

NC

FILE



The Public Utilities Commission of Ohio

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Date Received	Case Number	Version
	- EL-AGG	August 2004

10-1211-EL-AGG

CERTIFICATION APPLICATION FOR AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-5 Experience). 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.
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PUCO

A. APPLICANT INFORMATION

A-1 Applicant's legal name, address, telephone number and web site address

Legal Name Sustainable Energy Works LLCAddress 140 Mill Street, Gahanna, Ohio, 43230Telephone # (614) 632-6622Web site address (if any) www.seworksllc.com

A-2 List name, address, telephone number and web site address under which Applicant will do business in Ohio

Legal Name Same as above

Address _____

Telephone # _____

Web site address (if any) _____

A-3 List all names under which the applicant does business in North America

No other names _____

A-4 Contact person for regulatory or emergency matters

Name George RooneyTitle Principal

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 5 Date Processed AUG 20 2010

Business address 140 Mill Street, Gahanna, Ohio, 43230

Telephone # (614) 532-6822

Fax # (614) 453-8518

E-mail address (if any) _____

A-5 Contact person for Commission Staff use in investigating customer complaints

Name Same as A-4

Title _____

Business address _____

Telephone # _____

Fax # _____

E-mail address (if any) georger@seworksllc.com

A-6 Applicant's address and toll-free number for customer service and complaints

Customer Service address Same as A-1

Toll-free Telephone # Service requests

Fax # (614) 453-8518

E-mail address (if any) info@seworksllc.com

A-7 Applicant's federal employer identification number # 271229387

A-8 Applicant's form of ownership (check one)

☐ Sole Proprietorship

☐ Partnership

☐ Limited Liability Partnership (LLP)

☒ Limited Liability Company (LLC)

☐ Corporation

☐ Other _____

A-9 (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).

☒ **First Energy**

☐ Ohio Edison

☐ Toledo Edison

☐ Cleveland Electric Illuminating

☒ Cincinnati Gas & Electric

☒ Monongahela Power

☒ American Electric Power

☐ Ohio Power

☐ Columbus Southern Power

☒ Dayton Power and Light

☐ Residential

☐ Residential

☐ Residential

☐ Residential

☐ Residential

☐ Residential

☐ Residential

☐ Residential

☒ Commercial

☒ Commercial

☒ Commercial

☒ Commercial

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☒ Commercial

☒ Mercantile

☒ Mercantile

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☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Mercantile

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

☒ Industrial

- A-10** Provide the approximate start date that the applicant proposes to begin delivering services

October 1, 2010

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- A-11** **Exhibit A-11 "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-12** **Exhibit A-12 "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 and companies that aggregate customers in North America.
- A-13** **Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.
- A-14** **Exhibit A-14 "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-15** **Exhibit A-15 "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 including aggregation 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 aggregation service(s) including contracting with customers to combine electric load and representing customers in the purchase of retail electric services. (e.g. number and types of customers served, utility service areas, amount of load, etc.).

B-4 **Exhibit B-4 "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-5 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-5 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-6 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☒ 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.

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.

MR, Principal, Sustainable Energy works LLC
Signature of Applicant & Title

Sworn and subscribed before me this 20 day of August, 2010
Month Year


Signature of official administering oath
Notary Public, State of Ohio
My Commission Expires April 8, 2014

BRADLEY C. RICHARDSON, Notary
Print Name and Title

My commission expires on 4/8/14

AFFIDAVIT

State of Ohio :

Columbus
(Town)

County of Franklin

George Rooney, Affiant, being duly sworn/affirmed according to law, deposes and says that:
He/She is the Principal owner (Office of Affiant) of Sustainable Energy Works LLC (Name of Applicant);

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

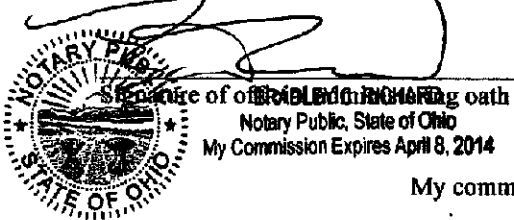
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
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.

MR Principal, Sustainable Energy Works LLC
Signature of Affiant & Title

Sworn and subscribed before me this 20 day of AUGUST, 2010
Month Year



BRADLEY C. RICHARDS Notary
Print Name and Title

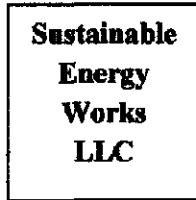
My commission expires on 4/8/2014

Exhibit A-11 "Principal Officers, Directors & Partners"

George Rooney	140 Mill Street	Gahanna, OH 43230	(614) 532-5622
Shaun M. Slisher	140 Mill Street	Gahanna, OH 43230	(614) 532-5622
Scott D. Slisher	140 Mill Street	Gahanna, OH 43230	(614) 532-5622

Exhibit A-12 "Corporate Structure"

Sustainable Energy Works LLC is an Ohio limited liability company.



Principal/Owners:

- George Rooney
- Shaun M. Slisher
- Scott D. Slisher

Exhibit A-13 "Company History"

Sustainable Energy Works LLC was established as an Ohio LLC in November 2009, and commenced operation in January 2010. The Company provides energy services to commercial, industrial, industrial, and institutional building owner/operators that will enable the owners/operators to reduce their energy costs, to include reduced energy consumption and cost per unit of energy consumed. The Company also seeks to develop energy efficiency and renewable energy projects.

Exhibit A-14 "Articles of Incorporation and Bylaws"

This is not applicable as the Company is not incorporated. However, the Company is an Ohio limited liability company, and a copy of the State of Ohio Certificate/Articles of Organization is included in Exhibit A-15 "Secretary of State".

Exhibit A-15 "Secretary of State"

See attached.



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	C
11/13/2009	200931700746	ARTICLES OF ORGNZTN/DOM. PROFIT LIMLIAB. CO. (LCP)	125.00	.00	.00	.00	

Receipt

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

GEORGE ROONEY
1888 BALDRIDGE RD.
COLUMBUS, OH 43221

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jennifer Brunner

1895473

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

SUSTAINABLE ENERGY WORKS LLC

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

Document(s)
ARTICLES OF ORGNZTN/DOM. PROFIT LIMLIAB. CO.

Document No(s):
200931700746



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 13th day of November, A.D.
2009.

Ohio Secretary of State

Exhibit B-1 "Jurisdictions of Operation"

The Company has not previously applied or registered to provide retail or wholesale electric services including aggregation services, in the State of Ohio. As such, at the present time there is no jurisdiction in which the Company operates to provide these services.

Exhibit B-2 "Experience & Plans"

The Company is primarily engaged in the provision of energy services to commercial, industrial, and institutional building owners and operators to enable them to reduce their energy costs in terms of reduced energy units consumed and a reduced dollar per unit of energy consumed. The Company is applying for certification as an aggregator/power broker, and plans to work almost exclusively as a power broker (i.e., agent) and has no plans to take title to electric power for resale to end users. Insofar as the Company provides services that require billing statements for electric power and related services that are provided, the Company will adhere to the rules in Section 4928.10. Again, as the Company will not be directly selling electric power, it is unlikely that it would be the recipient of complaints. Nonetheless, the Company is in the process of setting up a toll-free number for customer service and complaints.

Exhibit B-3 "Summary of Experience"

As a new company that is planning to commence the provision of power brokering services in Q4 2010, Sustainable Energy Works LLC does not have institutional experience in the provision of power brokering services. However, the principals/owners have extensive experience in the provision of competitive retail electric service. Mr. Scott Slisher previously worked as Managing Director of Customer Experience at Integrys Energy Services (prior to that known as Wisconsin Public Service). In this capacity he was a senior manager with responsibility over retail customer operations, marketing, sales, back office, and account management for mass markets in multiple states (including Ohio, Texas, and a number of Northeastern and Midwestern states). Prior to working at Integrys, Mr. Slisher worked as VP for Marketing and Origination at AEP, responsible for sales in competitive markets to ERCOT and PJM customers, mostly over 1MW. Mr. George Rooney, in a previous capacity, worked as SVP for Marketing and Origination at AEP where he oversaw sales of electric power in ERCOT to open access customers greater than 1MW.

Exhibit B-4 "Disclosure of Liabilities and Investigations"

There are no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the Company's financial or operational status or ability to provide Aggregation or Power Brokering (or any related retail) services.

Exhibit C-1 "Annual Reports"

The Company, as an LLC, does not produce Annual Reports. Furthermore, having commenced operations in January 2010 has limited financial information. However, Exhibits C-3 and C-5 provide the most comparable information.

Exhibit C-2 "SEC Filings"

Not applicable.

Exhibit C-3 "Financial Statements"

CONFIDENTIAL

See attached.

Exhibit C-4 "Financial Arrangements"

The Company was completely self-funded from the Principals/Owners, and does not have any outside financial arrangements in place.

Exhibit C-5 "Forecasted Financial Statements"

CONFIDENTIAL

See attached.

Exhibit C-6 "Credit Rating"

Having only recently commenced commercial operations in January 2010, the Company does not have a credit rating. The Company has applied for and received a Dun and Bradstreet number, 94-670-7549.

Exhibit C-7 "Credit Report"

Having only recently commenced commercial operations in January 2010, the Company does not have a credit report. The Company has applied for and received a Dun and Bradstreet number, 94-670-7549.

Exhibit C-8 "Bankruptcy Information"

There are no bankruptcy or related filings associated with the company, affiliate, or officers.

Exhibit C-9 "Merger Information"

Not applicable.