

ORIGINAL

14-1083-GA-AGG

PUCO USE ONLY - Version 1.07		
Date Received	Case Number	Certification Number
14-1083	GA-AGG	

46

CERTIFICATION APPLICATION COMPETITIVE RETAIL NATURAL GAS BROKERS / AGGREGATORS

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

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

SECTION A - APPLICANT INFORMATION AND SERVICES

RECEIVED-DOCKETING DIV
2014 JUN 12 PM 2:28
PUCO

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

☐ Retail Natural Gas Aggregator ☒ Retail Natural Gas Broker

A-2 Applicant information:

Legal Name The Energy Link, LLC
Address 1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067
Telephone No. (678) 403 - 1246 Web site Address www.theenergylink.com

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

Name Consultant, Energy Link, LLC (The Energy Link, LLC)
Address 1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067
Web site Address www.theenergylink.com Telephone No. (678) 403-1246

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

The Energy Link, LLC Consultant, Energy Link, LLC

A-5 Contact person for regulatory or emergency matters:

Name Darren Novich Title President
Business Address 1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067
Telephone No. (678) 403 - 1246 Fax No. (404) 420 - 2956 Email Address dnovich@theenergylink.com

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician [Signature] Date Processed JUN 12 2014

(CRNGS Broker/Aggregator - Version 1.07) Page 1 of 48

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

Name **Darren Novich** Title **President**
Business address **1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067**
Telephone No. **(678) 403 - 1246** Fax No. **(404) 420 - 2956** Email Address **dnovich@theenergylink.com**

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

Customer service address **1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067**
Toll-Free Telephone No. **(678) 403 - 1246** Fax No. **(404) 420 - 2956** Email Address **dnovich@theenergylink.com**

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

Name **CT Corporation System** Title **Registered Agent**
Business address **1300 East Ninth Street, Cleveland, Ohio 44114**
Telephone No. **(216) 621 - 4270** Fax No. **(216) 621 - 4059** Email Address **N/A**

A-9 Applicant's federal employer identification number **262670491**

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

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

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

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

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

☐ Columbia Gas of Ohio

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

☐ Dominion East Ohio

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

☐ Duke Energy Ohio

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

☐ Vectren Energy Delivery of Ohio

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

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

<input checked="" type="checkbox"/>	Columbia Gas of Ohio	Intended Start Date	May 15, 2014
<input checked="" type="checkbox"/>	Dominion East Ohio	Intended Start Date	May 15, 2014
<input checked="" type="checkbox"/>	Duke Energy Ohio	Intended Start Date	May 15, 2014
<input checked="" type="checkbox"/>	Vectren Energy Delivery of Ohio	Intended Start Date	May 15, 2014

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

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

SECTION B - APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

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

status or ability to provide the services it is seeking to be certified to provide.

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

☒ No ☐ Yes

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

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

☒ No ☐ Yes

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

SECTION C - APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

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

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

SECTION D – APPLICANT TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

- D-1 Exhibit D-1 “Operations,”** provide a current written description of the operational nature of the applicant’s business functions.
- D-2 Exhibit D-2 “Operations Expertise,”** given the operational nature of the applicant’s business, provide evidence of the applicant’s current experience and technical expertise in performing such operations.
- D-3 Exhibit D-3 “Key Technical Personnel,”** provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant’s current business.

Applicant Signature and Title

[Handwritten Signature] *president*

Sworn and subscribed before me this

4th

day of

June

Month

2014

Year

Vashtina M. Boyce

Signature of official administering oath

Vashtina M. Boyce, Notary Public

Print Name and Title

My commission expires on *April 10, 2018*





The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service Affidavit Form (Version 1.07)

In the Matter of the Application of)

Consultant, Energy Link, LLC)

for a Certificate or Renewal Certificate to Provide)

Competitive Retail Natural Gas Service in Ohio.)

Case No. - -GA-AGG

County of
State of

Darren Novich, President

[Affiant], being duly sworn/affirmed, hereby states that:

- (1) The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant.
- (2) The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.
- (3) The applicant will timely pay any assessment made pursuant to Section 4905.10 or Section 4911.18(A), Ohio Revised Code.
- (4) Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
- (5) Applicant will cooperate with the Public Utilities Commission of Ohio and its staff in the investigation of any consumer complaint regarding any service offered or provided by the applicant.
- (6) Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.
- (7) Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.
- (8) Affiant further sayeth naught.

Affiant Signature & Title

[Handwritten Signature]

President

Sworn and subscribed before me this

4th day of June

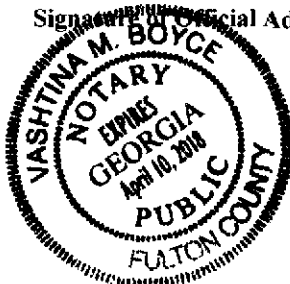
Month

2014 Year

Vashtina M. Boyce
Signature of Notary Public Administering Oath

Vashtina M. Boyce, Notary Public

Print Name and Title



My commission expires on April 10, 2018

(CRNGS Broker/Aggregator -Version 1.07) Page 7 of 48

Applicant: THE ENERGY LINK, LLC

Exhibit A-14 "Principal Officers, Directors & Partners"

A-14 Exhibit A-14 "Principal Officers, Directors & Partners," provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.

Response:

Darren M. Novich is the Principal Officer and President of The Energy Link, LLC. The Energy Link, LLC's address: 1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067. Business telephone number: 678-310-0237 and fax number: 404-420-2957.

Applicant: THE ENERGY LINK, LLC

Exhibit A-15 "Corporate Structure"

A-15 Exhibit A-15 "Corporate Structure," provide a description of the applicant's corporate structure, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale natural gas or electricity to customers in North America.

Response:

The Energy Link, LLC is a single member limited liability company formed in the State of Georgia. The Application is not engage with any affiliates of any utility-related services, such as retail sale of electricity, gas, water or cable. The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of gas and who does not take title to gas.

Applicant: THE ENERGY LINK, LLC

Exhibit A-16 "Company History"

A-16 Exhibit A-16 "Company History," Provide a concise description of the applicant's company history and principal business interests.

Response:

The Applicant has worked in the energy business for approximately fourteen (14) years now. He worked for several energy suppliers during those fourteen years. The Applicant has worked in gas operations and as an energy trader. The Applicant has also worked in business development and sold energy as a certified energy supplier. The Applicants experience in the markets around the country has shown to be more than his average competitor as he has encountered many along the way. The Applicant ventured out on his own in May of 2008 to start the Energy Link. Most of The Applicants customers have been working with him for years with his previous employers and decided to keep The Applicant on board to help manage their energy costs in deregulated markets. Those relationships were instrumental to getting the business off the ground. The Applicant has enclosed several testimonial letters from his customers which show how much we value our customer relationships. The Applicants customers trust him and I would not want to do anything to misuse that trust. **When The Applicant has to make an operational decision his thoughts are how will this impact the customer? Is it right for the customer? How will this add value to the customer?** As of right now The Applicants company is very small and operations consist of the day to day management of our current customer base. We manage large multifamily companies which have properties around the country. The Applicants goal is to be registered and licensed in each state as the business grows. The Applicant intends to step up business development activities in the state of Ohio and beyond.

Applicant: THE ENERGY LINK, LLC

Exhibit A-17 "Articles of Incorporation and Bylaws"

A-17 Exhibit A-17 "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.

Response:

Please find The Energy Link, LLC's Certificate of Existence with State of Georgia, Secretary of State, Corporations Division attached herein and incorporated herein as Exhibit "A-17."

STATE OF GEORGIA

Secretary of State

Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF EXISTENCE

I, Brian P. Kemp, Secretary of State and the Corporations Commissioner of the state of Georgia, hereby certify under the seal of my office that

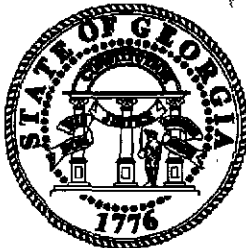
THE ENERGY LINK, LLC

Domestic Limited Liability Company

was formed or was authorized to transact business on 05/13/2008 in Georgia. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.



WITNESS my hand and official seal of the City of Atlanta and the State of Georgia on 26th day of July, 2010

B. P. Kemp

Brian P. Kemp
Secretary of State

Certification Number: 6058637-1 Reference:
Verify this certificate online at <http://corp.sos.state.ga.us/corp/soskb/verify.asp>

EXHIBIT

A - 17

Applicant: THE ENERGY LINK, LLC

Exhibit A-18 "Secretary of State"

A-18 Exhibit A-18 "Secretary of State," provide evidence that the applicant is currently registered with the Ohio Secretary of the State.

Response:

Please find Consultant, Energy Link, LLC (The Energy Link, LLC) stamped filed Registration of a Foreign Limited Liability Company with Ohio Secretary of State dated June 11, 2012 attached hereto and incorporated herein as exhibit "A-18."



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
06/12/2012	201216301110	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	100.00		.00	.00

Receipt

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

THE ENERGY LINK, LLC
1640 POWERS FERRY RD., BLDG 3, STE. 175
DARREN NOVICH
MARIETTA, GA 30067

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted

2113227

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

CONSULTANT, ENERGY LINK, LLC (THE ENERGY LINK, LLC)

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

Document(s)

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

Document No(s):

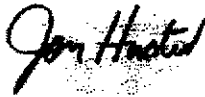
201216301110

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 11th day of June, A.D.
2012.

Ohio Secretary of State





Form 533B Prescribed by:
Ohio Secretary of State
JON HUSTED
Ohio Secretary of State

Central Ohio: (614) 466-3910
Toll Free: (877) SOS-FILE (767-3453)
www.OhioSecretaryofState.gov
Busserv@OhioSecretaryofState.gov

Mail this form to one of the following:

Regular Filing (non expedite)
P.O. Box 870
Columbus, OH 43216

Expedite Filing (Two-business day processing
time requires an additional \$100.00)
P.O. Box 1390
Columbus, OH 43216

2012 JUN 11 AM 12:09

Registration of a Foreign Limited Liability Company

Filing Fee: \$125

CHECK ONLY ONE (1) BOX

(1) ☒ Registration of a Foreign For-Profit Limited
Liability Company
(108-LFA)
ORC 1705

Jurisdiction of Formation

Date of Formation

(2) ☐ Registration of a Foreign Nonprofit
Limited Liability Company
(108-LFA)
ORC 1705

Jurisdiction of Formation

Date of Formation

Name of Limited Liability Company in its jurisdiction of formation

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its name in its jurisdiction of formation) is:

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

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:

Name

Mailing Address

City

State

ZIP Code

Applicant: THE ENERGY LINK, LLC

Exhibit B-1 “Jurisdictions of Operation”

B-1 Exhibit B-1 “Jurisdictions of Operation,” provide a current list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail natural gas service, or retail/wholesale electric services.

Response:

The Energy Link, LLC is interested in all deregulated gas jurisdictions of the State of Ohio. The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of gas and who does not take title to gas.

Applicant: THE ENERGY LINK, LLC

Exhibit B-2 "Experience & Plans"

B-2 Exhibit B-2 "Experience & Plans," provide a current description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4929.22 of the Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.

Response:

The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of natural gas supply and who does not take title to gas. The service territory for The Energy Link, LLC will cover all deregulated natural gas jurisdictions. The customer service person for The Energy Link is Darren Novice, 1640 Powers Ferry Road, Building 3, Suite 175, Marietta, Georgia 30067. Telephone number is (678) 403-1246; website: www.theenergylink.com.

Applicant: THE ENERGY LINK, LLC

Exhibit B-3 "Summary of Experience"

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

Response:

The Applicant has worked in the energy business for approximately 14 years. The Applicant worked for several energy suppliers during those fourteen year. The Applicant has worked in gas operations and as an energy trader. The Applicant has also worked in business development and sold energy as a certified energy supplier. The Applicants experience in the markets around the country has shown to be more than the average competitor as many have been encountered along the way. The Applicant ventured out on his own in May of 2008 to start his own business, The Energy Link, LLC. Please see Resume of Darren Novich attached hereto and incorporated herein.

The Energy Link was established in May 2008. The primary focus is brokering natural gas and electric contracts in deregulated states. The founding President, Darren Novich has been in deregulated energy business for over fourteen years. He has worked for several energy suppliers where he negotiated energy supply contracts for fortune 500 companies. His experience includes energy management in the Southeast region by scheduling, balancing, and trading energy supply. His trader experience included performing capacity valuation studies and developing pipeline pricing models, as well as tracking costs to end users behind multiple utilities. He has performed energy supply operations on the following pipelines, Southern Natural Gas, Transcontinental, Atlanta Gas Light, Gulf South, Gulfstream and Florida Gas Transmission. Please see the attached letter of reference from Toro Properties Group, The Omnicorp Group, D.E.L. Development Corp. and Prometheus attached hereto and incorporated herein.

Management • Entrepreneurship • Business Development

Strategic Market Planning • Procurement • Risk Management • Key Account Retention & Management • New Business Development • Contract Negotiation • Market Share Growth • Networking & Relationship Building • Project Management

An aggressive, innovative professional with nine plus years of a successful career track in the energy industry. Proactively delivering and sustaining revenue and profit gains within several organizations. Proven ability to set and achieve goals. Exceptional communicator with a consultative sales style, strong negotiation skills, exceptional problem solving abilities, and a keen client needs assessment aptitude.

PROFESSIONAL EXPERIENCE

The Energy Link LLC, Atlanta, GA

2008 – Present

Founding Partner Entrepreneur

Create strategic business plan, set and manage overall sales and operational goals for the company. Manage day to day operations and development business in multiple deregulated markets around the country. Provide procurement and risk management services for retail natural gas and electric supply clients which include Camden Living, Stonemark Management, RAM Partners, and Ambling Management.

Catalyst Energy LLC, Atlanta, GA

2006 – 2008

Manager of Business Development

Strategically pursued homebuilder market for continued business opportunities. Created and managed builder services department to provide for the energy needs of builders throughout Georgia and Texas. Responsible for acquiring national builder accounts including DR Horton, Pulte, KB Homes, and Ryland Homes.

Infinite Energy, Inc., Gainesville, FL

2003 – 2006

Manager of Sales

Performed sales and marketing for large commercial market accounts in Georgia while primarily focusing on the multi-family sector. Focused on new business development while managing and retaining existing accounts. Developed new products and procedures to fulfill customer demands. Key clients: Post Properties, First Communities, Jupiter, Equity Residential, Miles Properties, and Burger King. Renewed corporate Burger King which included over 160 stores in several deregulated natural gas markets.

Infinite Energy, Inc., Gainesville, FL

2001 - 2003

Manager of Market Operations

Oversaw all facets of natural gas supply management in the Southeast region by scheduling, balancing, and trading natural gas supply. Managed interruptible customer supply and pricing while also seeking new wholesale customers and suppliers. Performed capacity valuation studies and developed pipeline-pricing models to track variable costs. Performed operations on the following pipelines: Southern Natural Gas, Transcontinental, Atlanta Gas Light, Gulf South, Gulfstream, and Florida Gas Transmission

EDUCATION & PROFESSIONAL AFFILIATIONS

University of Florida B.S., Business Administration Marketing (2002)

United States Air Force (1995 – 1999)

National Apartment Association (NAA)

2989 Piedmont Road NE Suite 200 Atlanta, GA 30305



3334 Peachtree Rd NE, Suite 1501
Atlanta, Georgia 30326

January 13, 2010

Mr. Darren Novich
EnergyLink
2989 Piedmont Road, Suite 200
Atlanta, GA 30305

Dear Mr. Novich: *Darren*

In an effort to show our appreciation for your services over the years we are writing this letter of gratitude.

We have been relying on you since 2002 to handle all of our energy contract needs. Your level of commitment to our accounts is extraordinary. You've saved us tens of thousands of real dollars on gas contract pricing by getting us better rates than we could have ourselves. Our business is managing apartments, not negotiating energy contracts and tracking energy futures; and you're really good at it.

I would recommend that any professional property manager give you the opportunity to look at their energy contracts to see how you might save them money and make this process less painful.

Thank you for your ongoing service and commitment to our business needs.

Sincerely,

Brent Sobol
Managing Partner

BS:dms

THE OMNICORP GROUP

OMNICORP REALTY, INC. ♦ STONEMARK MANAGEMENT ♦ OMNICORP RESOURCES, INC.

1300 PARKWOOD CIRCLE, SUITE 400
ATLANTA, GEORGIA 30339
TELEPHONE: 770.952.4090 770.952.9400
FACSIMILE: 770.955.6729

August 19, 2008

Darren Novich
The Energy Link
2989 Piedmont Road, NE
Suite 200
Atlanta, GA 30305

Mr. Novich,

It is exciting to know that we have a solid partner in the energy industry who is looking out for our best interests in this volatile market. Before we were introduced to The Energy Link, we had several energy suppliers approaching us with very complex offerings.

Instead of spending a tremendous amount of time trying to assess the current energy market, we were able to rely upon your team's years of experience of actually working for suppliers to help us navigate through our contract negotiations.

We understand that your team is continually negotiating supply agreements, and is well in-tune with the market. Because of this, we were able to avoid a lot of the pitfalls associated with a costly energy deal.

We feel that your team has done an excellent job at explaining our options all the while minimizing the risk associated with the rising cost of energy. Based on my experience thus far, I would recommend anyone in our industry to use The Energy Link as their designated energy manager.

Sincerely,

STONEMARK Management

Walt Lamperski
Walt Lamperski, DPM
President

D.E.L. DEVELOPMENT CORP.

REAL ESTATE MANAGEMENT & INVESTMENTS

June 10, 2009

Mr. Darren Novich
EnergyLink
2989 Piedmont Road N.E.
Suite 200
Atlanta, GA 30305

Dear Darren,

This letter is to thank you for the many years of guidance you've provided to our firm in the minefield of deregulated gas. From year to year, in an ever-changing environment, your help in understanding the best options for each Property has saved us time and money.

To anyone who will listen, I would be happy to sing your praise and tell them of the benefits your firm provides. Thank you again for making a tricky situation, easier to deal with.

Sincerely,



Donald Lippman



March 11, 2013

Darren Novich
The Energy Link

Dear Darren,

I just wanted to thank you for the above and beyond effort that The EnergyLink has given Prometheus Real Estate Group. When we first contracted with The EnergyLink in 2010, we were wrapping up a multi-year contract that was overly complex. Thank you for the additional time you spent with us, making sure that the terms of this expiring contract matched what was happening in practice. The face time you spent in our office reviewing and diagramming out our current contract as well as discussing with our previous vendor was much appreciated. All of this effort was for a contract that you did not initiate nor have any financial incentive, truly above and beyond service!

Additionally, you clearly walked us through the market when our overly complex contract expired, and were instrumental in getting the best possible deal for Prometheus. You ensured that our tolerance for risk was met and spearheaded the drafting of our new energy contract, which we actually understand. Thanks to your understanding of the market and guidance, Prometheus has saved over \$70,000 in 2012 alone.

Thank you for your assistance. The commodities market is intense and requires constant supervision. Prometheus is best in class as a Property Management Company, but our expertise is not as commodities brokers. We are so grateful to have you as our best in class partner, and look forward to a long relationship with you.

Please feel free to use me as a reference anytime; as this letter cannot truly do justice to the service that you are providing to us.

Warmest regards,

A handwritten signature in dark ink, appearing to read "Mary Nitschke", written over a horizontal line.

Mary Nitschke
Director of Ancillary Services
Prometheus Real Estate Group, Inc.,

PROPERTY MANAGEMENT COMPANY OF THE YEAR, 2010 & 2012 BY MHN
PROPERTY MANAGEMENT COMPANY OF THE YEAR, 2011 BY NAHB

Applicant: THE ENERGY LINK, LLC

Exhibit B-4 "Disclosure of Liabilities and Investigations"

B-4 Exhibit B-4 "Disclosure of Liabilities and Investigations," provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

Response:

The Energy Link has no convictions or liability findings of fraud, any past or pending judgments, regulatory investigations or violations of any customer protection or deceptive trade laws in any state against the registering party, its principals to report or disclose.

The Energy Link, LLC does not have any criminal or civil investigation, either in the State of Ohio or in another state or jurisdiction for violation of any customer protection law or regulation to disclose or report.

Applicant: THE ENERGY LINK, LLC

Exhibit C-1 "Annual Reports"

C-1 Exhibit C-1 "Annual Reports," provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information, labeled as Exhibit C-1, or indicate that Exhibit C-1 is not applicable and why.

Response:

The Energy Link, LLC is a single member limited liability company. The Applicant does not generate annual reports. Therefore Exhibit C-1 is not applicable to The Applicant.

Applicant: THE ENERGY LINK, LLC

Exhibit C-2 "SEC Filings"

C-2 Exhibit C-2 "SEC Filings," provide the most recent 10-K/8-K Filings with the SEC. If applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 whether the applicant is not required to file with the SEC and why.

Response:

The Energy Link, LLC is a single member limited liability company. The Applicant does not file 10-K/9-K filings with the SEC. Therefore, Exhibit C-2 is not applicable to applicant.

Applicant: THE ENERGY LINK, LLC

Exhibit C-4 "Financial Arrangements"

C-4 Exhibit C-4 "Financial Arrangements," provide copies of the applicant's current financial arrangements to conduct competitive retail natural gas service (CRNGS) as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.)

Response:

The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of natural gas supply and who does not take title to the actual commodity (natural gas) nor does it sell to retail customers.

Applicant: THE ENERGY LINK, LLC

Exhibit C-5 "Forecasted Financial Statements"

C-5 Exhibit C-5 "Forecasted Financial Statements," provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's CRNGS operation, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer.

Response:

The Energy Link, LLC is neither conducting nor providing competitive natural gas service as a business activity. The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customer in the sale and purchase of natural gas supply and who does not take title to the actual commodity (natural gas) nor does The Energy Link, LLC sell to retail customers.

Applicant: THE ENERGY LINK, LLC

Exhibit C-6 "Credit Rating"

C-6 Exhibit C-6 "Credit Rating," provide a statement disclosing the applicant's current credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant.

Response:

The Energy Link, LLC is a single member limited liability company. The applicant does not have a credit rating with the above mentioned organizations. Therefore, Exhibit C-6 is not applicable to The Applicant.

Applicant: THE ENERGY LINK, LLC

Exhibit C-7 "Credit Report"

C-7 Exhibit C-7 "Credit Report," provide a copy of the applicant's current credit report from Experian, Dun and Bradstreet, or a similar organization.

Response:

The Energy Link, LLC is a single member limited liability company. The applicant does not have a credit rating with the above mentioned organizations. Therefore, Exhibit C-7 is not applicable to The Applicant.

Applicant: THE ENERGY LINK, LLC

Exhibit C-8 "Bankruptcy Information"

C-8 Exhibit C-8 "Bankruptcy Information," provide a list and description of any reorganizations, protection from creditors, or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or since applicant last filed for certification.

Response:

The Energy Link, LLC does not have any bankruptcy or liquidation proceedings in interest or its affiliates to disclose.

Applicant: THE ENERGY LINK, LLC

Exhibit C-9 "Merger Information"

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, or at any time as a participant in the Ohio Natural Gas Choice programs.

Response:

The Energy Link, LLC is not involved with any merger, dissolution or acquisition within the past five years or years preceding the application. The Applicant does not have a statement to disclose.

Applicant: THE ENERGY LINK, LLC

Exhibit D-1 "Operations"

D-1 Exhibit D-1 "Operations," provide a current written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas company city gate for retail customers.

Response:

The Energy Link, LLC is a broker acting as an agent or intermediary on behalf of customers in the sale and purchase of gas and who does not take title to gas.

Applicant: THE ENERGY LINK, LLC

Exhibit D-2 "Operations Expertise"

D-2 Exhibit D-2 "Operations Expertise," given the operational nature of the applicant's business, provide evidence of the applicant's current experience and technical expertise in performing such operations.

Response:

The Applicant has worked in the energy business for approximately 14 years. The Applicant worked for several energy suppliers during those fourteen year. The Applicant has worked in gas operations and as an energy trader. The Applicant has also worked in business development and sold energy as a certified energy supplier. The Applicants experience in the markets around the country has shown to be more than the average competitor as many have been encountered along the way. The Applicant ventured out on his own in May of 2008 to start his own business, The Energy Link, LLC. Please see Resume of Darren Novich attached hereto and incorporated herein.

The Energy Link was established in May 2008. The primary focus is brokering natural gas and electric contracts in deregulated states. The founding President, Darren Novich has been in deregulated energy business for over fourteen years. He has worked for several energy suppliers where he negotiated energy supply contracts for fortune 500 companies. His experience includes energy management in the Southeast region by scheduling, balancing, and trading energy supply. His trader experience included performing capacity valuation studies and developing pipeline pricing models, as well as tracking costs to end users behind multiple utilities. He has performed energy supply operations on the following pipelines, Southern Natural Gas, Transcontinental, Atlanta Gas Light, Gulf South, Gulfstream and Florida Gas Transmission. Please see the attached letter of reference from Toro Properties Group, The Omnicorp Group, D.E.L. Development Corp. and Prometheus attached hereto and incorporated herein.

Applicant: THE ENERGY LINK, LLC

Exhibit D-3 "Key Technical Personnel"

D-3 Exhibit D-3 "Key Technical Personnel," provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant's current business.


Response:

The Energy Link, LLCs primary focus is brokering natural gas and electric contracts in deregulated states. The founding President, Darren Novich has been in deregulated energy business for over fourteen years. He has worked for several energy suppliers where he negotiated energy supply contracts for fortune 500 companies. His experience includes energy management in the Southeast region by scheduling, balancing, and trading energy supply. His trader experience included performing capacity valuation studies and developing pipeline pricing models, as well as tracking costs to end users behind multiple utilities. He has performed energy supply operations on the following pipelines, Southern Natural Gas, Transcontinental, Atlanta Gas Light, Gulf South, Gulfstream and Florida Gas Transmission.

In the Matter of the Application of)
The Energy Link, LLC, for Certification as) Case No. _____
Retail Natural Gas Broker/Aggregator)
In Ohio.)

The Energy Link, LLC (“Energy Link”), by and through its attorneys, and pursuant to Rule 4901-1-24(D) of the Ohio Administrative Code, moves for a protective order to keep confidential the confidential and/or proprietary information in Exhibit C3 to Energy Link’s *Certification Application for Retail Natural Gas Brokers/Aggregators for the State of Ohio*. Pursuant to Rule 2901-1-24(D), The Energy Link submits herewith three unredacted copies of Exhibit C3 that have been marked as “Confidential” and are to be filed under seal.

This 6 day of June, 2014



Jason W. Graham
Georgia Bar No. 304595
Attorney for The Energy Link, LLC

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In the Matter of the Application of)
The Energy Link, LLC, for Certification as) Case No. _____
Retail Natural Gas Broker/Aggregator)
In Ohio.)

Similarly, Section 4905.07 of the Revised Code, which provides that facts and information in the possession of the Commission shall be made public, includes an exception for “[r]ecords the release of which is prohibited by state or federal law.” R.C. 4905.07; R.C. 149.43(v). The Ohio Supreme Court has confirmed that trade secrets fall within this exception. *State ex rel. Besser v. Ohio State*, 89 Ohio St. 3d 396, 399 (2000) (“Trade secrets are exempt from disclosure under the ‘state or federal law’ exemption of R.C. 149.43.”).

Section 1333.61(D) of the Revised Code defines “trade secret” as:

[I]nformation, including the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, pattern, compilation, program, device, method, technique, or improvement, or any business information or plans, financial information, or listing of names, addresses, or telephone numbers, that satisfies both of the following:

- (1) It derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
- (2) It is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

R.C. 1333.61(D). The Ohio Supreme Court has also identified six factors to consider when determining if information constitutes trade secrets:

1. The extent to which the information is known outside the business;
2. The extent to which it is known to those inside the business, i.e., by the employees;
3. The precautions taken by the holder of the trade secret to guard the secrecy of the information;
4. The savings effected and the value to the holder in having the information as against competitors;
5. The amount of effort or money expended in obtaining and developing the information; and
6. The amount of time and expense it would take for others to acquire and duplicate the information.

State ex rel. The Plain Dealer v. Ohio Dept. of Ins., 80 Ohio St.3d 513, 524-525 (Ohio 1997).

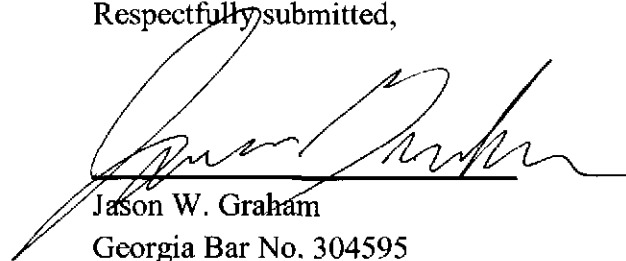
The financial statements, forecasted financial statements, and financial arrangements contained within Exhibits C3 to the Application are competitively sensitive and highly proprietary business and financial information, which derive independent economic value, actual or potential, from not being generally known to its competitors and from not being reasonably ascertainable by its competitors, who could obtain economic value from its disclosure or use. Disclosure of this sensitive financial information would provide Energy Link's competitors with valuable insight into its business activities. This information is treated as proprietary and confidential in the ordinary course of business of Energy Link. Accordingly, after applying the *Plain Dealer* analysis and the definition of "trade secrets" contained in Section 1333.61(D), it is clear that the information contained within Exhibits C3 to the Application constitutes trade secrets.

III. Conclusion

Because Exhibits C3 meet the requirements of Rule 4901-1-21(D) and contain "trade secrets" as defined under Ohio law, Energy Link requests that Exhibits C3 now filed under seal be treated as confidential by the Commission.

This 6 day of June, 2014

Respectfully submitted,



Jason W. Graham
Georgia Bar No. 304595
Attorney for The Energy Link, LLC

Graham & Jensen, LLP
17 Executive Park Drive
Suite 115

Atlanta, Georgia 30329
Telephone: (404) 842-9380
Facsimile: (678) 904-3110