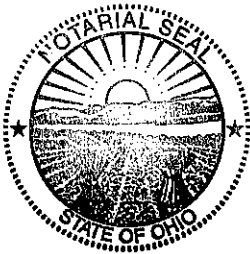
- D-1 **Exhibit D-1 "Operations,"** provide a current written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas company city gate for retail customers.
- D-2 **Exhibit D-2 "Operations Expertise,"** given the operational nature of the applicant's business, provide evidence of the applicant's current experience and technical expertise in performing such operations.
- D-3 **Exhibit D-3 "Key Technical Personnel,"** provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant's current business.

Applicant Signature and Title  - President

Sworn and subscribed before me this 11th day of December Month 2012 Year

  
Signature of official administering oath

Ann M Linn Notary Public  
Print Name and Title



Notary Seal  
ANN M LINN  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
March 05, 2017  
My commission expires on 3/5/17



# The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service  
Affidavit Form  
(Version 1.07)

In the Matter of the Application of )  
Border Energy Gas Services, Inc. )  
for a Certificate or Renewal Certificate to Provide )  
Competitive Retail Natural Gas Service in Ohio. )

Case No. 07 - 0026 -GA-CRS

County of Delaware  
State of OH

I, Andrew Mitrey [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.
- (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 Section 4905.10 or Section 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 with the Public Utilities Commission of Ohio and its staff in 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 inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.
- (8) Affiant further sayeth naught.

Affiant Signature & Title *Andrew Mitrey* - President

Sworn and subscribed before me this 11th day of December Month 2012 Year

*Ann M Linn*  
Signature of Official Administering Oath

Ann M Linn Notary Public  
Print Name and Title



ANN M LINN  
Notary Public  
In and for the State of Ohio  
My Commission Expires

My commission expires on 3/5/17

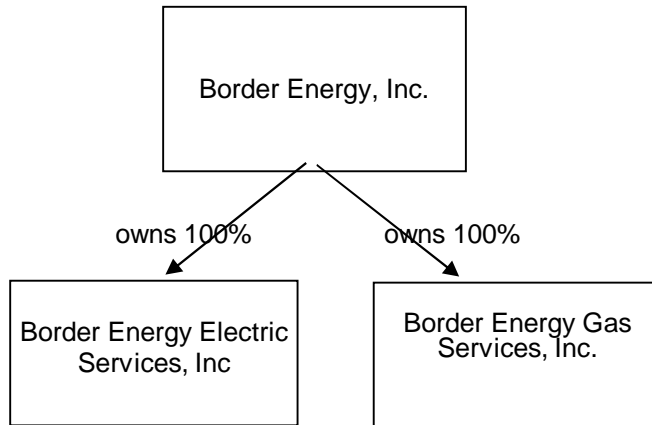
**Exhibit A-14 Principal Officers Directors & Partners**

<b><u>Name</u></b>	<b><u>Title</u></b>	<b><u>Address</u></b>	<b><u>Phone Number</u></b>
Steve Casciani	CEO	4145 Powell Rd. Powell, OH 43065	614-792-3535
Andy Mitrey	President	4145 Powell Rd. Powell, OH 43065	614-792-3535



**Exhibit A-15 Corporate Structure**

Border Energy, Inc. is a stand alone entity that is physically located in Powell, OH.  
Border Energy, Inc. is wholly owned by Mr. Steve Casciani (75%) and Mr. Andy Mitrey (25%)



## **Exhibit A-16 Company History**

Border Energy, Inc. was formed in August 2003 by Steve Casciani. Border Energy Inc. served for 7 years solely as a Natural Gas marketing company. From August 2003 to June 2009 Border Energy, Inc. participated exclusively in the NIPSCO service territory. In that period Border Energy, Inc. grew from a non-existent customer base to more than 15,000 customers. In 2009 Border Energy, Inc. entered natural gas markets located in both Ohio and Michigan and continued to grow. In 2010 the principal owners of Border Energy, Inc. applied for a CRES license under the name Border Energy Electric Services, Inc. That license was granted and the two companies operated separately and independent through 2011. In late 2011, the principal owners of both companies completed a corporate restructuring that created Border Energy Gas Services, Inc., and Border Energy Electric Services, Inc. as independent companies wholly owned by parent company Border Energy, Inc. (See graphical representation in appendix A-15).

Border Energy Gas Services, Inc. (BEGS) specializes in the purchasing, transportation and risk management and sale of natural gas supplies primarily to this residential and small commercial customers behind Columbia Gas of Ohio in Ohio, Northern Indiana Public Service Co (NIPSCO) in Indiana, and Consumers Energy, DTE MichCon, Semco and Michigan Gas Utilities (MGU) in Michigan. In total, BEGS serves approximately 20,000 residential and small commercial customers in these service territories.

Exhibit A-17 Articles of Incorporation & Bylaws



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
01/06/2003	200300600610	DOMESTIC ARTICLES/FOR PROFIT (ARF)	125.00	.00	.00	.00	.00

**Receipt**

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

CORPORATE SERVICES  
50 W. BROAD STREET  
COLUMBUS, OH 43215

# STATE OF OHIO

**Ohio Secretary of State, J. Kenneth Blackwell**

1360466

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

**BORDER ENERGY INC.**

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

Document(s)

**DOMESTIC ARTICLES/FOR PROFIT**

Document No(s):

**200300600610**



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 2nd day of January, A.D.  
2003.

*J. Kenneth Blackwell*  
Ohio Secretary of State



Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State  
Central Ohio: (614) 466-3910  
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.state.oh.us/sos  
e-mail: busserv@sos.state.oh.us

<b>Expedite this Form:</b> (Select One)	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 <small>*** Require an additional fee of \$100 ***</small>
<input type="radio"/> No	PO Box 670 Columbus, OH 43216

**INITIAL ARTICLES OF INCORPORATION**  
(For Domestic Profit or Non-Profit)  
Filing Fee \$125.00

THE UNDERSIGNED HEREBY STATES THE FOLLOWING:

**(CHECK ONLY ONE (1) BOX)**

<input checked="" type="checkbox"/> (1) Articles of Incorporation Profit <small>(113-ARF) ORC 1701</small>	<input type="checkbox"/> (2) Articles of Incorporation Non-Profit <small>(114-ARN) ORC 1702</small>	<input type="checkbox"/> (3) Articles of Incorporation Professional <small>(170-ARP) Profession _____ ORC 1785</small>
---	--	---

**Complete the general information in this section for the box checked above.**

FIRST: Name of Corporation Border Energy Inc.

SECOND: Location Powell Delaware  
(City) (County)

Effective Date (Optional) \_\_\_\_\_  
(mm/dd/yyyy) Date specified can be no more than 90 days after date of filing. If a date is specified, the date must be a date on or after the date of filing.

Check here if additional provisions are attached

**Complete the information in this section if box (2) or (3) is checked. Completing this section is optional if box (1) is checked.**

THIRD: Purpose for which corporation is formed

To engage in an energy marketing business.

**Complete the information in this section if box (1) or (3) is checked.**

FOURTH: The number of shares which the corporation is authorized to have outstanding (Please state if shares are common or preferred and their par value if any)

1500 Common no par value  
(No. of Shares) (Type) (Par Value)

(Refer to instructions if needed)

**Completing the information in this section is optional**

**FIFTH:** The following are the names and addresses of the individuals who are to serve as initial Directors.

(Name)

(Street)

NOTE: P.O. Box Addresses are NOT acceptable.

(City)

(State)

(Zip Code)

(Name)

(Street)

NOTE: P.O. Box Addresses are NOT acceptable.

(City)

(State)

(Zip Code)

(Name)

(Street)

NOTE: P.O. Box Addresses are NOT acceptable.

(City)

(State)

(Zip Code)

**REQUIRED**  
Must be authenticated  
(signed) by an authorized  
representative  
(See Instructions)

  
Authorized Representative

12/31/02  
Date

Jody V. Crowley, Incorporator  
Print Name

Authorized Representative

Date

Print Name

Authorized Representative

Date

Print Name

Complete the information in this section if box (1) (2) or (3) is checked.

### ORIGINAL APPOINTMENT OF STATUTORY AGENT

The undersigned, being at least a majority of the incorporators of Border Energy Inc. 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

Stephen P. Casciani  
(Name)  
4737 Sibel Court  
(Street) NOTE: P.O. Box Addresses are NOT acceptable.  
Powell, Ohio 43065  
(City) (Zip Code)

Must be authenticated by an authorized representative

Jody V. Crowley  
Authorized Representative Jody V. Crowley

12/31/02  
Date

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date

#### ACCEPTANCE OF APPOINTMENT

The Undersigned, Stephen P. Casciani, named herein as the  
Statutory agent for, Border Energy Inc.

hereby acknowledges and accepts the appointment of statutory agent for said entity.

Signature: Stephen P. Casciani  
(Statutory Agent)  
**Stephen P. Casciani, Agent**



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
04/06/2004	200409303280	DOMESTIC/AMENDED RESTATED ARTICLES (AMA)	50.00	.00	.00	.00	.00

**Receipt**

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

BORDER ENERGY  
6099 RIVERSIDE DR., 100  
DUBLIN, OH 43017

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, J. Kenneth Blackwell**

**1360466**

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

**BORDER ENERGY INC.**

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

Document(s)

**DOMESTIC/AMENDED RESTATED ARTICLES**

Document No(s):

**200409303280**



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 1st day of April, A.D.  
2004.

*J. Kenneth Blackwell*  
Ohio Secretary of State



Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State  
Central Ohio: (614) 466-3910  
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.state.oh.us/sos  
e-mail: busserv@sos.state.oh.us

<b>Expedite this Form:</b> (Select One)	
<b>Mail Form to one of the Following:</b>	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 *** Requires an additional fee of \$100 ***
<input type="radio"/> No	PO Box 1028 Columbus, OH 43216

**Certificate of Amendment by Shareholders or Members**  
(Domestic)  
Filing Fee \$50.00

**(CHECK ONLY ONE (1) BOX)**

<b>(1) Domestic for Profit</b> <input checked="" type="checkbox"/> Amended (122-AMAP)	<b>PLEASE READ INSTRUCTIONS:</b> <input type="checkbox"/> Amendment (125-AMDS)	<b>(2) Domestic Non-Profit</b> <input type="checkbox"/> Amended (126-AMAN)	<input type="checkbox"/> Amendment (128-AMD)
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2003-11-15

**Complete the general information in this section for the box checked above.**

Name of Corporation Border Energy Inc

Charter Number 1360466

Name of Officer Stephen P. Casciani

Title President

Please check if additional provisions attached.

The above named Ohio corporation, does hereby certify that:

A meeting of the shareholders  directors ( *non-profit amended articles only*)

members was duly called and held on September 5, 2003  
(Date)

at which meeting a quorum was present in person or by proxy, based upon the quorum present, an affirmative vote was cast which entitled them to exercise 100 % as the voting power of the corporation.

In a writing signed by all of the shareholders directors (*non-profit amended articles only*)

members who would be entitled to the notice of a meeting or such other proportion not less than a majority as the articles of regulations or bylaws permit.

**Clause applies if amended box is checked.**

Resolved, that the following amended articles of incorporations be and the same are hereby adopted to supercede and take the place of the existing articles of incorporation and all amendments thereto.



All of the following information must be completed if an amended box is checked.  
If an amendment box is checked, complete the areas that apply.

FIRST: The name of the corporation is: Border Energy Inc.

SECOND: The place in the State of Ohio where its principal office is located is in the City of:

Dublin Franklin  
(city, village or township) (county)

THIRD: The purposes of the corporation are as follows:

[Empty box for purposes of the corporation]

FOURTH: The number of shares which the corporation is authorized to have outstanding is: \_\_\_\_\_  
(Does not apply to box (2))

**REQUIRED**  
Must be authenticated  
(signed) by an authorized  
representative  
(See Instructions)

[Empty signature box]

Authorized Representative

Stephen P. Casciani  
(Print Name)

3/30/04

Date

[Signature]

Authorized Representative

(Print Name)

[Empty date box]

Date



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
04/13/2009	200910300344	DOMESTIC/AMENDMENT TO ARTICLES (AMD)	50.00	.00	.00	.00	.00

**Receipt**

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

THOMPSON HINE LLP  
 ATTN:CAROL R. RUSSELL  
 41 S. HIGH ST., #1700  
 COLUMBUS, OH 43215

# STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jennifer Brunner

1360466

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

**BORDER ENERGY INC.**

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

Document(s)

**DOMESTIC/AMENDMENT TO ARTICLES**

Document No(s):

**200910300344**



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 10th day of April, A.D.  
 2009.

Ohio Secretary of State



Prescribed by:

The Ohio Secretary of State  
Central Ohio: (614) 466-3910  
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.sos.state.oh.us  
e-mail: busserv@sos.state.oh.us

<b>Expedite this Form:</b> (Select One)	
<b>Mail Form to one of the Following:</b>	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 *** Requires an additional fee of \$100 ***
<input type="radio"/> No	PO Box 1329 Columbus, OH 43216

**Certificate of Amendment by  
Shareholders or Members**  
(Domestic)  
Filing Fee \$50.00

**(CHECK ONLY ONE (1) BOX)**

<b>(1) Domestic for Profit</b> <input checked="" type="checkbox"/> Amended (122-AMAP)	<b>PLEASE READ INSTRUCTIONS</b> <input checked="" type="checkbox"/> Amendment (125-AMDS)	<b>(2) Domestic Nonprofit</b> <input checked="" type="checkbox"/> Amended (126-AMAN)	<input checked="" type="checkbox"/> Amendment (128-AMD)
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**Complete the general information in this section for the box checked above.**

Name of Corporation: Border Energy Inc.

Charter Number: 1360466

Name of Officer: Stephen P. Casciani

Title: President

Please check if additional provisions attached.

The above named Ohio corporation, does hereby certify that:

A meeting of the  shareholders  directors ( *nonprofit only*)

members was duly called and held on \_\_\_\_\_  
(Date)

at which meeting a quorum was present in person or by proxy, based upon the quorum present, an affirmative vote was cast which entitled them to exercise \_\_\_\_\_ % as the voting power of the corporation.

In a writing signed by all of the  shareholders  directors (*non-profit amended articles only*)

members who would be entitled to the notice of a meeting or such other proportion not less than a majority as the articles of regulations or bylaws permit.

**Clause applies if amended box is checked.**

Resolved, that the following amended articles of incorporations be and the same are hereby adopted to supercede and take the place of the existing articles of incorporation and all amendments thereto.

**All of the following information must be completed if an amended box is checked. If an amendment box is checked, complete the areas that apply.**

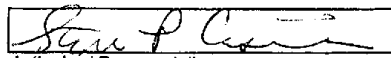
**FIRST:** The name of the corporation is: \_\_\_\_\_

**SECOND:** The place in the State of Ohio where its principal office is located is in the City of: \_\_\_\_\_  
 (city, village or township) (county)

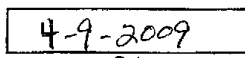
**THIRD:** The purposes of the corporation are as follows:  
 \_\_\_\_\_  
 \_\_\_\_\_

**FOURTH:** The number of shares which the corporation is authorized to have outstanding is: 1,500 (see attached)  
 (Does not apply to box (2))

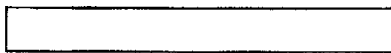
**REQUIRED**  
 Must be authenticated  
 (signed) by an authorized  
 representative  
 (See Instructions)



Authorized Representative  
 Stephen P. Casciani, President  
 (Print Name)



Date



Authorized Representative  
 (Print Name)



Date

**ATTACHMENT TO**  
**CERTIFICATE OF AMENDMENT BY THE SHAREHOLDERS**  
**OF**  
**BORDER ENERGY INC.**

RESOLVED, that the Articles of Incorporation of the Corporation be amended by striking therefrom Article Fourth in its entirety and by adding a new Article Fourth to read in full as follows:

FOURTH: The maximum number of shares which the Corporation is authorized to have outstanding is 1,500, of which 1,350 shares shall be Class A Voting Common Stock, without par value, and 150 shares shall be Class B Non-Voting Common Stock, without par value. The only shares entitled to vote shall be the Class A Voting Common Stock, and the shares shall be identical in all other respects.

606899.1



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
08/20/2010	201023101097	DOMESTIC/AMENDMENT TO ARTICLES (AMD)	50.00	.00		.00	.00

**Receipt**

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

THOMPSON HINE LLP  
ATTN:CAROL R. RUSSELL  
41 S. HIGH ST., #1700  
COLUMBUS, OH 43215

# STATE OF OHIO CERTIFICATE

**Ohio Secretary of State, Jennifer Brunner**

**1360466**

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

**BORDER ENERGY INC.**

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

Document(s):

**DOMESTIC/AMENDMENT TO ARTICLES**

Document No(s):

**201023101097**



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 18th day of August, A.D.  
2010.

Ohio Secretary of State



Prescribed by:

The Ohio Secretary of State  
Central Ohio: (614) 466-3910  
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.sos.state.oh.us  
e-mail: busserv@sos.state.oh.us

<b>Expedite this Form:</b> (Select One)	
<b>Mail Form to one of the Following:</b>	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 *** Requires an additional fee of \$100 ***
<input type="radio"/> No	PO Box 1329 Columbus, OH 43216

**Certificate of Amendment by Shareholders or Members**  
(Domestic)  
Filing Fee \$50.00

(CHECK ONLY ONE (1) BOX)

<b>(1) Domestic for Profit</b> <input type="checkbox"/> Amended (122-AMAP)	<b>PLEASE READ INSTRUCTIONS</b> <input checked="" type="checkbox"/> Amendment (125-AMDS)	<b>(2) Domestic Nonprofit</b> <input type="checkbox"/> Amended (126-AMAN)	<input checked="" type="checkbox"/> Amendment (128-AMD)
---	---	--	---

Complete the general information in this section for the box checked above.

Name of Corporation Border Energy Inc.

Charter Number 1360466

Name of Officer Stephen P. Casciani

Title President

RECEIVED  
SECRETARY OF STATE  
2010 AUG 18 PM 6:51  
CLIENT SERVICES CENTER

Please check if additional provisions attached.

The above named Ohio corporation, does hereby certify that:

A meeting of the  shareholders  directors ( *nonprofit only* )

members was duly called and held on \_\_\_\_\_ (Date)

at which meeting a quorum was present in person or by proxy, based upon the quorum present, an affirmative vote was cast which entitled them to exercise \_\_\_\_\_ % as the voting power of the corporation.

In a writing signed by all of the  shareholders  directors ( *nonprofit amended articles only* )

members who would be entitled to the notice of a meeting or such other proportion not less than a majority as the articles of regulations or bylaws permit.

Clause applies if amended box is checked.

Resolved, that the following amended articles of incorporations be and the same are hereby adopted to supercede and take the place of the existing articles of incorporation and all amendments thereto.

All of the following information must be completed if an amended box is checked.  
If an amendment box is checked, complete the areas that apply.

FIRST: The name of the corporation is: \_\_\_\_\_

SECOND: The place in the State of Ohio where its principal office is located is in the City of:

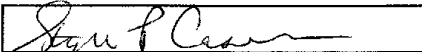
Powell Delaware  
(city, village or township) (county)

THIRD: The purposes of the corporation are as follows:

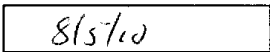
[Empty box for purposes of the corporation]

FOURTH: The number of shares which the corporation is authorized to have outstanding is: \_\_\_\_\_  
(Does not apply to box (2))

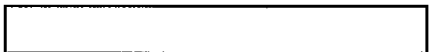
**REQUIRED**  
Must be authenticated  
(signed) by an authorized  
representative  
(See Instructions)



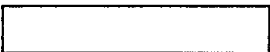
Authorized Representative  
Stephen P. Casciani, President  
(Print Name)



Date



Authorized Representative  
(Print Name)



Date





DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
11/17/2011	201132000999	DOMESTIC/AMENDMENT TO ARTICLES (AMD)	50.00	.00		.00	.00

**Receipt**

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

THOMPSON HINE LLP  
ATTN:CAROL R. RUSSELL  
41 S. HIGH ST., #1700  
COLUMBUS, OH 43215

# STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted

1360466

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

**BORDER ENERGY GAS SERVICES, INC.**

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

Document(s)

**DOMESTIC/AMENDMENT TO ARTICLES**

Document No(s):

**201132000999**



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 15th day of November,  
A.D. 2011.

Ohio Secretary of State



Prescribed by:

The Ohio Secretary of State  
Central Ohio: (614) 466-3910  
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.sos.state.oh.us  
e-mail: busserv@sos.state.oh.us

<b>Expedite this Form:</b> (Select One)	
<b>Mail Form to one of the Following:</b>	
<input type="radio"/> Yes	PO Box 1390 Columbus, OH 43216 *** Requires an additional fee of \$100 ***
<input type="radio"/> No	PO Box 1329 Columbus, OH 43216

**Certificate of Amendment by Shareholders or Members**  
(Domestic)  
Filing Fee \$50.00

(CHECK ONLY ONE (1) BOX)

(1) Domestic for Profit <input type="checkbox"/> Amended (122-AMAP)	<b>PLEASE READ INSTRUCTIONS</b> <input checked="" type="checkbox"/> Amendment (125-AMDS)	(2) Domestic Nonprofit <input type="checkbox"/> Amended (128-AMAN)	<input type="checkbox"/> Amendment (128-AMD)
--	---	---	--

**Complete the general information in this section for the box checked above.**

Name of Corporation: Border Energy Inc.

Charter Number: 1360466

Name of Officer: Andrew Mitrey

Title: President

Please check if additional provisions attached.

The above named Ohio corporation, does hereby certify that:

A meeting of the  shareholders  directors ( *nonprofit only*)  members was duly called and held on \_\_\_\_\_ (Date)

at which meeting a quorum was present in person or by proxy, based upon the quorum present, an affirmative vote was cast which entitled them to exercise \_\_\_\_\_ % as the voting power of the corporation.

In a writing signed by all of the  shareholders  directors (*nonprofit amended articles only*)  members who would be entitled to the notice of a meeting or such other proportion not less than a majority as the articles of regulations or bylaws permit.

2011 NOV 15 PM 2:16  
CLEVELAND OFFICE  
SECRETARY OF STATE

**Clause applies if amended box is checked.**

Resolved, that the following amended articles of incorporations be and the same are hereby adopted to supercede and take the place of the existing articles of incorporation and all amendments thereto.

All of the following information must be completed if an amended box is checked.  
If an amendment box is checked, complete the areas that apply.

FIRST: The name of the corporation is: Border Energy Gas Services, Inc.

SECOND: The place in the State of Ohio where its principal office is located is in the City of:

(city, village or township)

(county)

THIRD: The purposes of the corporation are as follows:

[Empty box for purposes of the corporation]

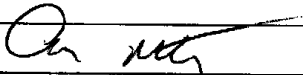
FOURTH: The number of shares which the corporation is authorized to have outstanding is: \_\_\_\_\_

(Does not apply to box (2))

**REQUIRED**

Must be authenticated  
(signed) by an authorized  
representative

(See Instructions)

  
Authorized Representative

11-15-2011  
Date

Andrew Mitrey, President  
(Print Name)

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print Name)

**United States of America**  
**State of Ohio**  
**Office of the Secretary of State**

*I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show **BORDER ENERGY GAS SERVICES, INC.**, an Ohio corporation, Charter No. 1360466, having its principal location in Powell, County of Delaware, was incorporated on January 02, 2003 and is currently in **GOOD STANDING** upon the records of this office.*



*Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 10th day of December, A.D. 2012*

A handwritten signature in dark ink that reads "Jon Husted".

Ohio Secretary of State

**Exhibit B-1 Jurisdictions of Operation**

Border Energy Gas Services, Inc. is licensed to provide retail marketing, brokering and aggregation natural gas services in Ohio, Indiana, and Michigan.

Border Energy Electric Services, inc. is licensed to provide retail generation, aggregation, and power broker services in Ohio and Pennsylvania.

## **Exhibit B-2 Experience and Plans**

Border Energy Gas Services, Inc. (BEGS) has vast experience in energy marketing with residential and commercial customers throughout the various territories in which it currently operates. BEGS uses third party telemarketing, direct mail, and door-to-door sales methods to obtain new residential and commercial customers. For larger commercial customers, Border Energy has dedicated sales representatives that employ business-to-business calling and networking to gain new business. These sales people are in constant communication with their customers and have a one-on-one relationship with their customers.

Currently, BEGS uses consolidated billing through the local utility providers. Border Energy expects to use consolidated billing in every marketplace that it enters or use a third party billing agent if necessary.

BEGS has dedicated full-time employees to answer customer questions and resolve any issues within one business day. Further, BEGS has a toll free telephone number to aid in its multi-level approach to answering customer questions and complaints and strives to provide the highest level of customer service and support possible. If customers are unhappy with the level of service they receive with BEGS they may request to speak with a Manager who will try to resolve any complaints or issues within one business day. If the customer is still unsatisfied, he/she may elevate his/her concern to the President, who will research the concern and respond within 3 business days. Finally, if the issue is still not fully resolved, the company CEO will personally address the concern and reply to the customer.

### **Exhibit B-3 Summary of Experience**

Border Energy Gas Services, Inc (BEGS) currently supplies ~20,000 residential and small commercial customers across the service territories of Northern Indiana Public Service Company (NIPSCO), Columbia Gas of Ohio, Consumers Energy, DTE MichCon, SEMCO, and Michigan Gas Utilities (MGU). BEGS has grown from a non-existent customer base to an average annual customer volume of nearly 7.0 Billion cubic feet per year. BEGS' management team has significant experience across all facets of the natural gas industry that in aggregate total more than 30 years of experience.

**Exhibit B-4 Disclosure of Liabilities and Investigations**

There are not any past or present rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations or any other matter that could adversely impact the financial or operational status of Border Energy Gas Services, Inc.



**Exhibit B-5 Disclosure**

Applicant, predecessor of the applicant, or any principal officer of the applicant has NEVER been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

**Exhibit B-6 Disclosure**

Applicant or a predecessor of the applicant has NOT had any certification, license, or application to provide retail or wholesale electric services denied, curtailed, suspended, revoked, or cancelled within the past two years.

## **Exhibit C-1 Annual Reports**

Border Energy Gas Services, Inc. is wholly owned by Border Energy, Inc. which is wholly owned by two individuals, Mr. Steve Casciani and Mr. Andy Mitrey. As such, annual reports are not produced for either company. For information on the financial results or viability of the company please refer to Exhibits C-3 through C-5, which are filed concurrently herewith under seal.

## **Exhibit C-2 SEC Filings**

Border Energy Gas Services, Inc. is a privately held corporation and as such is not required to make SEC filings.

**Exhibit C-3 Financial Statements**

The Applicant's Financial Statements have been filed under seal pursuant to Ohio Adm. Code 4901-1-24-(D). A motion for Protective Order is filed concurrently with this Application.

**Exhibit C-4 Financial Arrangements**

The Applicant's Financial Statements have been filed under seal pursuant to Ohio Adm. Code 4901-1-24-(D). A motion for Protective Order is filed concurrently with this Application.

**Exhibit C-5 Forecasted Financial Statements**

The Applicant's Financial Statements have been filed under seal pursuant to Ohio Adm. Code 4901-1-24-(D). A motion for Protective Order is filed concurrently with this Application.

### **Exhibit C-6 Credit Ratings**

Neither Border Energy Gas Services, Inc. nor Border Energy, Inc. are currently rated by any of the described ratings agencies. Border Energy, Inc. would recommend that the commission contact several of our suppliers and/or utility providers for more information on our payment history and credit worthiness.

**Exhibit C-7 Credit Report**

The Applicant's Financial Statements have been filed under seal pursuant to Ohio Adm. Code 4901-1-24-(D). A motion for Protective Order is filed concurrently with this Application.



**Exhibit C-8 Bankruptcy Information**

Border Energy, Inc. nor Border Energy Gas Services, Inc. have made any type of bankruptcy filings.

**Exhibit C-9 Merger Information**

Neither Border Energy, Inc. nor Border Energy Gas Services, Inc. have had any merger or dissolution activity.

## **Exhibit D-1 Operations**

Border Energy Gas Services, Inc. (BEGS) aggregates small commercial and residential natural gas customers in the Northern Indiana Public Service Company ("NIPSCO"), Columbia Gas of Ohio, Consumers Energy, DTE MichCon, SEMCO, and MGU service territories. BEGS specializes in the purchasing, transportation, risk management and sale of natural gas to retail customers. BEGS management has extensive experience in the Ohio marketplace as it pertains to the purchasing of supplies, the transportation on the Columbia and Dominion transmission systems and the experience and financial wherewithal to execute financial natural gas futures to ensure reliability of price. BEGS plans on offering similar services in the other Ohio service territories when it becomes clear that an opportunity to provide clients value is present. BEGS can and will contract to buy natural gas from its existing supplier base and arrange for delivery to end users. In addition, BEGS executes all of the necessary nominations and scheduling requirements associated with its activities on both the interstate pipeline as well as the Local Distribution Company (LDC). Historically, BEGS has used forward financial contract purchases as well as storage capacity to manage the risk and load requirements of its customers.

## **Exhibit D-2 Operations Expertise**

Border Energy Gas Services, Inc. (BEGS) has significant experience in managing retail and small commercial customer business through its involvement in the NIPSCO Choice, Columbia Choice, Consumers Energy Choice programs. Since its entry into the NIPSCO service territory at inception, BEGS has grown its choice customer base from zero to approximately 20,000 customers. BEGS manages all of the operational requirements associated with the purchasing, transportation, and LDC nomination that is required by LDC's. In addition, Steve Casciani has extensive background with regard to the purchasing, transportation, LDC nomination and the risk management associated with the unique delivery mechanisms into the Ohio marketplace. Steve Casciani was in charge of operations and risk management of Ohio's largest Choice Marketing company. He was responsible for the Supply, Risk Management and Operations of over 100 Bcf of annual Ohio customer demand.

### **Exhibit D-3 Key Technical Personnel**

#### **Steve Casciani - CEO**

Steve Casciani, the principal of Border Energy has been involved with the natural gas industry since 1991. His career started with Entrade Gas Services on the retail marketing side of the industry. After leaving Entrade he began marketing to the large industrial end users and Local Distribution companies with Coastal Gas Marketing, later to become Engage Energy. A year after starting with Coastal, Steve moved into the trading side with Engage Energy Marketing. After leaving Engage Steve became the Assistant Vice President of Interstate Gas Supply (IGS). He was responsible for the supply, risk management and operations of over 100 Bcf of annual customer demand. During his tenure at IGS, Steve was one of a three person management team responsible for daily operations and long-term growth strategies. Not long after joining IGS Steve was involved with the creation and implementation of IGS' "Customer Choice" group. In a 4 year period, the company expanded this division from a non-existent customer base to over 550,000 residential and commercial accounts. Steve's long-term focus on the retail side of the natural gas industry combined with the supply, operational and risk management experience gave him the opportunity to start Border Energy, an aggregator of residential and commercial end users. Border Energy was set up to focus on the needs and services lacking in the "Customer Choice" side of the business. Steve is focused on company direction and strategy development.

#### **Andy Mitrey - President**

Mr. Mitrey has more than 15 years of experience in natural gas and electricity arenas. Mr. Mitrey has a bachelors degree in accounting and an MBA in finance from The Ohio State University. Mr. Mitrey started out as a loan officer for a super-regional bank, PNC Bank. In that capacity he was responsible for providing loans to energy, metals and mining related companies. Mr. Mitrey left the bank after three years of service to explore the energy world directly. Mr. Mitrey joined AEP, one of the largest utilities trading and marketing arms where he was in charge of overseeing the risk associated with its trading activities. Mr. Mitrey spent close to five years in this capacity. He subsequently left the utility to join an energy hedge fund, Griffon Energy Capital as their Chief Financial Officer. Due to differences in business philosophies, Mr. Mitrey left Griffon Energy in early 2005 and joined Border Energy. At Border Energy, Mr. Mitrey is in charge of all of the company's marketing activities and oversees its day to day operations for both gas and electricity platforms.

#### **Grant Christman - Vice President - Natural Gas**

Mr. Christman was hired by the company in 2009 to assist with growth efforts in various market areas. Prior to Border Energy, Mr. Christman served as an investment banking analyst with Key Banc Capital Markets where he worked on sell-side activities for industrial companies. Mr. Christman oversees the natural gas platform and manages the natural gas team consisting of junior analysts, database / utility communications analysts, sales representatives, and customer service representatives. Mr. Christman manages the day-to-day delivery requirements, pricing and hedging requirements, commodity risk management, contract negotiations and structuring, as well as aids in the financial reporting of Border Energy Gas Services, Inc. and reports directly to Andy Mitrey.