



The Public Utilities Commission of Ohio

PUCO USE ONLY		
Date Received	Case Number	Version
	13-40-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 checked="" type="checkbox"/> Power Marketer | <input type="checkbox"/> Aggregator |

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

Legal Name GearyEnergy, LLC
 Address 7712 S. Yale Ave., Suite 201, Tulsa, OK 74136
 Telephone # (918) 523-2513 Web site address (if any) www.gearyenergy.com

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

Legal Name GearyEnergy, LLC
 Address 7712 S. Yale Ave., Suite 201, Tulsa, OK 74136
 Telephone # (918) 523-2513 Web site address (if any) www.gearyenergy.com

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

<u>GearyEnergy, LLC</u>	<u>Geary Gas Marketing</u>
<u>Geary Power Marketing</u>	<u>Geary Enterprises</u>
<u> </u>	<u> </u>

A-5 Contact person for regulatory or emergency matters

Name Frank S. Geary
Title President
Business address 7712 S. Yale Ave., Suite 201, Tulsa, OK 74136
Telephone # (918) 523-2513 Fax # (918) 523-2522
E-mail address (if any) fgeary@gearyenergy.com

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

Name Frank S. Geary
Title President
Business address 7712 S. Yale Ave., Suite 201, Tulsa, OK 74136
Telephone # (918) 523-2513 Fax # (918) 523-2522
E-mail address (if any) fgeary@gearyenergy.com

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

Customer Service address 7712 S. Yale Ave., Suite 201, Tulsa, OK 74136
Toll-free Telephone # _____ Fax # (918) 523-2522
E-mail address (if any) fgeary@gearyenergy.com

A-8 Applicant's federal employer identification number # 621742116

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

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

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

February 5, 2013

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.

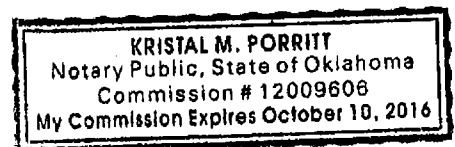
- C-9 Exhibit C-9 "Merger Information," provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

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)

Frank S. Long President
Signature of Applicant and Title



Sworn and subscribed before me this 3 day of January, 2013
Month Year

Kristal M. Porritt
Signature of official administering oath

Kristal M. Porritt - Assistant
Print Name and Title

My commission expires on October 10, 2016

AFFIDAVIT

State of Oklahoma :

Tulsa ss.
(Town)

County of Tulsa :

Frank S. Geary, Affiant, being duly sworn/affirmed according to law, deposes and says that:

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

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

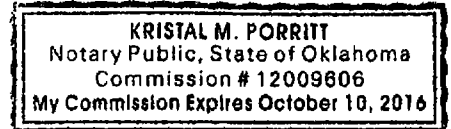
1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.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

Ann S. Gray President
Signature of Affiant & Title

Sworn and subscribed before me this 3 day of January, 2013
Month Year



Kristal M. Porritt
Signature of official administering oath

Kristal M. Porritt - Assistant
Print Name and Title

My commission expires on October 10, 2016

Exhibit A-12 "Principal Officers, Directors, and Partners"

Frank S. Geary

President

7712 S. Yale Ave Ste 201

Tulsa, Oklahoma 74136

fgear@gearyenergy.com

Phone: (918) 523-2513

Fax: (918) 523-2522

Terry Honeyman

Sr. Administrative Assistant

7712 S. Yale Ave Ste 201

Tulsa, Oklahoma 74136

Thoneyman@gearyenergy.com

Phone: (918) 523-2513

Fax: (918) 523-2522

Exhibit A-13

"Corporate Structure"



GearyEnergy, LLC is privately held. All business regarding natural gas and retail or wholesale electricity were conducted and transacted under GearyEnergy, LLC.

Geary Gas marketing

Geary Power Marketing

Geary Enterprises

Exhibit A-14

“Company History”

GearyEnergy, LLC is a certified minority-owned business enterprise (MBE) and small disadvantaged business (SDB) that provides wholesale and retail electric energy service (including capacity, energy and ancillary services) to commercial and industrial customers in both the private and public sector. Geary’s business plan is predicated upon two key principles: (1) an existing commercial business relationship with a large retail electric provider that has been operating in the retail electric market arena since the inception of the deregulation of the electricity market; and (2) extensive experience in a similar energy service industry, the retail natural gas market, where Geary has operated for over 14 years. Although a new entrant into the retail electricity market, Geary is not new to the arena of retail commodity service and plans to utilize this information and experience along with its business relationships with the retail electric service provider referenced above in its ongoing business operations.

Exhibit A-15

"Articles of Incorporation and Bylaws"

GearyEnergy, LLC is a Delaware limited liability company, formed in February of 1998. See attached Articles of Incorporation and Operating Agreement.

Delaware

PAGE 1

The First State

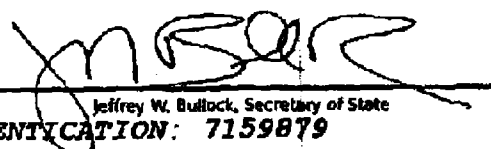
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "GEARYENERGY, LLC", FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF FEBRUARY, A.D. 1998, AT 9 O'CLOCK A.M.



2864816 8100

090214296

You may verify this certificate online
at www.delaware.gov/authstat.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7159879

DATE: 02-27-09

CERTIFICATE OF FORMATION

OF

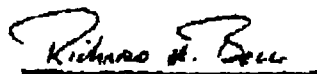
GearyEnergy, LLC

(A Delaware Limited Liability Company)

First: *The name of the limited liability company is. GearyEnergy, LLC*

Second: *Its registered office in the State of Delaware is located at 25 Greystone Manor, Lewes, Delaware 19958, County of Sussex. The registered agent in charge thereof is Harvard Business Services, Inc.*

IN WITNESS WHEREOF, I Richard H. Bell, being fully authorized to execute and file this document have signed below and executed this Certificate of Formation on this 27th day of February, 1998.



Richard H. Bell
Authorized Person

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 02/27/1998
981076941 - 2864816

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "GEARYENERGY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SEVENTH DAY OF FEBRUARY, A.D. 2009.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID LIMITED LIABILITY COMPANY IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE NOT HAVING BEEN CANCELLED OR DISSOLVED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "GEARYENERGY, LLC" WAS FORMED ON THE TWENTY-SEVENTH DAY OF FEBRUARY, A.D. 1998.



2864816 8300

090214292

You may verify this certificate online


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7159876

DATE: 02-27-09

GEARYENERGY, L.L.C.

OPERATING AGREEMENT

ARTICLE I - OFFICES

Section 1. Principle Office - The principle place of business of GearyEnergy, L.L.C. shall be:

7712 S. Yale Ave., Suite 201
Tulsa, OK 74136

Section 2. Additional Offices - GearyEnergy may have additional offices at such place within or without the State of its organization as the Members may from time to time determine or as the business may require.

ARTICLE II - MEETINGS

Section 1. Annual Meeting - An annual meeting of the Members shall be held within forty-five (45) days after the close of the fiscal year of GearyEnergy and at the time and place as shall be determined by the Members. At the annual meeting the Members shall elect an Operational Manager and other officers and transact such other business as may be brought before the meeting.

Section 2. Special Meeting - A special meeting may be called by the Operating Manager and shall be called by the Operating Manager at the request of a majority of the Members entitled to vote at such a meeting. Any such request shall state the purposes of the proposed meeting and business transacted at the meeting shall be confined to the purposes set forth in the notice thereof.

Section 3. Notice of Meetings - Written notice of the time, place and purpose of every meeting of the Members shall be given by the Operating Manager to each Member of record entitled to vote at such a meeting, not less than ten or more than fifty days prior to the meeting. Notice shall be given either personally or by written notice by first class mail to each Member at his address appearing on the record book of the company or at the address supplied by him to the Operating Manager for receiving such notice.

A written waiver of notice setting forth the purpose of the meeting for which notice is waived, signed by the person entitled to such notice, whether before or after the time of the meeting stated therein, shall be deemed equivalent to the giving of such notice. The attendance by a member at a meeting either in person or by proxy without protesting the lack of notice shall constitute a waiver of notice of such Member.

Section 4. Quorum - The holders of a seventy-five percent interest of the Members present in person or represented by proxy, shall be requisite and shall constitute a quorum at all meetings of the Members. A Member's interest in GearyEnergy shall be reflective of the Member's number of units. The phrase "a majority in interest of the

Members" shall mean Members who, in aggregate, shall be in excess of seventy-five percent of all outstanding units.

Section 5. Voting – Every Member entitled to vote at any meeting shall be entitled to vote in accordance with his interests in the company held by him of record on the date fixed as the record date for said meeting and may so vote in person or by proxy. Any company action shall be authorized only by a majority in interest of the votes cast by the Members entitled to vote thereon.

Section 6. Proxies – Every proxy must be signed by the Member entitled to vote or by his duly authorized attorney-in-fact. Every proxy shall be revocable at the pleasure of the person executing it.

Section 7. Members List – A list of Members as of the record date, certified by the Operating Manager of GearyEnergy, L.L.C. shall be prepared for every meeting of Members and shall be produced by the Operating Manager thereat.

Section 8. Inspectors at Meetings – In advance of any Members meetings, the Members may appoint one or more inspectors to act at the meeting or at the adjournment thereof and if not so appointed the person presiding at any such meeting may, at the request of any Member entitled to vote thereat shall, appoint one or more inspectors.

Section 9. Conduct of Meeting – All meetings of Members shall be presided over by the Operating Manager, or if he is not present by a member thereby chosen by the Members at the meeting. The Operating Manager or the person presiding at the meeting shall appoint any person present to act as secretary of the meeting and a written record shall be made of the minutes of the meeting.

ARTICLE III – OFFICERS

Section 1. Executive Officers – The officers of the company shall be the Operating Manager, a Secretary and a Treasurer and such other officers as the Members may determine. Any two or more offices may be held by the same person.

Section 2. Election – The Operating Manager and the other officers shall be chosen by the Members and shall hold office term for which elected and until their successors have been elected and qualified. Members may from time to time appoint all such other officers as they determine and such officers shall hold office term for which elected and until their successors have been appointed and qualified. A vacancy in any office arising from any cause may be filled for the unexpired portion of the term by the Members.

Section 3. Removal – Any officer may be removed from office by the Members at any time with or without cause.

Section 4. Delegation of Powers - The Members may from time to time delegate the powers or duties of any officer of the company, in the event of his absence or failure to act otherwise, to any other officer or Member or person whom they may select.

Section 5. Compensation - The compensation of each officer shall be such as the Members may from time to time determine.

Section 6. Operating Manager - The Operating Manager shall be chief executive officer of GearyEnergy, LLC and shall have general charge of the business and affairs of the company, subject generally to the direction of the Members.

Unless otherwise ordered by the Members, the Operating Manager, or in the event of his inability to act, an officer designated by the Members, shall have full power and authority on behalf of the company to attend and to act and to vote at any meeting of security holders of companies in which the company may hold securities, and at such meetings shall possess and may exercise any and all rights and powers incident to the ownership of such securities, and which, as owner thereof, the company might have possessed and exercised, if present. The Members by resolution from time to time may confer like powers upon any other person.

Section 7. Secretary - The Secretary shall keep minutes of all meetings and record all votes of Members and committees in a book to be kept for that purpose. He shall give or cause to be given any required notice of meetings of Members or any committee, and shall be responsible for preparing or obtaining from a transfer agent appointed by the Members, the list of Members required by Article II, Section 7 hereof. He shall be custodian of the seal of the company and shall affix or cause to be affixed the seal to any instrument requiring it and shall attest the same and exercise the powers and perform the duties incident to the office of the Secretary subject to the direction of the Members.

Section 8. Treasurer - Subject to the direction of the Members, the Treasurer shall have charge of the general supervision of the funds and securities of the company and the books of account of the company and shall exercise the powers and perform the duties incident to the office of the Treasurer.

Section 9. Other Officers - All other officers shall have such authority and shall perform such duties as may be specified from time to time by the Members.

ARTICLE IV - CAPITAL ACCOUNTS

Section 1. Capital Accounts - All investments made by each Member shall be recorded in that Member's capital account. The amount credited to the capital account of each Member shall be that amount from any capital contribution and, in addition, the Member's share of the net profits in the company. The capital account shall reflect any losses, withdrawals or distributions made to the Members and shall be computed in

accordance with generally accepted accounting principles. The Members will be provided a state and federal income tax return.

ARTICLE VI - CERTIFICATES REPRESENTING MEMBERSHIP

Section 1. Form of Certificates - Each Member shall be entitled to a certificate or certificates in form as prescribed by the Members and by any applicable statutes, which Certificate shall certify interest of the Member in the company. The Certificates shall be numbered and registered in the order in which they are issued and upon issuance the name in which each Certificate has been issued together with the interest in GearyEnergy, L.L.C. represented thereby and the date of issuance shall be entered in the Membership book of the company by the secretary or by the transfer agent of the company. Each Certificate shall be signed by the Operating Manager and countersigned by the Secretary and shall be sealed with the company seal.

Section 2. Record Date for Members - For the purpose of determining the Members entitled to notice of, or to vote at any meeting of Members or any adjournment thereof or to express consent or dissent from any proposal without a meeting, or for the purpose of determining the Members entitled to receive payment of any dividend or allotment of any rights, or for the purpose of any other action, the Members may affix, in advance, a date as the record of date for any such determination of the Members. Such date shall not be more than fifty nor less than ten days before the date of any meeting, nor more than fifty days prior to any action taken without a meeting, the payment of a dividend or allotment of any rights or any other action. When determination of Members of record entitled to notice of, or to vote at any meeting of Members has been made as provided in this section, such determination shall apply to any adjournment thereof, unless the Members fix a new record date under this section for the adjournment date.

Section 3. Members of Record - As a matter of record, Frank S. Geary will be noted and considered as the Original and Founding Member of GearyEnergy, L.L.C.

All Members shall be entitled to treat the holder of the record of any Membership Certificate as the holder in fact thereof and, accordingly, shall not be bound to recognize any equitable or other claim to or interest in such membership interest on the part of any other person whether or not it shall have express or other notice thereof, except as otherwise provided by the laws of the state of its organization.

ARTICLE VI - STATUTORY NOTICES

The Members may appoint the Treasurer or any other officer of the company to cause to be prepared and furnish to Members entitled thereto any special financial notice and/or statement which may be required by any applicable statute.

ARTICLE VII – FISCAL YEAR

The fiscal year of GearyEnergy, L.L.C. is the calendar year from January 1 to December 31 unless the Members, by resolution, alter such fiscal year.

ARTICLE VIII – COMPANY SEAL

The company seal shall have inscribed thereon the name of GearyEnergy, the year and state of its creation and the words "A Limited Liability Company" and shall be in such form and contain such words that the Members shall determine.

ARTICLE IX – BOOKS AND RECORDS

There shall be maintained at the principle office of the company books of account of all the company's business and transactions.

There shall be maintained at the principle office of the company or at the office of the company's transfer agent a record containing the names and addresses of all Members, the number and class of membership interest held by such and the dates when they respectively became the owners of record thereof.

ARTICLE X – INDEMNIFICATION OF OFFICERS, EMPLOYEE AND AGENTS

Any person made or threatened to be made a party to an action or proceeding, whether civil or criminal, by reason of the fact that he, his testator or intestate, then, is, or was a manager, Member, employee or agent of the company, or then serves or has served on behalf of the company in any capacity at the request of the company, shall be indemnified by the company against reasonable expenses, judgments, fines, and amounts actually and necessarily incurred in connection with the defense of such action or proceeding or in connection with an appeal therein, to the fullest extent permissible by the laws of the State of Delaware. Such right of indemnification shall not be deemed exclusive of any other rights to which such person may be entitled.

ARTICLE XI – AMENDMENTS

The Members entitled at the time to vote by vote of a majority in interest of the Members, shall have the power to amend or repeal this Operating Agreement, and to adopt a new Operating Agreement.

IN WITNESS WHEREOF, Frank S. Geary as the Original and Founding Member of GearyEnergy, L.L.C., has executed this agreement as of January 1, 2003.

Operating Manager:

Frank S. Geary
Frank S. Geary

Exhibit A -16

"Secretary of State"

See attached.



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
02/27/2009	200905702380	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	100.00	.00	.00	.00

Receipt

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

GEARYENERGY, LLC
7712 S. YALE AVE.
STE. 201
TULSA, OK 74136

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jennifer Brunner**1838838**

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

GEARYENERGY, LLC

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

Document(s)

REG. OF FOR. PROFIT LIM. LIAB. CO.

Document No(s):

200905702380

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 26th day of February,
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

Expedite this Form: (Select One)

☒ Expedite PO Box 1390
Columbus, OH 43216

*** Requires an additional fee of \$100***

☐ Non Expedite PO Box 670
Columbus, OH 43216

**REGISTRATION OF A FOREIGN
LIMITED LIABILITY COMPANY**
Filing Fee \$125.00

2009 FEB 26 AM 9:34

THE UNDERSIGNED DESIRING TO FILE A:

(CHECK ONLY ONE (1) BOX)

(1) <input checked="" type="checkbox"/> Registration of a Foreign For-Profit Limited Liability Company (106-LFA) ORC 1705 State of Organization <u>Delaware</u> Date of Formation <u>2/27/1998</u>	(2) <input type="checkbox"/> Registration of a Foreign Nonprofit Limited Liability Company (106-LFA) ORC 1705 State of Organization _____ Date of Formation _____
---	--

Name of limited liability company in its state of organization: GearyEnergy, LLC

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its home-state name) is:

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "ltd.," or "ltd"

☐ Check here if additional provisions are attached

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

GearyEnergy, LLC
Name
7712 S. Yale Avenue, Suite 201
Street Address / P.O. Box Address
Tulsa OK 74136
City State Zip code

The limited liability company hereby appoints the following as its agent upon whom process against the limited liability company may be served in the state of Ohio. The name and complete address of the agent is:

National Registered Agents, Inc.
Name

145 Baker Street
Mailing Address

Marion
City

Ohio
State

43302
Zip Code

☐ If the agent is an individual and using a P.O. Box, check this box to certify the agent is a resident of the state of Ohio.

The limited liability company irrevocably consents to service of process on the agent listed above as long as the authority of the agent continues, and to service of process upon the OHIO SECRETARY OF STATE if:

- a. an agent is not appointed, or
- b. an agent is appointed but the authority of that agent has been revoked, or
- c. the agent cannot be found or served after the exercise of reasonable diligence.

REQUIRED

Articles and original appointment of agent must be (signed) by a member, manager or other representative.

Frank S. Geary
Signature

2/24/2009
Date

Frank S. Geary, President
Print Name

Signature

Date

Print Name

Signature

Date

Print Name

Exhibit B-1

“Jurisdictions of Operation”

GearyEnergy, LLC is licensed as an electric supplier the following states:

- Michigan Case Number U-16167 and U-16264
- Massachusetts Competitive Supplier Number CS-068
- Delaware Order Number 7759—PSC Docket Number 10-89
- Pennsylvania Public Utility Commission A-2011-2227268

Exhibit B-2

“Experience & Plans”

GearyEnergy, LLC is a certified minority business enterprise (MBE) and small disadvantaged business (SDB) which has entered into a contractual agreement with a large, established retail electricity supplier. This contract agreement allows Geary the opportunity to provide minority supplier diversity to industrial and commercial retail customers in the state of Ohio. Geary acts primarily as a marketer with our subcontractor handling the scheduling and transportation of our commitments.

GearyEnergy has no intention of offering residential retail electricity supply. Our focus is on industrial and commercial public and private sector supply.

GearyEnergy has prepared and utilizes a Master Retail Electricity Supply Agreement, pricing schedule, and invoices and has the managerial, technical and financial ability to work with customers on service, billing, customer inquiries and complaints.

Exhibit B-3

“Summary of Experience”

GearyEnergy, LLC is a minority-owned natural gas marketing company, established in 1998. Extensive experience in the natural gas industry has led GearyEnergy into the retail electricity service arena. Geary has begun delivering electricity in the state of Delaware as a licensed electricity supplier. Currently, Geary is a licensed supplier in Massachusetts, Delaware, Pennsylvania and Michigan. GearyEnergy is also a certified minority business enterprise (MBE) and small disadvantaged business (SDB).

GearyEnergy’s natural gas experience and capabilities include the wholesale and retail purchase, sale and transportation of physical natural gas supplies as well as associated financial hedging activities, energy contract negotiation and preparation, customer service, bill preparation, customer invoicing and reconciliation, natural gas scheduling, dispatch and settlement, including extensive operational experience with interstate and intrastate pipelines and local distribution facilities. Geary’s customer base over the past fourteen (14) years has ranged from large utilities to small end use customers, including various entities of the Federal Government (i.e. the Defense Energy Support Center).

GearyEnergy has developed a relationship and contractual teaming agreement with a large retail electric supplier. This teaming agreement provides for support in all functions of any wholesale or retail energy supply transaction which Geary may transact.

Exhibit B-4

“Environmental Disclosure”

GearyEnergy, LLC will follow the relevant procedures certified in Rule 4901:1-21-09 of the Ohio Administrative Code. GearyEnergy plans to contract with the wholesale suppliers and purchase electricity from the Regional Transmission Authority in order to meet the supply requirements of future Ohio customers. GearyEnergy plans to obtain both the quarterly and annual information regarding generation resource mix and environmental characteristics from the wholesale suppliers with whom GearyEnergy enters into contract.

GearyEnergy, LLC will include the environmental disclosure as required by Rule 4901:1-21-09.

Exhibit B-5

“Disclosure of Liabilities and Investigations”

Effective December 19, 2012 the Public Utilities Commission of Ohio felt it necessary to revoke GearyEnergy's Certified Retail Electric Supplier Certificate Number: 10-309E(1). This certificate was issued December 8, 2010 in Case No. 10-2487-EL-CRS. GearyEnergy alleges that under the circumstances of this case, it was unreasonable and unlawful for the Commission to revoke the authority of Geary Energy and to cancel its certificate. GearyEnergy has both filed its 2011 annual report and paid the \$100.00 fee. GearyEnergy through representative legal counsel has respectfully requested that the Commission grant rehearing and reinstate Certificate No. 10-309E(1) issued on December 8, 2010 in Case No. 10-2487-EL-CRS and to reinstate its authority to provide power services in Ohio.

Exhibit B-7

“Disclosure of Certification Denial, Curtailment, Suspension, or Revocation”

Effective December 19, 2012 the Public Utilities Commission of Ohio felt it necessary to revoke GearyEnergy's Certified Retail Electric Supplier Certificate Number: 10-309E(1). This certificate was issued December 8, 2010 in Case No. 10-2487-EL-CRS. GearyEnergy alleges that under the circumstances of this case, it was unreasonable and unlawful for the Commission to revoke the authority of Geary Energy and to cancel its certificate. GearyEnergy has both filed its 2011 annual report and paid the \$100.00 fee. GearyEnergy through representative legal counsel has respectfully requested that the Commission grant rehearing and reinstate Certificate No. 10-309E(1) issued on December 8, 2010 in Case No. 10-2487-EL-CRS and to reinstate its authority to provide power services in Ohio.

Exhibit C-1

“Annual Reports”

GearyEnergy is a privately held limited liability company and does not have annual reports.

Exhibit C-2

“SEC Filings”

GearyEnergy, LLC is a privately held company with 100% ownership by Frank S. Geary—President. Therefore, GearyEnergy has no SEC filings.

Exhibit C-3
“Financial Statements”

This Exhibit contains confidential and proprietary information and is being submitted under seal.

Exhibit C-4
"Financial Arrangements"

This Exhibit contains confidential and proprietary information and is being submitted under seal.

Exhibit C-5
"Financial Forecasts"

This Exhibit contains confidential and proprietary information and is being submitted under seal.

Exhibit C-6

“Credit Rating”

GearyEnergy, LLC is a privately held company that has never subscribed to any credit reporting agencies.

Exhibit C-7
"Credit Report"

Please find the attached Dun & Bradstreet report.

D&B Business Information Report

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ATTN: .

Report Printed: DEC 31 2012
In Date

BUSINESS SUMMARY

GEARY ENERGY, L.L.C.
7712 S Yale Ave Ste 201
Tulsa, OK 74136

This is a **single** location.

D-U-N-S Number: 02-237-8751

Web site: www.gearyenergy.com

D&B Rating: 2R2
Number of employees: 2R is 1 to 9 employees.
Composite credit appraisal: 2 is good.

Telephone: 918 523-2513

Fax: 918 523-2522

Manager: FRANK GEARY, MBR

D&B PAYDEX®:

Year started: 1998

D&B PAYDEX: 80
When weighted by dollar amount, payments to suppliers average generally within terms.

Employs: 3

History: CLEAR

Based on up to 24 months of trade.

Financing: SECURED

SIC: 4923

Line of business: Gas transmission/distribution

SUMMARY ANALYSIS

D&B Rating: 2R2
Number of employees: 2R indicates 1 to 9 employees.
Composite credit appraisal: 2 is good.

The 1R and 2R ratings categories reflect company size based on the total number of employees for the business. They are assigned to business files that do not contain a current financial statement. In 1R and 2R Ratings, the 2, 3, or 4 creditworthiness indicator is based on analysis by D&B of public filings, trade payments, business age and other important factors. 2 is the highest Composite Credit Appraisal a company not supplying D&B with current financial information can receive. For more information, see the D&B Rating Key.

Below is an overview of the company's rating history since 07/28/98:

D&B Rating	Date Applied
2R2	03/11/05
--	12/13/02
2R2	06/14/01
--	10/03/00
2R2	09/14/99
--	07/28/98

The Summary Analysis section reflects information in D&B's file as of December 31, 2012.

CUSTOMER SERVICE

If you have questions about this report, please call our Customer Resource Center at 1.800.234.3867 from anywhere within the U.S. If you are outside the U.S. contact your local D&B office.

*** Additional Decision Support Available ***

Additional D&B products, monitoring services and specialized investigations are available to help you evaluate this company or its industry. Call Dun & Bradstreet's Customer Resource Center at 1.800.234.3867 from anywhere within the U.S. or visit our website at www.dnb.com.

HISTORY

The following information was reported **12/22/2012**:

Management: FRANK GEARY, MBR

The Oklahoma Secretary of State's business registrations file showed that GearyEnergy, L.L.C. was registered as a limited liability company on September 16, 1999.

Ownership information provided verbally by Carly Karnes, Admin Asst, on Sep 03 2009.

Business started 1998 by Officers.

FRANK GEARY born 1952. 1998-present active here.

OPERATIONS

12/22/2012

Description: Provides gas transmission or distribution (100%).

Has 25 account(s). Terms are Net 30 days. Sells to commercial concerns and the government.
Territory : United States.

Nonseasonal.

Employees: 3 which includes partners.

Facilities: Occupies 3,000 sq. ft. in a two story brick building.

Location: Suburban business section on main street.

SIC & NAICS

SIC:

Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&B's use of 8-digit SICs enables us to be more specific to a company's operations than if we use the standard 4-digit code.

The 4-digit SIC numbers link to the description on the Occupational Safety & Health Administration (OSHA) Web site. Links open in a new browser window.

49230000 Gas transmission and distribution

NAICS:

221210 Natural Gas Distribution

D&B PAYDEX

The D&B PAYDEX is a unique, dollar weighted indicator of payment performance based on up to 18 payment

experiences as reported to D&B by trade references.

3-Month D&B PAYDEX: 80

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

Based on trade collected over last 3 months.

D&B PAYDEX: 80

When weighted by dollar amount, payments to suppliers average generally within terms.

Based on up to 24 months of trade.

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

PAYMENT SUMMARY

The Payment Summary section reflects payment information in D&B's file as of the date of this report.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

	Total Rcv'd (#)	Total Dollar Amts (\$)	Largest High Credit (\$)	Within Terms (%)	Days Slow <31 31-60 61-90 90> (%)			
Top industries:								
Telephone communictns	7	1,300	1,000	100	-	-	-	-
Public finance	2	8,250	7,500	100	-	-	-	-
Misc equipment rental	2	750	500	100	-	-	-	-
Security broker/deal	1	250	250	100	-	-	-	-
Personal credit	1	50	50	100	-	-	-	-
Other payment categories:								
Cash experiences	5	700	500					
Payment record unknown	0	0	0					
Unfavorable comments	0	0	0					
Placed for collections:								
With D&B	0	0						
Other	0	N/A						
Total in D&B's file	18	11,300	7,500					

The highest **Now Owes** on file is \$250

The highest **Past Due** on file is \$0

D&B receives over 600 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received.

PAYMENT DETAILS**Detailed Payment History**

Date Reported (mm/yy)	Paying Record	High Credit (\$)	Now Owes (\$)	Past Due (\$)	Selling Terms	Last Sale Within (months)
12/12	(001)	50			Cash account	1 mo
	(002)	50			Cash account	2-3 mos
11/12	Ppt	250	250	0	N30	1 mo

	Ppt	50	50	0		1 mo
	Ppt	50	50	0		1 mo
	Ppt	50	50	0		1 mo
	Ppt	50	50	0		1 mo
	Ppt	50	50	0		1 mo
	Ppt	50	50	0		1 mo
	(010)	500			Cash account	1 mo
	Cash own option.					
06/12	Ppt	7,500				1 mo
	Ppt	750				1 mo
02/12	Ppt	500	250	0	N30	1 mo
	Ppt	250	0	0	N30	6-12 mos
	Ppt	50	0	0		6-12 mos
	(016)	50			Cash account	1 mo
12/11	Ppt	1,000	100	0		
10/11	(018)	50			Cash account	6-12 mos

Payments Detail Key: red = 30 or more days beyond terms

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

FINANCE

12/22/2012

The name and address of this business have been confirmed by D&B using available sources.

BANKING

11/12 Account(s) averages medium 5 figures. Account open over 5 years.

PUBLIC FILINGS

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

UCC FILINGS

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Accounts receivable including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - Contract rights including proceeds and products - General intangibles(s) including proceeds and products

Type: Original

Sec. party: CONSTELLATION NEW ENERGY, INC., BALTIMORE, MD

Debtor: GEARYENERGY, LLC

Filing number: 2011 4158898

Filed with: SECRETARY OF STATE/UCC DIVISION, DOVER, DE

Date filed: 10/27/2011

Latest Info Received: 11/28/2011

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Accounts receivable including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - Contract rights including proceeds and products - General intangibles(s) including proceeds and products
Type: Original
Sec. party: CONSTELLATION NEWENERGY, INC., BALTIMORE, MD
Debtor: GEARYENERGY, LLC
Filing number: 2011 3707646
Filed with: SECRETARY OF STATE/UCC DIVISION, DOVER, DE
Date filed: 09/27/2011
Latest Info Received: 10/21/2011

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Accounts receivable including proceeds and products - Account(s) including proceeds and products - General intangibles(s) including proceeds and products - Contract rights including proceeds and products - Chattel paper including proceeds and products
Type: Original
Sec. party: CONSTELLATION NEWENERGY, INC., BALTIMORE, MD
Debtor: GEARYENERGY, LLC
Filing number: 2011 1566903
Filed with: SECRETARY OF STATE/UCC DIVISION, DOVER, DE
Date filed: 04/27/2011
Latest Info Received: 05/18/2011

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Accounts receivable including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - Contract rights including proceeds and products - General intangibles(s) including proceeds and products
Type: Original
Sec. party: CONSTELLATION NEWENERGY - GAS DIVISION, LLC, LOUISVILLE, KY
Debtor: GEARYENERGY, LLC
Filing number: 2011 0187511
Filed with: SECRETARY OF STATE/UCC DIVISION, DOVER, DE
Date filed: 01/18/2011
Latest Info Received: 02/11/2011

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Accounts receivable including proceeds and products - Account(s) including proceeds and products - Chattel paper including proceeds and products - Contract rights including proceeds and products - General intangibles(s) including proceeds and products
Type: Original
Sec. party: CONSTELLATION NEWENERGY, INC., BALTIMORE, MD
Debtor: GEARYENERGY, LLC
Filing number: 2010 2481640
Filed with: SECRETARY OF STATE/UCC DIVISION, DOVER, DE
Date filed: 07/16/2010

Latest Info Received: 08/11/2010

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Account(s) including proceeds and products - Contract rights including proceeds and products - Chattel paper including proceeds and products - General intangibles (s) including proceeds and products
Type: Original
Sec. party: MIDFIRST BANK, OKLAHOMA CITY, OK
Debtor: GEARY ENERGY, L.L.C.
Filing number: 4300480 3
Filed with: SECRETARY OF STATE/UCC DIVISION, DOVER, DE

Date filed: 10/20/2004
Latest Info Received: 12/06/2004

Eff Oct 09: OK UCC file# is 17 bytes: YYYYMMDD(8 bytes) & UCC filing code '02'(2 bytes) followed by a 7 byte number. D&B is limited to 14 bytes & will omit 1st 2 bytes from the year & 0 from the 02 code. Ex: 20100125020074071 will be 10012520074071.

Collateral: Account(s) and proceeds
Type: Original
Sec. party: MIDFIRST BANK, OKLAHOMA CITY, OK
Debtor: GEARY ENERGY LLC
Filing number: 2004004457026
Filed with: OKLAHOMA CENTRAL FILING OFFICE/UCC DIVISION, OKLAHOMA CITY, OK

Date filed: 04/14/2004
Latest Info Received: 04/28/2004

The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this report was printed.

GOVERNMENT ACTIVITY

Activity summary

Borrower (Dir/Guar):	NO
Administrative debt:	NO
Contractor:	YES
Grantee:	NO
Party excluded from federal program(s):	NO

Possible candidate for socio-economic program consideration

Labor surplus area:	N/A
Small Business:	YES (2012)
8(A) firm:	N/A

The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.

Exhibit C-8

“Bankruptcy”

GearyEnergy has never filed for bankruptcy.

Exhibit C-9

"Merger Information"

GearyEnergy, LLC is privately held, with Frank S. Geary as President and 100% owner. GearyEnergy was established in 1998 as privately held, with no intention of becoming otherwise. There have been no mergers, dissolutions, acquisitions of GearyEnergy since inception.

Exhibit D-1

“Operations”

GearyEnergy, LLC is a privately held, certified minority business enterprise (MBE) and small business enterprise (SBE). As a retail energy services supplier, GearyEnergy seeks to fulfill customers' needs for supplier diversity. GearyEnergy has developed a relationship and entered into a contractual agreement with a large retail electricity supplier to act as subcontractor to provide services to our customers. Our subcontractor has been servicing retail electric supply accounts since the inception of the deregulated energy market and has a proven record of exceptional operational ability. Please refer to our contractual agreement under **Exhibit C-4**.

Exhibit D-2

“Operations Expertise”

As previously stated, GearyEnergy has a contractual agreement with a large retail supplier that is currently licensed in the State of Ohio as a CRES. GearyEnergy relies on the proven expertise that our subcontractor has demonstrated.

Exhibit D-3

“Key Technical Personnel”

Although GearyEnergy is relying on subcontracted operational and technical personnel for servicing our customers, GearyEnergy's officers have demonstrated exceptional ability to perform any and all services under contract. GearyEnergy was established in 1998 as a minority-owned business supplier with emphasis placed on providing supplier diversity for our customers. Our firm has extensive knowledge and capability as a natural gas marketer.

Frank S. Geary

President

fgeary@gearyenergy.com

Phone: (918) 523-2513

Fax: (918) 523-2522

Frank is the founder and President of GearyEnergy and is an experienced energy trader whose career in the natural gas industry began in 1988. He has managed natural gas trading operations at the Williams Corporation of Tulsa, Oklahoma, and was a Senior Trader at Premier Enterprises in Denver, Colorado. Frank founded GearyEnergy in 1998. Frank has gained substantial financial, operational, and administrative experience in the role of President of GearyEnergy over the past twelve (12) years.

Terry Honeyman

Sr. Administrative Assistant

Thoneyman@gearyenergy.com

Phone: (918) 523-2513

Fax: (918) 523-2522

Terry's industry experience brings a strong knowledge of the oil and gas markets to the GearyEnergy team with special emphasis on scheduling, forecasting, dispatch and settlement. She has been a Senior Gas Transportation Representative for Premier Gas Company and Lead Operations Representative for Williams Corporation. Terry has exceptionally strong technical skills in the areas of operations and administration.

Exhibit D-4

“FERC Power Marketer License Number”

GearyEnergy, LLC has been granted **Market-Based Rate Authority** by the Federal Energy Regulatory Commission (FERC) under docket numbers **ER08-848-000** and **ER08-848-001**, July 2008.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/3/2013 3:22:38 PM

in

Case No(s). 13-0040-EL-CRS

Summary: Application Certification Application for Retail Generation Providers and Power Marketers electronically filed by Mr. Stephen M Howard on behalf of GearyEnergy, LLC