



The Public Utilities Commission of Ohio

original 38

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

13-653-EL-CRS

## 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 checked="" 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 Bmark Energy, Inc.  
Address 791 Price St. #177, Pismo Beach, CA 93449  
Telephone # (805) 773-3762 Web site address (if any) www.bmarkenergy.com

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

Legal Name Bmark Energy, Inc.  
Address 791 Price St. #177, Pismo Beach, CA 93449  
Telephone # (805) 773-3762 Web site address (if any) www.bmarkenergy.com

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

Bmark Energy, Inc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Robert Kramb  
Title President  
Business address 791 Price St. #177, Pismo Beach, CA 93449  
Telephone # (805) 773-3762 Fax # (805) 456-2088  
E-mail address (if any) robertk@bmarkenergy.com

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

Name Robert Kramb  
Title President  
Business address 791 Price St. #177, Pismo Beach, CA 93449  
Telephone # (805) 773-3762 Fax # (805) 456-2088  
E-mail address (if any) robertk@bmarkenergy.com

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

Customer Service address 791 Price St. #177, Pismo Beach, CA 93449  
Toll-free Telephone # (888) 987-8777 Fax # (805) 456-2088  
E-mail address (if any) robertk@bmarkenergy.com

**A-8 Applicant's federal employer identification number # 770579032**

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

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

April 1, 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 Experion, Dun and Bradstreet or a similar organization.
- C-8** **Exhibit C-8 “Bankruptcy Information,”** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or 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:

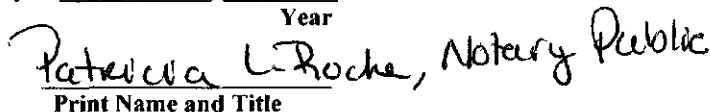
- D-1 **Exhibit D-1 "Operations"** provide a written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision 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)



Signature of Applicant and Title

Sworn and subscribed before me this 11<sup>th</sup> day of March, 2013  
Month Year

  
Signature of official administering oath

  
Print Name and Title

My commission expires on July 12, 2013



# **AFFIDAVIT**

State of California :

Pismo Beach ss.  
(Town)

County of San Luis Obispo :

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

He/She is the President (Office of Affiant) of Bmark Energy, Inc. (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 Saff 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.

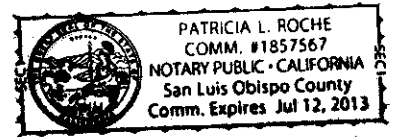
Robert J. Kraml  
Signature of Affiant & Title

Sworn and subscribed before me this 11<sup>th</sup> day of March, 2013  
Month Year

Patricia L. Roche  
Signature of official administering oath

Patricia L. Roche, Notary Public  
Print Name and Title

My commission expires on July 12, 2013





**Bmark Energy, Inc.**

**Exhibit A-12 "Principal Officers, Directors & Partners"**

Robert S. Kramb - President and Treasurer

791 Price St. #177, Pismo Beach, CA 93449

805-773-3762

Meridee A. Kramb - Vice President and Secretary

791 Price St. #177, Pismo Beach, CA 93449

805-773-3762

**Bmark Energy, Inc.**

**Exhibit A-13 "Corporate Structure"**

**Bmark Energy, Inc. a California Corporation**

Robert S. Kramb - President and Treasurer

791 Price St. #177, Pismo Beach, CA 93449

805-773-3762

Meridee A. Kramb - Vice President and Secretary

791 Price St. #177, Pismo Beach, CA 93449

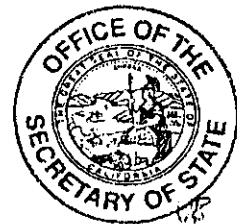
805-773-3762

**Bmark Energy, Inc.**

**Exhibit A-14 "Company History"**

Bmark Energy, Inc. is an energy consulting company founded in 1993, and incorporated in June of 2001 in the county of San Luis Obispo, in the state of California.

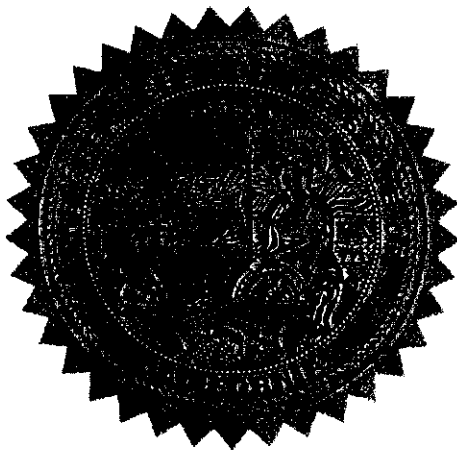
We are currently licensed to consult and serve companies in California, Texas, Illinois, Pennsylvania and Maryland.



**SECRETARY OF STATE**

I, *BILL JONES*, Secretary of State of the State of California,  
hereby certify:

That the attached transcript of 1 page(s) has  
been compared with the record on file in this office, of  
which it purports to be a copy, and that it is full, true  
and correct.



**IN WITNESS WHEREOF**, I execute this  
certificate and affix the Great Seal of  
the State of California this day of

JUL 03 2001

*Bill Jones*

Secretary of State

2349355

**ARTICLES OF INCORPORATION  
OF  
BMARK ENERGY, INC.**

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

**JUN 28 2001**

I.

The name of the corporation is Bmark Energy, Inc.

**BILL JONES, Secretary of State**

II.

The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

III.

The name and address in this state of the corporation's initial agent for service of process is: Mary Elizabeth Collins, Esq., Ellis & Collins, 1150 Osos Street, Suite 203, San Luis Obispo, California 93401.

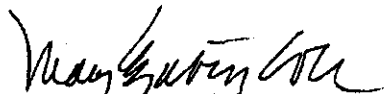
IV.

The corporation is authorized to issue 1,000 shares of common stock of one class.

V.

The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law. The corporation is authorized to indemnify the directors, officers and other agents of the corporation to the fullest extent permissible under California law.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation this 27<sup>th</sup> day of June, 2001.

  
\_\_\_\_\_  
Mary Elizabeth Collins





DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
11/03/2010	201030601298	FOREIGN LICENSE/FOR-PROFIT (FLF)	125.00	.00	.00	.00	.00

**Receipt**

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

BMARK ENERGY, INC.  
791 PRICE ST #177  
PISMO BEACH, CA 93449

# STATE OF OHIO CERTIFICATE

**Ohio Secretary of State, Jennifer Brunner**

1973964

It is hereby certified that the Secretary of State of Ohio has custody of the business records for  
**BMARK ENERGY, INC.**

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

Document(s)

**FOREIGN LICENSE/FOR-PROFIT**

Authorization to transact business in Ohio is hereby given, until surrender, expiration or  
cancellation of this license.

Document No(s):

**201030601298**

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

Witness my hand and the seal of  
the Secretary of State at Columbus,  
Ohio this 1st day of November,  
A.D. 2010.

Ohio Secretary of State

**Bmark Energy, Inc.**

**Exhibit B-1 "Jurisdictions of Operation"**

Bmark Energy, Inc. has licenses and certifications in Illinois, Maryland, Pennsylvania and California.

**Bmark Energy, Inc.**

**Exhibit B-2 "Experience & Plans"**

Bmark Energy currently consults with companies to provide energy cost savings made available by consuming less energy, by better measuring and managing energy, or by purchasing energy at lower rates. We currently work with hospital groups, fast food chains, pharmaceutical groups, hotel groups, along with a nationwide Feed/Chemical Terminal company located in numerous states.

We don't provide customer billing, as the electricity suppliers provide that function. Ours is a consultant/broker function.

Our practice always promotes the end-user's best interest . . . first.

We plan to provide the same energy cost savings approach to Ohio companies as well.



**Bmark Energy, Inc.**

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

Bmark Energy currently provides its consulting/brokering services to 60 commercial/industrial meters in 6 states and 10 LDCs. The current volume of electricity used by our customers is approximately 108,000,000 kWh annually.

**Bmark Energy, Inc.**

**Exhibit B-4 "Environmental Disclosure"**

N/A

**Bmark Energy, Inc.**

**Exhibit B-5 "Disclosure of Liabilities and Investigations"**

Bmark Energy has no current or past liabilities or investigations.

**Bmark Energy, Inc.**

**Exhibit B-7 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"**

Bmark Energy missed the deadline for renewal of Certificate.

FILE

Exhibit B7 "Disclosure of Certification Denial, Curtailment, Suspension or Revocation:



**Public Utilities  
Commission**

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

5

Commissioners

Steven D. Lesser  
Andre T. Porter  
Lynn Slaby

February 27, 2013

Bmark Energy, Inc.  
791 Price Street, #177  
Pismo Beach, CA 93449

RE: Relative to the cancellation of Certificate Number 10-312E(1)

To Whom It May Concern:

It has been determined by the Legal Department of the Public Utilities Commission of Ohio that Certificate Number 10-312E(1) will be cancelled as of February 27, 2013. This certificate will be cancelled pursuant to Case Number 10-2658-EL-AGG.

As a result of the cancellation of your operating authority, you're no longer authorized to provide public utility service in the State of Ohio.

Please contact Charles Stockhausen in the SRAD Division at 614-728-5049 if you have any questions or concerns about this action.

Sincerely yours,

*Betty McCauley*  
Secretary of the Commission  
Barcy F. McNeal, Secretary  
Betty McCauley, Acting Secretary  
Tanowa M. Troupe, Acting Secretary

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  
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Columbus, Ohio 43215-3793

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www.PUCO.ohio.gov

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FILE

Ohio

Public Utilities  
Commission

Ted Strickland, Governor  
Alan R. Schreiber, Chairman

CANCELLED

Commissioners

Valerie A. Lemmie  
Paul A. Cannella  
Cheryl Roberto  
Steven D. Lesser

PUBLIC UTILITIES COMMISSION OF OHIO

*Certified as a Competitive Retail Electric Service Provider*

Certificate Number:

10-312E (1)

Issued Pursuant to Case Number(s):

10-2658-EL-AGG

A certificate as a Competitive Retail Electric Service Provider is hereby granted to, **Buark Energy, Inc.** whose office or principal place of business is located at 791 Price Street, #177, Pismo Beach, CA 93449 to provide aggregation and power broker services within the State of Ohio effective December 16, 2010.

The certification of competitive retail electric suppliers is governed by Section 4901:1-24-(01-13) of the Ohio Administrative Code, Section 4901:1-21-(01-15) of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code.

This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met.

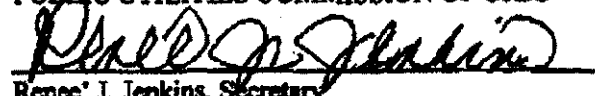
Subject to all rules and regulations of the Commission, now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio.

Dated: December 20, 2010

By Order of

PUBLIC UTILITIES COMMISSION OF OHIO



Renee J. Jenkins, Secretary  
Betty McCauley, Acting Secretary  
Tanowa M. Troupe, Acting Secretary

Certificate Expires: December 16, 2012

This is to certify that the images appearing are an accurate and complete reproduction of a C.O. file document delivered to the Public Utilities Commission of Ohio. Date received 12-20-2010

## **CRES AUTOMATIC CASE ACTION FORM**

Case No. 10-2658-EL-AGG

Date Sent: February 26, 2013

Effective Date of Certificate:

Certificate Expires: December 16, 2012

Company Name and Company Name d/b/a: Bmark Energy, Inc.

☐ Renewal

### **Action Needed:**

☐ Issue Certificate Number to: at (address):

☐ Certified To Provide the Following Services:

- ☐ Retail Generation
- ☒ Aggregation
- ☐ Power Marketer
- ☒ Power Broker
- ☐ Governmental Aggregation

☐ Renew Certificate No. to

☐ Revise Certificate No. to (check all applicable):

☐ Reflect name change from to

☐ Reflect address change from to

☐ Add new service offering to certificate:

- ☐ Retail Generation
- ☐ Aggregation
- ☐ Power Marketer
- ☐ Power Broker
- ☐ Governmental Aggregation

☐ Correct Administrative Error

☐ Reflect Change of Ownership to:

☒ Cancel Certificate No. 10-312 E (1)

☐ Protect Un-redacted copies until

☐ Close Case File, Case Withdrawn at Applicant's Request

☒ Close Case File

**CASE NUMBER:** 10-2658-EL-AGG  
**CASE DESCRIPTION:** BMARK ENERGY INC  
**DATE OF SERVICE:** 2/26/2013  
**DOCUMENT SIGNED ON:** 2/27/2013

**Sign Here:** 

**APPLICANT**

**PARTY OF RECORD**

**ATTORNEY**

BMARK ENERGY INC VP  
MERIDEE A KRAMB  
791 PRICE ST  
#177  
PISMO BEACH, CA 93449  
Phone: (805) 773-3762  
Fax: (805) 456-2088  
Email: MERIDEEK@BMARKENERGY.COM

NONE

**ATTORNEY**

**PARTY OF RECORD**

**ATTORNEY**

none

\*Kramb, Robert S. Mr.  
Bmark Energy, Inc.  
791 Price St. #177  
Pismo Beach, CA 93449  
Phone: 805-773-3762  
Fax: 805-456-2088  
Email: merideek@bmarkenergy.com



COLUMBUS, OH 43215  
Phone: 614-220-4369  
Fax: 614-220-4674  
Email: joseph.clark@directenergy.com

none

\*Boyd, Carl W.  
Direct Energy  
Liberty Center  
1001 Liberty Avenue  
Pittsburgh, PA 15222  
Phone: (412) 667-5272  
Fax: (412) 667-6104  
Email: carl.boyd@directenergy.com

none

CRABLE, CHRISTINA L.  
DIRECT ENERGY  
21 EAST STATE ST., 19TH FLOOR  
COLUMBUS, OH 43215  
Phone: (614) 220-4369, Ext. 231  
Fax: (614) 220-4674  
Email: CHRISTINA.CRABLE@DIRECTENERGY.COM

**Bmark Energy, Inc.**

**Exhibit C-1 "Annual Reports" & C-2 SEC Filings"**

Bmark Energy does not have annual reports or SEC Filings as it is a privately held company.

S CORPORATION  
Two-Year Comparison

2011

Name

Employer Identification Number

BMARK ENERGY, INC.

77-0579032

Description	Prior Year	Current Year	Increase (Decrease)
ORDINARY BUSINESS INCOME (LOSS):			
INCOME:			
GROSS RECEIPTS OR SALES LESS RETURNS AND ALLOWANCES	227,027.	263,779.	36,752.
GROSS PROFITS	227,027.	263,779.	36,752.
OTHER INCOME	1,108.	0.	-1,108.
TOTAL INCOME	228,135.	263,779.	35,644.
DEDUCTIONS:			
COMPENSATION OF OFFICERS	132,000.	144,000.	12,000.
REPAIRS AND MAINTENANCE	315.	3,935.	3,620.
RENTS	13,689.	12,548.	-1,141.
TAXES AND LICENSES	46,872.	40,137.	-6,735.
INTEREST	739.	881.	142.
ADVERTISING	30,196.	14,697.	-15,499.
PENSION, PROFIT-SHARING, ETC., PLANS	0.	20,000.	20,000.
EMPLOYEE BENEFIT PROGRAMS	0.	9,764.	9,764.
OTHER DEDUCTIONS	65,811.	38,639.	-27,172.
TOTAL DEDUCTIONS	289,622.	284,601.	-5,021.
ORDINARY BUSINESS INCOME (LOSS)	-61,487.	-20,822.	40,665.
S CORPORATION TAXES:			
PAYMENTS AND CREDITS:			
BALANCE DUE OR REFUND:			
SCHEDULE K:			
INCOME:			
ORDINARY BUSINESS INCOME (LOSS)	-61,487.	-20,822.	40,665.
DEDUCTIONS:			
SECTION 179 DEDUCTION	2,351.	0.	-2,351.
CHARITABLE CONTRIBUTIONS	1,150.	100.	-1,050.
INVESTMENT INTEREST:			
CREDITS:			

S CORPORATION  
Two-Year Comparison

**2011**

Name

Employer Identification Number

BMARK ENERGY, INC.

77-0579032

Description	Prior Year	Current Year	Increase (Decrease)
FOREIGN TAXES:			
AMT ITEMS:			
OTHER SCHEDULE K ITEMS:			
INCOME (LOSS)	-64,988.	-20,922.	44,066.
SCHEDULE M-1:			
NET INCOME (LOSS) PER BOOKS	-64,988.	-20,922.	44,066.
TOTAL OF LINES 1 THROUGH 3	-64,988.	-20,922.	44,066.
INCOME (LOSS)	-64,988.	-20,922.	44,066.
SCHEDULE M-2:			
ACCUMULATED ADJUSTMENTS ACCOUNT:			
BALANCE AT BEGINNING OF TAX YEAR	42,888.	-22,100.	-64,988.
LOSS FROM PAGE 1, LINE 21	-61,487.	-20,822.	40,665.
OTHER REDUCTIONS	3,501.	100.	-3,401.
COMBINE LINES 1 THROUGH 5	-22,100.	-43,022.	-20,922.
BALANCE AT END OF TAX YEAR	-22,100.	-43,022.	-20,922.
OTHER ADJUSTMENTS ACCOUNT:			
SHAREHOLDERS' UNDISTRIBUTED TAXABLE INCOME PREVIOUSLY TAXED:			

**Bmark Energy, Inc.**

**Exhibit C-4 "Financial Arrangements"**

Bmark Energy consults with companies but does not take physical possession or ownership of the electricity.

**Bmark Energy, Inc.**

**Exhibit C-5 "Forecasted Financial Statements"**

N/A

Exhibit C-7 "Credit Report"



CreditScore<sup>SM</sup> Report

as of: 03/06/13 15:18 ET

**Bmark Energy, Inc**

**Address:** 791 Price St # 177  
Pismo Beach, CA 93449-2529  
United States

**Phone:** 805-773-3762

**Experian BIN:** 816098586

**Agent:** Mary Elizabeth Collins

**Agent Address:** 1150 Osos Street Suite 203  
San Luis Obispo, CA

**Key Personnel:**

President: Robert Kramb

**SIC Code:**

8742-Management Consulting  
Services

**Business Type:**

Corporation

**Experian File Established:**

February 1997

**Experian Years on File:**

16 Years

**Years in Business:**

More than 16 Years

**Filing Data Provided by:**

California

**Date of Incorporation:**

06/28/2001

**Payment Tradelines (see charts):**

2

**UCC Filings:**

0

This location does not yet have an estimated  
Days Beyond Terms (DBT), or a Payment Trend  
Indicator. This is often the result of too few  
Payment Tradelines.

**Businesses Scoring Worse:**

66%

✓ Bankruptcies:

0

✓ Liens:

0

✓ Judgments Filed:

0

✓ Collections:

0

**Credit Summary**

**Credit Ranking Score: 66**

High  
Risk



Low  
Risk

The objective of the Credit Ranking Score is to predict  
payment behavior. High Risk means that there is a  
significant probability of delinquent payment. Low Risk  
means that there is a good probability of on-time payment.

**Key Score Factors:**

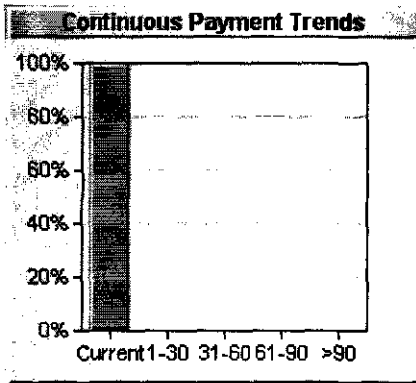
- Number of recently active commercial accounts.
- Number of commercial accounts with high utilization.
- Number of commercial accounts paying same as industry norm.

**Recommended Action:** Low-Medium Risk

**Payment Summary**

Insufficient information to produce  
**Monthly Payment Trends**  
chart.

Insufficient information to produce  
**Quarterly Payment Trends**  
chart.



\*Continuous distribution with DBT.

Number of Accounts: 1  
Present Balance: \$100  
Highest Balance: \$100

Insufficient information to produce  
**Newly Reported Payment Trends**  
chart.

Number of Accounts: 0  
Present Balance: \$0  
Highest Balance: \$0

Insufficient information to produce  
**Combined Payment Trends**  
chart.

Number of Accounts: 1  
Present Balance: \$100  
Highest Balance: \$100

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**Bmark Energy, Inc.**

**Exhibit C-8 "Bankruptcy Information" , Exhibit C-9 "Merger Information"**

None.

**Bmark Energy, Inc.**

**Exhibit D-1 "Operations", D-2 "Operations Expertise", D-3 "Key Technical Personnel"**

Bmark Energy consults with companies regarding their energy usage and buying opportunities but does not take physical possession or ownership of the electricity. Resumes attached.

**Bmark Energy, Inc.**

**Exhibit D-4 "FERC Power Marketer License Number "**

N/A

Bmark Energy, Inc.

**Robert S. Kramb**

861 Tulare St., Pismo Beach, CA 93449

791 Price St. #177, Pismo Beach, CA 93449

Phone: 805-773-3762 - Cell 805-441-2177 - email: [robertk@bmarkenergy.com](mailto:robertk@bmarkenergy.com)

**PROFESSIONAL EXPERIENCE**

**Bmark Energy Inc: 1993 to present**

**President and Treasurer:**

Daily activities involve interaction with utilities, energy analysts, energy suppliers, and end-use customers, with all efforts toward reducing company end-use consumption, energy purchase costs, and overall annual energy spend on electricity and natural gas.

**Areas of involvement:**

Utility and supplier bill reviews as well as tracking meter and interval data. Complete review of existing utility tariffs as well as current supplier offers for both fixed and indexed rates for various terms. We also consult regarding energy market conditions and risk avoidance levels. Provide energy market updates to advise companies on future potential purchase opportunities.

**Deregulation Center:**

We keep companies abreast of new deregulation activity in different states and utility service areas to alert them to new purchase and cost-saving opportunities.

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**Southern California Gas Co. (Sempra) 1981 – 1993**

**Billing and Customer Service:**

Worked with customers to ensure customer satisfaction on both the billing and service end of the utility. When deregulation began in 1993, it was time for another career.

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**PROFESSIONAL EXPERIENCE**

- **Member of Association of Energy Engineers**
- **Certified Energy Procurement Professional (certified designation)**

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**EDUCATION AND TRAINING**

- **National University – Bachelor of Business Administration**
- **UCSB and Cal Poly SLO – Undergraduate courses**

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**ADDITIONAL COMMENTS AND REFERENCES**

Bmark Energy currently consults with companies in almost every state whose energy markets (electricity and/or natural gas) are deregulated.

In most cases there are energy cost savings available by consuming less energy, by better measuring and managing energy, or by purchasing energy at lower rates.

We currently work with hospital groups in California; fast food chains in NY, NJ, FL; a pharmaceutical group with facilities in four states; a hotel group with facilities in six states; and a nationwide Feed/Chemical Terminal company located in numerous states.

Our practice always promotes the end-user's best interest . . . first.

For further information please see our web site [www.bmarkenergy.com](http://www.bmarkenergy.com).

Bmark Energy, Inc.

**MERIDEE A. KRAMB**

861 Tulare St., Pismo Beach, CA 93449  
805-773-3762 merideek@bmarkenergy.com

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**Bmark Energy  
Pismo Beach, CA**

**Vice President, Secretary**

**2001-Present**

COORDINATES MARKETING AND CONTRACT ADMINISTRATION. SUPPORTS BMARK INDEPENDENT CONTRACTORS OF ENERGY (ICE). RESPONSIBLE FOR SUPERVISING BACK-OFFICE DUTIES WHILE INTERFACING WITH UTILITY COMPANIES AND 3<sup>RD</sup> PARTY SUPPLIER ENTITIES. ENSURE THAT CUSTOMERS ARE RETAINED BY BMARK ENERGY BY WORKING TO PROVIDE THEM WITH THE BEST AVAILABLE MARKET INFORMATION AND COMPETITIVE PRICING, WHILE ATTENDING TO ANY CUSTOMER SERVICE RELATED ISSUES.

**Den-Mat Corp.  
Santa Maria, CA**

**Document Control Specialist**

**1997-2001**

RESPONSIBLE FOR MAINTAINING AND CONTROLLING PROCESS WORK INSTRUCTIONS, STANDARD TEST METHODS, QC REPORTS AND ASSOCIATED DOCUMENTS IN SUPPORT OF ISO 9000 CERTIFICATION, FOR APPROXIMATELY 20 DEPARTMENTS (400 EMPLOYEES). ALSO, ASSIST IN FDA RECORDS DEPT. KEEPING PRODUCT INVENTORY AND GOVERNMENT REQUIRED PRODUCT INGREDIENT STATISTICS (PROFESSIONAL & CONSUMER).

**ITT Federal Services Corp., Vandenberg Air Force Base  
Lompoc, CA**

**Tech. Writer/Document Validation Specialist**

**1989-1996**

PREPARE ENGINEERING DOCUMENTATION (TEST REPORTS, SOFTWARE DEVELOPMENT SPECS, PRODUCT SPECS) AND NONTECHNICAL DOCUMENTATION (USER HANDBOOKS, PROGRESS REPORTS, AGENDAS, MINUTES) FOR DELIVERY TO THE AIR FORCE IN SUPPORT OF MINUTEMAN, PEACEKEEPER, TITAN, COMMERCIAL LAUNCH AND NASA SHUTTLE PROJECTS. EDITED AND COORDINATED PROCEDURES FOR ISO 9001 CERTIFICATION.

**Bendix Field Engineering, Jet Propulsion Laboratory  
Pasadena, CA**

**Sr. Tech. Writer/Editor (Production Coord.)**

**1981-1989**

POSITION REQUIRED TECHNICAL WRITING AND EDITING SKILLS IN SUPPORT OF THE DEEP SPACE NETWORK TO SUPPORT SHUTTLE PAYLOADS, SATELLITE TRACKING, AND GROUND COMMUNICATIONS. WORKED DIRECTLY WITH ENGINEERS, TECHNICIANS, AND SUPPORT PERSONNEL.