

Eagle Energy, LLC

4465 Bridgetown Road
Cincinnati, OH 45211
(513) 251-7283

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WEB: www.EagleEnergyLLC.com
EMAIL: EagleEnergy@fuse.net

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FILE April 15, 2008

PUCO

Ms. Renee J. Jenkins
Secretary
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

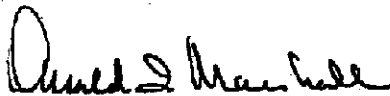
RE: Case No. 06-574-EL-CRS

Dear Secretary Jenkins:

Please find enclosed an original and eleven (11) copies of the renewal certificate application of Eagle Energy, LLC. Our current certificate, certificate 06-135(1) issued May 23, 2006, expires May 13, 2008. We regrettably have filed this renewal beyond the normal filing date and sincerely request the Commission's indulgence. As a practical matter, we do not intend to attempt enroll any new customers in alternative electricity programs over the course of the next thirty days due to existing market conditions.

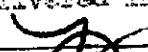
Would you please receipt the additional copy of the application and return to our office in the envelope provided? Thank you in advance for your consideration. If there are any questions concerning the enclosed, please contact the under-signed.

Sincerely,



Donald I. Marshall
President

cc: Mr. Charles Stockhausen

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician  Date Processed 4-16-08

"Helping you get reliable energy at the most economical price"



The Public Utilities Commission of Ohio

PUCO USE ONLY		
Date Received	Case Number	Version
	06-174-EL-CRS	August 2004

CERTIFICATION APPLICATION FOR RETAIL GENERATION PROVIDERS AND POWER MARKETERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-13 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; 180 East Broad Street, Columbus, Ohio 43215-3793.

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

A. APPLICANT INFORMATION

A-1 Applicant intends to be certified as: (check all that apply)

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Retail Generation Provider | <input type="checkbox"/> Power Broker |
| <input type="checkbox"/> Power Marketer | <input type="checkbox"/> Aggregator |

A-2 Applicant's legal name, address, telephone number and web site address

Legal Name Eagle Energy, LLC
Address 4465 Bridgetown Road, Suite 1, Cincinnati, Ohio 45211
Telephone # (513) 251-7283 Web site address (if any) www.EagleEnergyLLC.com

A-3 List name, address, telephone number and web site address under which Applicant will do business in Ohio

Legal Name Same.
Address _____
Telephone # _____ Web site address (if any) _____

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

_____	_____
_____	_____
_____	_____

A-5 Contact person for regulatory or emergency matters

Name Donald I. Marshall
Title President
Business address 4465 Bridgetown Road, Suite 1, Cincinnati, Ohio 45211
Telephone # (513) 251-7283 Fax # (513) 251-7283
E-mail address (if any) eagleenergy@fuse.net

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

Name James R. Macenko
Title Vice President
Business address 4465 Bridgetown Road, Suite 1, Cincinnati, Ohio 45211
Telephone # (513) 251-7283 Fax # (513) 251-7283
E-mail address (if any) JamesMacenko@EagleEnergyLLC.com

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

Customer Service address 4465 Bridgetown Road, Suite 1, Cincinnati, Ohio 45211
Toll-free Telephone # (888) 280-5516 Fax # (513) 251-7283
E-mail address (if any) eagleenergy@fuse.net

A-8 Applicant's federal employer identification number # 311781356

A-9 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 _____ |

A-10 (Check all that apply) Identify each electric distribution utility certified territory in which the applicant intends to provide service, including identification of each customer class that the applicant intends to serve, for example, residential, small commercial, mercantile commercial, and industrial. (A mercantile customer, as defined in (A) (19) of Section 4928.01 of the Revised Code, is a commercial customer who consumes more than 700,000 kWh/year or is part of a national account in one or more states).

- | | | | | |
|--|--------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> First Energy | | | | |
| <input type="checkbox"/> Ohio Edison | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Toledo Edison | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Cleveland Electric Illuminating | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Cincinnati Gas & Electric | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Monongahela Power | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> American Electric Power | | | | |
| <input type="checkbox"/> Ohio Power | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |

<input type="checkbox"/> Columbus Southern Power	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Mercantile	<input type="checkbox"/> Industrial
<input type="checkbox"/> Dayton Power and Light	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Mercantile	<input type="checkbox"/> Industrial

A-11 Provide the approximate start date that the applicant proposes to begin delivering services

May 13, 2008

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

A-12 **Exhibit A-12 "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-13 **Exhibit A-13 "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 electricity or natural gas to customers in North America.

A-14 **Exhibit A-14 "Company History,"** provide a concise description of the applicant's company history and principal business interests.

A-15 **Exhibit A-15 "Articles of Incorporation and Bylaws,"** if applicable provide the articles of incorporation filed with the state or jurisdiction in which the applicant is incorporated and any amendments thereto.

A-16 **Exhibit A-16 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.

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 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 or wholesale electric services.

B-2 **Exhibit B-2 "Experience & Plans,"** provide a 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 4928.10 of the Revised Code.

B-3 **Exhibit B-3 "Summary of Experience,"** provide a concise summary of the applicant's experience in providing the service(s) it is seeking to be certified to provide (e.g. number and types of customers served, utility service areas, amount of load, etc.).

B-4 **Exhibit B-4 "Environmental Disclosure,"** provide a detailed description of how the applicant intends to determine its (a) generation resource mix, and (b) environmental characteristics, including air emissions and radioactive waste. This information shall include sufficient discussion so as to detail both the annual projection methodology and the proposed approach to compiling the quarterly actual environmental disclosure data. Additional details on this requirement may be obtained by referring to 4901:1-21-09.

B-5 **Exhibit B-5 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation 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 it is seeking to be certified to provide.

B-6 Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

☐ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-6 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-7 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☐ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-7 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

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 in 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 that 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 financial arrangements to conduct CRES 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 CRES operation, along with a list of assumptions, and the name, address, e-mail address, and telephone number of the preparer.
- C-6** **Exhibit C-6 “Credit Rating,”** provide a statement disclosing the applicant’s 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 credit report from Experian, 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 within the two most recent years preceding the application.

- C-9 Exhibit C-9 "Merger Information." provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

D. APPLICANT TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- D-1 Exhibit D-1 "Operations" provide a written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail ancillary services as well as other services used to arrange for the purchase and delivery of electricity to retail customers.
- D-2 Exhibit D-2 "Operations Expertise," given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations.
- D-3 Exhibit D-3 "Key Technical Personnel," provide the names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business.
- D-4 Exhibit D-4 "FERC Power Marketer License Number," provide a statement disclosing the applicant's FERC Power Marketer License number. (Power Marketers only)

Donald Marshall, President
Signature of Applicant and Title

Sworn and subscribed before me this

15th day of April, 2008
Month Year

Lisa A. Wereley
Signature of official administering oath

LISA A. WERELEY
Print Name and Title

My commission expires on 10-24-11

LISA A. WERELEY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 10-24-11

AFFIDAVIT

State of Ohio :

Green Township^{ss.}
(Town)

County of Hamilton :

Donald Marshall, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/~~She~~ is the President (Office of Affiant) of Eagle Energy, LLC (Name of Applicant);

That he/~~she~~ is authorized to and does make this affidavit for said Applicant,

1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
5. The Applicant herein, attests that it 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 herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The Applicant herein, attests that it 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 herein, attests that it 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, the Applicant herein, attests that 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. (Only applicable if pertains to the services the Applicant is offering)

11. The Applicant herein, attests that it will inform the Commission 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 customer complaints.

That the facts above set forth are true and correct 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.

Charles Marshall President
Signature of Affiant & Title

Sworn and subscribed before me this 15th day of April, 2008
Month Year

Lisa A. Wereley
Signature of official administering oath

LISA A. WERELEY
Print Name and Title

My commission expires on 10-24-11

LISA A. WERELEY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 10-24-11

Principal Officers, Directors and Partners.

Name: Carol Marshall, Chief Executive Officer

Address: 3041 Southfork Drive
Cincinnati, Ohio 45211

Telephone: (513) 251-7283

Name: Donald I. Marshall, President and Partner

Address: 3041 Southfork Drive
Cincinnati, Ohio 45248

Telephone: (513) 251-7283

Name: Richard A. Lonneman
Vice President

Address: 2744 Trumbull Court
Cincinnati, Ohio 45233

Telephone: (513) 941-7832

Name: James R. Macenko
Vice President

Address: 3780 Sunburstridge Lane
Cincinnati, Ohio 45248

Telephone: (513) 574-1428

Corporate Structure.

The corporate structure of Eagle Energy is a Limited Liability Corporation (LLC) with its primary area of interest being residential and small and mid to large commercial and industrial customers primarily focused in Southwestern Ohio and the serving area of Duke Energy.

Eagle Energy has developed a strategic business relationship with several Commission certified suppliers in providing or potentially providing electric service under the Ohio Customer Choice program. Eagle has extended those business relations to other jurisdictions as well.

Eagle Energy also has existing contractual relationships with the Village of Indian Hill and Green Township in providing advice concerning governmental aggregation for residential customers within those communities.

Company History.

The entity's business plan has been developed in order to provide end-user customers an opportunity to make an election concerning their supplier of electricity. The entity is currently certified to provide aggregation, power marketer and power broker services¹. Over the course of its history, Eagle has provided aggregation of more than 300,000 MWH of electricity for commercial, industrial and other public authority rate classes. While its total business plan has not materialized, Eagle desires to maintain its current certification status in the hope that a strategic partner will be able to compete directly with Duke. Eagle has been able to offer similar services in other jurisdictions. However, the existing rate structure continues to be a real impediment to competition in Eagle's opinion.

The serving area will continue to be Southwestern Ohio within the distribution network of Duke Energy. The services to be provided will be aggregation and market broker services.

Consulting has also been provided as an ancillary service particularly as customers are educated about competitive services. Similar services may be provided to municipal customers desiring to pursue municipal aggregation alternatives.

¹ See Case No. 06-574-EL-CRS; certificate number 06-135(1) dated May 23, 2006.

Exhibit A-15

Articles of Incorporation and By-laws.

Attached are the Articles of Incorporation.



Prescribed by **J. Kenneth Blackwell**

Please obtain fee amount and mailing instructions from the Forms Inventory List (using the 3 digit form # located at the bottom of this form). To obtain the Forms Inventory List or for assistance, please

call Customer Service:

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

ARTICLES OF ORGANIZATION

(Under Section 1705.04 of the Ohio Revised Code)

Limited Liability Company

The undersigned, desiring to form a limited liability Company, under Chapter 1705 of the Ohio Revised Code, do hereby state the following:

FIRST: The name of said limited liability company shall be:

Eagle Energy, LLC

(the name must include the words "limited liability company", "limited", "Ltd.", "Ltd.", "LLC", or "LLC.")

SECOND: This limited liability company shall exist for a period of unlimited duration unless sooner dissolved

THIRD: The address to which interested persons may direct requests for copies of any operating agreement and any bylaws of this limited liability company is:

4925 Cleves Pike

(street name or post office box)

Cincinnati

(city, village, or township)

Ohio

(state)

45238

(zip code)

☐ Please check this box if additional provisions are attached hereto

Provisions attached hereto are incorporated herein and made a part of these articles of organization.

SECRET
2001 MAR 22 PM 12:37
LIBRARY

J. Kenneth Blackwell
Secretary of State

FOURTH: Purpose (optional)
To operate a business for aggregating end-user demand for electricity and
arranging the delivery of the supply of energy and to engage in any lawful
act or acts for which limited liability companies may lawfully be formed under
Title 17 of the Ohio Revised Code.

IN WITNESS WHEREOF, we have hereunto subscribed our names on

March 13, 2001

(date)

Signed Alan S. Fershtman
Name: Alan S. Fershtman

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

Signed _____
Name: _____

(If insufficient space for all signatures, please attach a separate sheet containing additional signatures)

Exhibit A-16

Secretary of State.

The Secretary of State filing for authority to do business within the State of Ohio was made on March 20, 2001. Attached is a copy of the certificate from the Secretary of State.



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
03/21/2001	200108003320	ARTICLES OF ORGANIZATION/DOM. LLC (LCA)	85.00	10.00	.00	.00	.00

Receipt

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

KEATING, MUETHING & KLEKAMP, PLL
ONE E. FOURTH STREET
SUITE 1400
CINCINNATI, OH 45202

STATE OF OHIO

Ohio Secretary of State, J. Kenneth Blackwell

1216901

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

EAGLE ENERGY, LLC

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

Document(s)
ARTICLES OF ORGANIZATION/DOM. LLC

Document No(s):
200108003320



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 20th day of March, A.D.
2001,

J. Kenneth Blackwell
Ohio Secretary of State

SECTION B:

APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE.

Exhibit B-1

Jurisdictions of Operation.

The applicant is currently certified in the Commonwealth of Massachusetts. A copy of the license is attached.



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

ONE SOUTH STATION
BOSTON, MA 02100
(617) 305-3500

PAUL J. HIBBARD
CHAIRMAN

W. ROBERT KEATING
COMMISSIONER

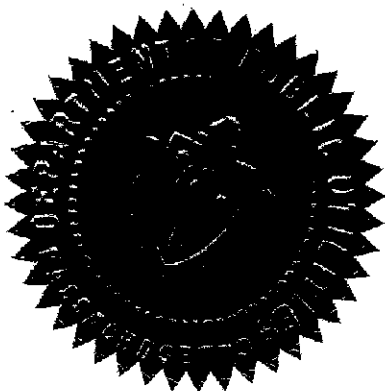
TIM WOOLF
COMMISSIONER

August 10, 2007

Richard Lonneman, Vice President
Eagle Energy, LLC
4465 Bridgetown Road
Cincinnati, OH 45211

The Department of Public Utilities ("Department") has reviewed your application for licensing as an **Electricity Broker** in the Commonwealth of Massachusetts and is pleased to inform you that your application has been approved. Your license number is **EB-101**.

As a condition of maintaining this license, you must file updated information within 30 days of any material or organic change in the information required by 220 C.M.R. § 11.05(2), and you must comply with all relevant requirements of G.L. c. 164 and the regulations promulgated thereunder, including 220 C.M.R. §§ 11.00, 12.00 et seq. If you decide to request renewal of your license next year, please submit renewal application no later than September 1, 2008.




Mary L. Cottrill, Secretary

Experience and Plans.

The applicant intends to continue to be very focused on residential and small and mid to large commercial and industrial customers by identifying their energy requirements and matching the customers' energy requirements with available resources from suppliers certified by the Commission. Eagle Energy intends to continue to provide brokering/aggregation services to retail end-user customers when this Application is approved.

The business plans call for direct contact with customers and identifying potential energy savings, depending upon available supplies. The specific services to be rendered include price comparison, energy savings and monitoring Commission activities that may impact future actions by the customer. In all cases, the customer will remain the unilateral decision-maker in determining energy supplies.

Eagle Energy intends to make the decision-making process clearer for the customer. The management team has a combined one-hundred years' of experience in regulatory and utility matters, including numerous proceedings before the Commission and it will utilize this expertise in working with and informing customers.

Summary of Experience.

Eagle Energy has a combined one-hundred years' of regulatory practice including expert witness testimony before this Commission, the Kentucky Public Service Commission, the Indiana Utility Regulatory Commission, the Illinois Commerce Commission and the Federal Energy Regulatory Commission. Subject matter expertise includes rate design, cost of service and gas cost recovery rates and related matters and marketing. Eagle Energy will utilize its experience in assisting customers in energy matters.

Mr. Marshall has thirty-one years of experience as a utility executive in electric, natural gas and local telephone matters. He has presented expert testimony before this Commission and other Commissions on various topics including management policy and practices, rate design, gas cost recovery rates, revenue requirements, alternative regulation and cost-of-service.

Mr. Lonneman has thirty-five years of experience in electric and natural gas matters. He has presented expert testimony before this Commission on a variety of topics including revenue requirements, working capital and cost-of-service.

Mr. Macenko has thirty-five years of experience in electric and natural gas matters. He has marketing and government affairs experience where his primary responsibilities were informing customers about areas of mutual concern.

Environmental Disclosure.

Eagle Energy currently does not plan to offer retail generation service and therefore believes this Section may not apply.

Disclosure of Liabilities and Investigations.

Eagle Energy is currently not subject to any financial investigation or liability.

SECTION C:

FINANCIAL CAPABILITY AND EXPERIENCE.

Exhibit C-1

Annual Reports.

The Applicant does not have any shareholders. As an LLC, the Applicant is not required to issue an Annual Report.

Exhibit C-2

SEC Filings.

As an LLC, the applicant is not required to file with the SEC.

Exhibit C-3

Financial Statements.

The applicant does not have audited financial statements as an LLC. Attached are the balance sheet, income statement and cash-flow statements for the years 2006 and 2007.

Mr. Marshall, President of Eagle Energy, certifies that the financial statements are accurate. Any questions concerning these documents should be directed to Mr. Marshall.

Eagle Energy, LLC
Balance Sheets
Years Ended December 31, 2006 and 2007

Description	Year 2006		Year 2007
<u>Current Assets</u>			
Investments	\$ 96,000		\$ 96,000
Cash	\$ 78,013		\$ 78,013
Furniture and Equipment	\$ 13,070		\$ 13,070
Less: Depreciation	2,029		2,526
Net F & E	\$ 11,041		\$ 10,544
Total Assets	\$ 185,054		\$ 184,557
<u>Capital</u>			
Owners' Equity	\$ 157,416		\$ 180,920
Profit (Loss)	27,638		3,637
Total Capital	\$ 185,054		\$ 184,557

Eagle Energy, LLC
Income Statements
Years 2006 and 2007

Description	Year 2006		Year 2007
Operating Revenue	\$ 123,869		\$ 52,773
Operating Expenses:			
Salaries	\$ 48,306		\$ 16,056
Rent	5,265		6,000
Utilities	2,737		3,478
Supplies	2,493		2,388
Commissions	2,983		1,150
Insurance	10,708		8,451
Equipment	5,003		-
Legal	1,638		-
General	706		890
Miscellaneous	5,965		9,228
Taxes other than Income	205		150
Total	\$ 86,009		\$ 47,791
Operating Income before Income Tax	\$ 37,860		\$ 4,982
Estimated Income Taxes	\$ 10,222		\$ 1,345
Net Operating Income	\$ 27,638		\$ 3,637

Eagle Energy, LLC
Cash-flow Statements
Years 2006 and 2007

Description	Year 2006		Year 2007
Beginning Cash	\$ 138,313		\$ 165,951
Revenue	\$ 123,869		\$ 52,773
Expenses	\$ 86,009		\$ 47,791
Tax Payments	\$ 10,222		\$ 1,345
Ending Cash	<u>\$ 165,951</u>		<u>\$ 169,588</u>

Financial Arrangements.

Funding will be provided by the Applicant. Future business plans will be dictated by the Applicant's success and/or the need for other financial instruments to carry-out business plans.

Exhibit C-5

Forecasted Financial Statements.

A two-year forecast of balance sheet, income statement and cash flow statement are attached. Any questions concerning this information should be directed toward Mr. Marshall.

Eagle Energy, LLC
 Projected Balance Sheets
 Twelve Months Ended December 31, 2008 and 2009

Description	Year 2008		Year 2009
<u>Current Assets</u>			
Investments	\$ 96,000		\$ 96,000
Cash	\$ 78,000		\$ 78,000
Furniture and Equipment	\$ 13,000		\$ 13,000
Less: Depreciation	2,500		3,000
Net F & E	\$ 10,500		\$ 10,000
Total Assets	\$ 184,500		\$ 184,000
<u>Capital</u>			
Owners' Equity	\$ 180,300		\$ 180,100
Profit (Loss)	4,200		3,900
Total Capital	\$ 184,500		\$ 184,000

Eagle Energy, LLC
Projected Income Statements
Years 2008 and 2009

Description	Year 2008	Year 2009
Operating Revenue	\$ 35,000	\$ 35,000
Operating Expenses:		
Salaries	\$ 1,200	\$ 1,200
Rent	6,000	6,000
Utilities	3,500	3,500
Supplies	2,000	2,000
Commissions	6,000	6,000
Insurance	8,500	9,000
Equipment	-	-
Legal	-	-
General	800	800
Miscellaneous	1,000	1,000
Taxes other than Income	150	150
Total	\$ 29,150	\$ 29,650
Operating Income before Income Tax	\$ 5,850	\$ 5,350
Estimated Income Taxes	\$ 1,580	\$ 1,445
Net Operating Income	\$ 4,271	\$ 3,906

Eagle Energy, LLC
Projected Cash-flow Statements
Years 2008 and 2009

Description	2008		2009
Beginning Cash	\$ 169,588		\$ 173,858
Revenue	\$ 35,000		\$ 35,000
Expenses	\$ 29,150		\$ 29,650
Tax Payments	\$ 1,580		\$ 1,445
Ending Cash	\$ 173,858		\$ 177,763

Exhibit C-6

Credit Rating.

Eagle Energy has neither received nor requested a credit rating.

Exhibit C-7

Credit Report.

None to report.

Exhibit C-8

Bankruptcy Information.

The Applicant and its principal partners have not been involved in any reorganizations, protection form creditors or any other form of bankruptcy filings.

Merger Information.

The Applicant has not been involved in any dissolution or merger or acquisition.

SECTION D:

APPLICANT TECHNICAL CAPABILITY

Exhibit D-1

Operations

Eagle Energy intends to rely on third parties to arrange for the transmission and distribution of electricity. Eagle Energy's primary activities will be in the operating area of Duke Energy. Eagle Energy has submitted an application with MISO in order to purchase power directly but a third party with sufficient generation reserves and a desire to sell electricity into the Cincinnati market must be secured. While discussions with several entities have been held none of those parties envision a viable market at this time. Eagle remains optimistic that that environment will change.

Exhibit D-2

Operations Expertise

Eagle Energy does not believe operations expertise is required to the extent that the contemplated transactions are of a marketing nature rather than a commodity-market based operations transaction. Eagle Energy's expertise is in the area of contract negotiations, tariff writing and explanation and cost of ancillary services, all necessary in order to complete any deal of the magnitude Eagle Energy contemplates. If the right scenario unfolds, then a third party would provide all back office support.

Exhibit D-3

Key Technical Personnel

See responses to Section B.

Exhibit D-4

FERC Power Marketer License Number

The Applicant has not secured a FERC Power Marketer License Number since its business model deals with serving end-use retail customers. The Applicant will neither serve wholesale customers nor buy and sell power in the wholesale marketplace.