



# FELLER ENERGY LAW GROUP, PLLC

Regulatory Compliance · Energy Policy · Business Law

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October 23, 2014

PUCO

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RECEIVED-DOCKETING DIV

Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, OH 43215-3793

Re: *CenStar Energy Corp., Case Number 12-2682-EL-CRS*  
Renewal Application for Retail Power Marketer Certification

Dear Commission Staff:

Please find attached one original and three (3) copies of CenStar Energy Corp.'s ("CenStar") CRES Renewal Application, including all exhibits, affidavits, and other attachments. Please note that three (3) redacted copies are also provided with all sensitive, confidential financial information removed.

Enclosed please also find an original and ten (10) copies of a Motion for Protective Order pursuant to Ohio Administrative Code 4901-1-24 to designate as confidential those attachments and exhibits duly marked as such. As stated in the Motion, these questions seek information and records which CenStar considers confidential and proprietary financial information, and which are maintained as such by CenStar.

Additionally, please find an original and ten (10) copies of a Motion To Extend Expiration Of Current Certificate to December 6, 2014 to Allow Review Of Certification Renewal Application. Unfortunately, due to personnel constraints this filing is being submitted out of time. Censtar has worked diligently to resolve its staffing issues and respectfully requests acceptance of the enclosed filing.

Please note that local Ohio counsel, Vincent Norwillo, Esq. of Gonzalez Saggio & Harlan LLP, is submitting CenStar's CRES Renewal Application, along with the Motion for Protective Order and the Motion to Extend Expiration of the CRES Certificate.

If there are questions or concerns, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ Natara Feller

Natara Feller, Esq.

Feller Energy Law Group, PLLC

159 20<sup>th</sup> St, Suite 1B

New York 11232

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Email: [natarafeller@fellerenergylaw.com](mailto:natarafeller@fellerenergylaw.com)

*Counsel for CenStar Energy Corp.*

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 AL Date Processed OCT 24 2014



*The Public Utilities Commission of Ohio*

Original CRS Case Number	Version
12 - 268 - EL - CRS	August 2004

## **RENEWAL 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-11 Corporate Structure). 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. RENEWAL INFORMATION**

#### **A-1 Applicant intends to be renewed as: (check all that apply)**

- ☐ Retail Generation Provider      ☐ Power Broker  
☒ Power Marketer                      ☐ Aggregator

#### **A-2 Applicant's legal name, address, telephone number, PUCO certificate number, and web site address**

Legal Name CenStar Energy Corp  
Address 56 Harrison Street, Suite 306, New Rochelle, NY 10801  
PUCO Certificate # and Date Certified 12-585E(1); November 5, 2012  
Telephone # 914-365-1682 Web site address (if any) www.censtarenergy.com

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

Legal Name CenStar Energy Corp  
Address 56 Harrison Street, Suite 306, New Rochelle, NY 10801  
Telephone # 914-365-1682 Web site address (if any) www.censtarenergy.com

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

CenStar Energy Corp.  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Yoni Garber  
Title Chief Operating Officer  
Business address 56 Harrison Street, Suite 306, New Rochelle, NY 10801  
Telephone # 914-365-1682 Fax # 914-235-6706  
E-mail address (if any) ygarber@censtarenergy.com

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

Name Dominitian J. Paul  
Title Customer Service Director  
Business address 56 Harrison St., Suite 306, New Rochelle, NY 10801  
Telephone # 914-365-1682 Fax # 914-235-6706  
E-mail address (if any) Dnjpaul@censtarenergy.com

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

Customer Service address 56 Harrison St., Suite 306, New Rochelle, NY 10801  
Toll-free Telephone # 877-529-6701 Fax # 914-235-6706  
E-mail address (if any) Dnjpaul@censtarenergy.com

**A-8 Applicant's federal employer identification number # 26-3127097**

**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 _____                     |

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

**A-10 Exhibit A-10 "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-11 Exhibit A-11 "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.

## **B. 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 "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-4** 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-4 "Disclosure of Consumer Protection Violations" detailing such violation(s) and providing all relevant documents.
- B-5** 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-5 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation" detailing such action(s) and providing all relevant documents.

## **C. 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.

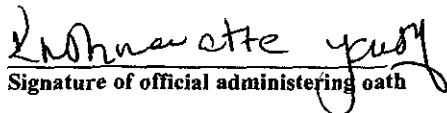
## D. TECHNICAL CAPABILITY

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 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 15<sup>th</sup> day of October, 2014.  
Month Year

  
Signature of official administering oath

Yoni Garber, COO  
Print Name and Title

KRISHNAWATTE YOUSUF  
Notary Public, State of NY  
Bronx County  
No. 01Y06188667  
Commission Expires:

My commission expires on 06-09-16

# **AFFIDAVIT**

State of NY :

New Rochelle ss.  
(Town)

County of Westchester :

Yoni Garber Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the COO (Office of Affiant) of CenStar Energy Corp (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 renewal 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 comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
7. 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.
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 renewal application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Y. Garber, COO  
Signature of Affiant & Title

Sworn and subscribed before me this 15<sup>th</sup> day of October, 2014  
Month Year

Kushnawatte Yousuf  
Signature of official administering oath

Yoni Garber, COO  
Print Name and Title

KUSHNAWATTE YOUSUF  
Notary Public, State of NY  
Bronx County  
No. 01Y06188667  
Commission Expires:

My commission expires on 06-09-16



**Exhibit A:**  
**Renewal Information**

**Exhibit A-10: Principal Officers, Directors & Partners**

*The names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.*

**Perry Garber, CEO and President**

56 Harrison St., Ste 306  
New Rochelle, NY 10801  
T: 914-365-1682

**Yoni Garber, COO**

56 Harrison St., Ste 306  
New Rochelle, NY 10801  
T: 914-365-1682

**Steven Oppenhiemer, VP Sales and Marketing**

56 Harrison St., Ste 306  
New Rochelle, NY 10801  
T: 914-365-1682

**Dominitian J. Paul, Customer Service Director**

56 Harrison St., Ste 306  
New Rochelle, NY 10801  
T: 914-365-1682

### **Exhibit A-11: Corporate Structure**

CenStar has no affiliate or subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America.

**Section B:**

**Applicant Managerial Capability and Experience**

### **Exhibit B-1: Jurisdictions of Operation**

CenStar Energy Corp. is licensed and certified to provide retail electricity services within New York, New Jersey, and Ohio.

## **Exhibit B-2: Experience & Plans**

CenStar utilizes two main ways to contract with customers, phone enrollment and online enrollment. For both methods, customers are mailed our Terms of Service and are given a right of rescission, where applicable, if they do not wish to abide by these terms.

When customers enroll with CenStar, they continue to have their electricity delivered to them via their local delivery company, who also services their lines and responds to any emergencies.

Consolidated billing statements are provided to the customer through the utility company. CenStar establishes how much the customer owes for that month based on their rate and usage. They then send that amount to the utility company who includes CenStar's charges on their consolidated bill, which is in turn provided to the customer.

For customer inquiries, CenStar has a toll-free customer service number (877-529-6701) that customers can call Monday-Friday, 9am-5pm EST to have questions regarding their service answered. Additionally, CenStar has a fully staffed Customer Service department that specializes in responding to complaints and will fully comply with any and all Commission rules adopted pursuant to Section 4928.10 of the Ohio Revised Code.

CenStar seeks to continue to provide retail electricity supply services to consumers and businesses throughout the State of Ohio.

### **Exhibit B-3: Disclosure of Liabilities and Investigations**

CenStar has no existing, pending or past rulings that could adversely impact Applicant's ability to provide services as a Power Marketer.

**Section C:**

**Applicant Financial Capability & Experience**



**Exhibit C-1: Annual Reports**

Applicant, CenStar Energy Corp. is a privately held corporation and does not have shareholders. An Annual Report to Shareholders and/or the public is not applicable.

## **Exhibit C-2: SEC Filings**

As a privately held company, Applicant is not required to file with the Securities and Exchange Commission. CenStar is not an SEC registrant, had no public issuances of debt or equity and, therefore, has no SEC reporting obligations. Quarterly and annual reports, such as 10-Ks, 8-Ks and 10-Qs are not applicable.

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**Exhibit C-3: Financial Statements**

**[REDACTED]**

Please note that this application is accompanied by a motion for protection of Applicant's proprietary, sensitive financial information, including statements provided in response to the Exhibit C-3.

**CONFIDENTIAL**

**Exhibit C-4: Financial Arrangements**

**[REDACTED]**

Please note that this application is accompanied by a motion for protection of Applicant's proprietary, sensitive financial information, including statements provided in response to the Exhibit C-4.

**CONFIDENTIAL**

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

**[REDACTED]**

Please note that this application is accompanied by a motion for protection of Applicant's proprietary, sensitive financial information, including statements provided in response to the Exhibit C-5.

**Exhibit C-6: Credit Rating**

Applicant does not subscribe to the organizations mentioned under Exhibit C-6.

**Exhibit C-7: Credit Report**

Applicant does not subscribe to the aforementioned organizations.

**Exhibit C-8: Bankruptcy Information**

CenStar Energy Corp. has not had any bankruptcy filings and/or reorganizations within the most recent two preceding years.



### **Exhibit C-9: Merger Information**

CenStar Energy Corp. has not had any dissolution or merger or acquisition within the five most recent years preceding the application.

**SECTION D:**  
**APPLICANT TECHNICAL CAPABILITY**

### **Exhibit D-1: Operations**

CenStar Energy Corp. ("CenStar") has established business processes and systems to manage all aspects of supplying retail power in Ohio. CenStar operations will not include the generation of power from owned assets. Instead, CenStar will purchase power in the PJM day ahead and real time markets, or via bilateral arrangements with wholesale suppliers.

In terms of customer related operations, CenStar manages established business processes and systems to ensure accurate, timely, and complaint customer enrollments and interactions. We operate a customer relationship management system, which is integrated with outside vendor systems (EDI, CIS).

## **Exhibit D-2: Operations Expertise**

### **Perry Garber, CEO and President**

Perry is a 30-year veteran of all operational functions of an energy delivery system. Having worked in commercial and retail heating oil operations, serving as regional management, Customer Service Director, CFO, and VP of Operations, Perry is the founder of CenStar Energy Corp. serving as CEO and President since 2008.

### **Yoni Garber, Chief Operating Officer**

Yoni has 6 years experience in the electric and natural gas industry serving as COO of a licensed ESCO overseeing the operational activities of CenStar Energy Corp. He was recruited in 2008 to become the COO and General Operations Director of CenStar Energy Corp. after a career as Project Management Coordinator in the construction industry. Yoni is responsible for market expansion, implementation, and corporate IT.

### **Exhibit D-3: Key Technical Personnel**

#### **Perry Garber, CEO and President**

56 Harrison St., Ste 306

New Rochelle, NY 10801

T: 914-365-1682

E: pgarber@censtarenergy.com

Perry is a 30-year veteran of all operational functions of an energy delivery system. Having worked in commercial and retail heating oil operations, serving as regional management, Customer Service Director, CFO, and VP of Operations, Perry is the founder of CenStar Energy Corp. serving as CEO and President since 2008. Perry, along with his management team, is responsible for the day-to-day operations of CenStar delivering electricity and natural gas to tens of thousands of end-users.

#### **Yoni Garber, COO**

56 Harrison St., Ste 306

New Rochelle, NY 10801

T: 914-365-1682

E: pgarber@censtarenergy.com

Yoni has 6 years experience in the electric and natural gas industry serving as COO of a licensed ESCO overseeing the operational activities of CenStar Energy Corp. He was recruited in 2008 to become the COO and General Operations Director of CenStar Energy Corp. after a career as Project Management Coordinator in the construction industry. Yoni is responsible for market expansion, implementation, and corporate IT. Yoni's experience in the energy supply markets has been invaluable in the expansion plans and business model development of CenStar Energy.

#### **Exhibit D-4: FERC Power Marketer License Number**

CenStar Energy Corp. received authority to sell energy, capacity, and ancillary services at market-based rates from the Federal Energy Regulatory Commission on April 1, 2011 under Docket No. ER11-2735.