



The Public Utilities Commission of Ohio

25

Original AGG Case Number	Version
10-1404-EL-AGG <i>10-1404-EL-AGG</i>	August 2004

*10-1404-EL-AGG*

## RENEWAL APPLICATION FOR AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-10 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's legal name, address, telephone number, PUCO certificate number, and web site address

Legal Name Power Brokers, LLC, a Texas limited liability company  
 Address 11551 Forest Central Dr, Ste 226 Dallas, TX 75243  
 PUCO Certificate # and Date Certified 10-298E (2) 10/28/2010  
 Telephone # (469) 533-7631 Web site address (if any) www.powerbrokersusa.com

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

Legal Name Power Brokers, LLC, a Texas limited liability company  
 Address 11551 Forest Central Dr, Ste 226 Dallas, TX 75243  
 Telephone # (469) 533-7631 Web site address (if any) www.powerbrokersusa.com

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### A-4 Contact person for regulatory or emergency matters

Name Garret Kent  
 Title Portfolio Manager  
 Business address 11551 Forest Central Dr, Ste 226 Dallas, TX 75243  
 Telephone # (469) 533-7631 Fax # (866) 829-6371  
 E-mail address (if any) legal@powerbrokersusa.com

PUCO

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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 SW Date Processed OCT 31 2014

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

Name Garret Kent  
Title Portfolio Manager  
Business address 11551 Forest Central Dr, Ste 226 Dallas, TX 75243  
Telephone # (469) 533-7631 Fax # (866) 829-6371  
E-mail address (if any) legal@powerbrokersusa.com

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

Customer Service address 11551 Forest Central Dr, Ste 226 Dallas, TX 75243  
Toll-free Telephone # (800) 747-7314 Fax # (866) 829-6371  
E-mail address (if any) customercare@powerbrokersusa.c

**A-7 Applicant's federal employer identification number # 272839484**

**A-8 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 _____                                |

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

**A-9 Exhibit A-9 "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-10 Exhibit A-10 "Corporate Structure," provide a description of the applicant's corporate structure, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers and companies that aggregate customers in North America.**

**B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

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

**B-1 Exhibit B-1 "Jurisdictions of Operation," provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services including aggregation services.**

**B-2 Exhibit B-2 "Experience & Plans," provide a description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.**

**B-3** **Exhibit B-3 "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 including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☒ No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-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 Experian, Dun and Bradstreet or a similar organization.
- C-8 **Exhibit C-8 "Bankruptcy Information,"** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.
- C-9 **Exhibit C-9 "Merger Information,"** provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

 President  
Signature of Applicant & Title



Sworn and subscribed before me this 29 day of October, 2014  
Month Year

  
Signature of official administering oath

Marcie Bowles  
Controller  
Print Name and Title

My commission expires on 6/22/2016

# AFFIDAVIT

State of \_\_\_\_\_ :

\_\_\_\_\_ ss.

(Town)

County of \_\_\_\_\_ :

\_\_\_\_\_, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the \_\_\_\_\_ (Office of Affiant) of \_\_\_\_\_ (Name of Applicant);

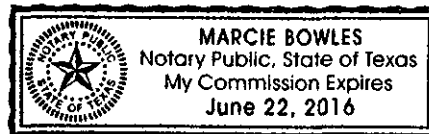
That he/she is authorized to and does make this affidavit for said Applicant,

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 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 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.
8. 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.
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.

[Signature] President  
Signature of Affiant & Title



Sworn and subscribed before me this 29 day of October, 2014  
Month Year

[Signature]  
Signature of official administering oath

Marcie Bowles  
Controller  
Print Name and Title

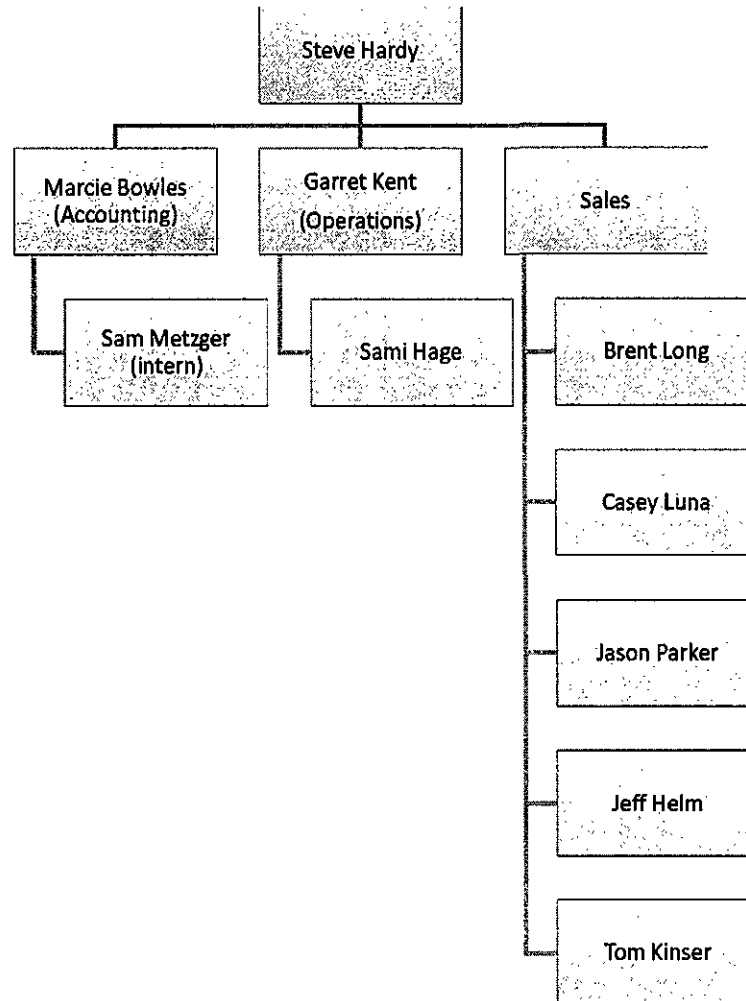
My commission expires on 6/22/2016

Exhibit A-9  
Principal Officers, Directors & Partners  
Of Power Brokers, LLC

Robert T. Vicente  
Executive Vice President  
3090 Olive Street  
Suite 300  
Dallas, TX 75219

Steve Hardy  
President  
2929 Carlisle St, Suite 375  
Dallas, TX 75204

Exhibit A-10  
Corporate Structure





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

Power Brokers, LLC has is licensed in the following states:

Delaware

Illinois

Massachusetts

Maryland

Ohio

Pennsylvania

Texas

Exhibit B-2  
Experience & Plans

Power Brokers, LLC's staff and management have extensive experience as an Aggregator/Broker/Consultant in deregulated energy markets under previous employers. Several employees and managers have been involved with the deregulated ERCOT market since 2001 on both the Retail Electric Provider and in the Indirect Sales Channel (Aggregator/Broker/Consultant) sides.

As Power Brokers, LLC has never operated beyond the Aggregator/Broker/Consultant business model, we do not enter into energy supply contracts with customers, or provide billing statements. Power Brokers does actively assist customers with resolving complaints and disputes, should they arise with Retail Electric Providers through our Customer Care department.

Exhibit B-3  
Disclosure of Liabilities and Investigations

None

Exhibit C-1  
Annual Reports

Power Brokers, LLC is not a public company and does not have Annual Reports.

Exhibit C-2  
SEC Filings

Power Brokers, LLC is not a public company and does not have any SEC reporting requirements.

Exhibit C-3  
Financial Statements

Attached

Exhibit C-4

**Power Brokers, LLC**  
**Balance Sheet**  
As of December 31, 2013

	<u>Dec 31, 13</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
Cash - Bank of America	217,476.88
<b>Total Checking/Savings</b>	<u>217,476.88</u>
<b>Other Current Assets</b>	
Accounts Receivable - Suppliers	4,569,693.55
Due From HW Shapp	289.41
<b>Prepaid Expenses</b>	
Prepaid-Other	5,755.17
Prepaid 3rd Party Referral Fees	181,247.32
Prepaid Group Insurance	5,926.50
Prepaid Liability Insurance/WC	8,633.96
Prepaid Rent	2,671.00
Prepaid Salesforce/Hoovers	126.59
<b>Total Prepaid Expenses</b>	<u>204,360.54</u>
Security Deposits	12,166.59
<b>Total Other Current Assets</b>	<u>4,786,510.09</u>
<b>Total Current Assets</b>	5,003,986.97
<b>Fixed Assets</b>	
Accumulated Depreciation	
Acc Depr- Computer Equipment	-6,046.11
Acc Depr- Equipment	-59,370.75
Acc Depr- Furniture/Fixtures	-523.14
Acc Depr- Leasehold Improvement	-33,687.03
<b>Total Accumulated Depreciation</b>	<u>-99,627.03</u>
<b>Fixed Assets</b>	
Computer Equipment	24,036.96
Equipment	59,370.75
Furniture/Fixtures	3,662.04
Leasehold Improvements	37,746.41
<b>Total Fixed Assets</b>	<u>124,816.16</u>
<b>Total Fixed Assets</b>	<u>25,189.13</u>
<b>TOTAL ASSETS</b>	<u><u>5,029,176.10</u></u>
<b>LIABILITIES &amp; EQUITY</b>	

**Power Brokers, LLC**  
**Balance Sheet**  
As of December 31, 2013

	<u>Dec 31, 13</u>
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
Accounts Payable	49,124.31
Total Accounts Payable	<u>49,124.31</u>
Credit Cards	
Bank of America Visa	10,351.87
Total Credit Cards	<u>10,351.87</u>
Other Current Liabilities	
Deferred Revenue	
Deferred Revenue - Suppliers	4,566,970.79
Total Deferred Revenue	<u>4,566,970.79</u>
Due to HWSHapp	8,205.43
Due to Suppliers	9,896.93
Payroll Liabilities	
Accrued Payroll	3,294.85
Total Payroll Liabilities	<u>3,294.85</u>
Property Tax Payable	3,250.00
S/T Liability - Referral Fees	181,247.32
S/T Liability -The Hartford	6,809.11
Total Other Current Liabilities	<u>4,779,674.43</u>
Total Current Liabilities	<u>4,839,150.61</u>
Total Liabilities	4,839,150.61
<b>Equity</b>	
Equity	
HW SHAPP Capital Distribution	-2,847,013.00
HW SHAPP LP LLC Equity	7,082,834.58
Total Equity	<u>4,235,821.58</u>
Retained Earnings	-3,700,938.38
Net Income	-344,857.71
Total Equity	<u>190,025.49</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>5,029,176.10</u></u>



**Power Brokers, LLC**  
**Profit & Loss**  
January through December 2013

	<u>Jan - Dec 13</u>
Income	
Revenue	
Procurement	2,032,621.12
Referral	1,502.29
Total Revenue	<u>2,034,123.41</u>
Total Income	2,034,123.41
Cost of Goods Sold	
Cost of Goods Sold	
Data Management	8,917.50
Total Cost of Goods Sold	<u>8,917.50</u>
Total COGS	<u>8,917.50</u>
Gross Profit	2,025,205.91
Expense	
Charitable Contributions	1,950.00
Computer and Internet	
Computer Parts & Repairs	3,025.26
Hosting	3,467.20
Subscriptions	42,874.72
Total Computer and Internet	<u>49,367.18</u>
Continuing Education	
Conferences	5,425.00
Total Continuing Education	<u>5,425.00</u>
Depreciation	
Computer Equipment	4,394.95
Furniture & Fixtures	3,188.58
Leasehold Improvements	17,107.83
Total Depreciation	<u>24,691.36</u>
Dues & Subscriptions	1,426.00
Equipment Rental	
Copier	4,194.81
Total Equipment Rental	<u>4,194.81</u>
Fees	
Bank Service	2,371.44
Other	3,051.61

**Power Brokers, LLC**  
**Profit & Loss**  
January through December 2013

	<u>Jan - Dec 13</u>
Payroll	<u>6,383.36</u>
Total Fees	11,806.41
Gain/Loss on Disposal of Assets	17,475.79
Gifts	4,458.19
Insurance Expense	
Commercial Liability	8,003.70
DO Liability	6,315.32
Group Health	67,189.56
Professional Liability	975.68
Worker's Compensation	<u>3,703.00</u>
Total Insurance Expense	86,187.26
Licenses and Permits	310.00
Maintenance	
Other Equipment Repair	<u>3,689.25</u>
Total Maintenance	3,689.25
Marketing	
Lead Generation	<u>7,977.13</u>
Total Marketing	7,977.13
Meals & Entertainment	
Client	695.99
Employees	<u>3,566.30</u>
Total Meals & Entertainment	4,262.29
Office Expense	
Office Supplies	9,323.32
Postage & Delivery	2,063.35
Printing and Reproduction	10,391.63
Storage Rent	<u>2,766.00</u>
Total Office Expense	24,544.30
Payroll Expenses	
Bonus	21,644.04
Commissions	239,279.55
Payroll Taxes	94,075.42
Regular Salary	1,188,164.61
Severance Pay	85,497.10
Unemployment Taxes	<u>6,622.59</u>
Total Payroll Expenses	1,635,283.31

**Power Brokers, LLC**  
**Profit & Loss**  
January through December 2013

	<u>Jan - Dec 13</u>
<b>Professional Fees</b>	
Accounting	3,550.00
Contract Labor	12,411.00
Hiring Services	2,280.09
IT Consulting	37,321.15
Legal	<u>8,287.68</u>
<b>Total Professional Fees</b>	63,849.92
<b>Referral Fees - 3rd Party</b>	256,202.69
<b>Rent</b>	123,697.11
<b>Taxes</b>	
Other	525.00
Property	4,894.77
State	<u>16.00</u>
<b>Total Taxes</b>	5,435.77
<b>Telephone &amp; Internet</b>	13,175.52
<b>Travel</b>	
Airfare	2,374.09
Automobile	6,018.94
Car Rental	171.42
Lodging	1,513.91
Taxi	<u>301.88</u>
<b>Total Travel</b>	10,380.24
<b>Utilities</b>	<u>14,274.09</u>
<b>Total Expense</b>	<u>2,370,063.62</u>
<b>Net Income</b>	<u><u>-344,857.71</u></u>

Exhibit C-4  
Financial Arrangements

Not Applicable. Power Brokers, LLC is not a CRES provider

Exhibit C-5  
Forecasted Financial Statements

	2014	2015
<b>TCV</b>	\$2,665,625	\$2,700,000
<b>COGS</b>	\$848,290	\$92,9921
<b>Gross Margin</b>	\$1,384,214	\$1,948,893
<b>Total Expenses</b>	\$1,825,832	\$1,776,030
<b>EBITDA</b>	\$406,672	\$1,102,784

Exhibit C-6  
Credit Rating

Not Applicable.

Exhibit C-7  
Credit Report

Organization does not have a credit report.

Exhibit C-8  
Bankruptcy Information

None.



Exhibit C-9  
Merger Information

None.