



## Public Utilities Commission

Original CRS Case Number	Version
14 - 113 -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.  
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#### 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 Empower Gas and Electric, LLC  
Address 612 Park Street, Suite 200, Columbus, OH 43215  
PUCO Certificate # and Date Certified 14-782E(1) 2/22/2014  
Telephone # (855) 343-7884 Web site address (if any) Empowergande.com

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

Legal Name Empower Gas and Electric  
Address 612 Park Street, Suite 200, Columbus, OH 43215  
Telephone # (885) 343-7884 Web site address (if any) Empowergande.com

855

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Nolan Moser  
Title Chief Strategy Officer  
Business address 612 Park Street, Suite 200, Columbus, OH 43215  
Telephone # (614) 214-0467 Fax # (877) 285-2499  
E-mail address NMoser@empowergande.com

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

Name Rachel Sosin  
Title Administrative and Financial Manager  
Business address 612 Park Street, Suite 200, Columbus, OH 43215  
Telephone # (614) 285-4134 Fax # (877) 285-2499  
E-mail address RSosin@empowergande.com

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

Customer Service address 612 Park Street, Suite 200, Columbus, OH 43215  
Toll-free Telephone # (855) 343-7884 Fax # (877) 285-2499  
E-mail address info@empowergande.com

**A-8 Applicant's federal employer identification number # 45-4059950**

**A-9 Applicant's form of ownership (check one)**

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

**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], COO  
Signature of Applicant and Title

Sworn and subscribed before me this 4<sup>th</sup> day of January, 2016  
Month Year

Stephen M. Howard  
Signature of official administering oath

Stephen M. Howard  
Print Name and Title  
Attorney at Law

My commission expires on STEPHEN M. HOWARD  
NOTARY PUBLIC - STATE OF OHIO  
MY COMMISSION HAS NO EXPIRATION DATE  
SECTION 147.03 R. C.

# **AFFIDAVIT**

State of Ohio :

Columbus ss.  
(Town)

County of Franklin :

Daniel M. Gray, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the Chief Operating Officer (Office of Affiant) of Empower Gas and Electric (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.

[Signature] CSO  
Signature of Affiant & Title

Sworn and subscribed before me this 4<sup>th</sup> day of January, 2016 Year  
Month

Stephen M. Howard  
Signature of official administering oath

Stephen M. Howard  
Print Name and Title

NOTARY PUBLIC - STATE OF OHIO  
My commission expires on MY COMMISSION HAS NO EXPIRATION DATE  
SECTION 147.03 R.C.

Exhibit A-10 Principal Officers Directors and Partners

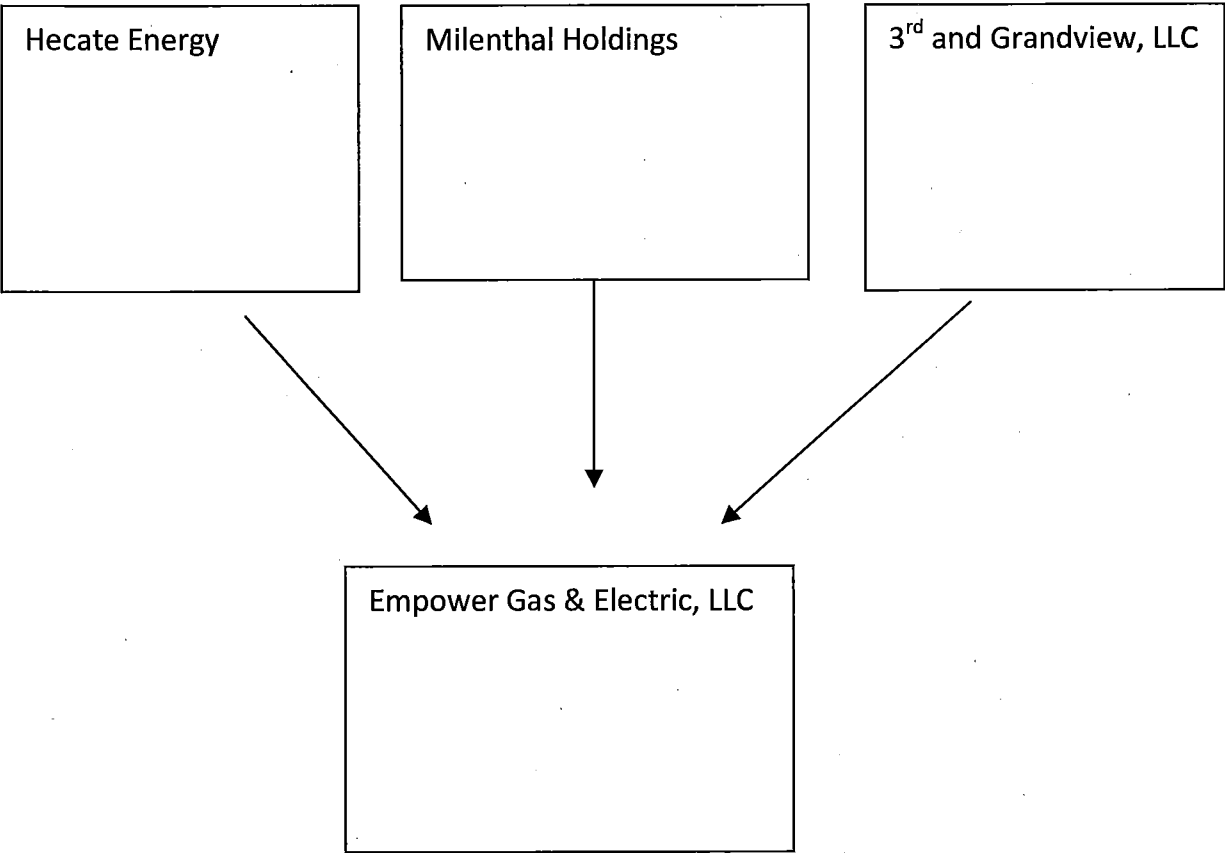
Name	Title	Address	Phone Number
David Milenthal	Chief Executive Officer	612 Park St, Suite 200, Columbus, OH 43215	(614) 554-1039
Jon Milenthal	Chief Marketing Officer	612 Park St, Suite 200, Columbus, OH 43215	(614) 371-8298
Nolan Moser	Chief Strategy Officer	612 Park St, Suite 200, Columbus, OH 43215	(614) 214-0467
Dan Gray	Chief Operating Officer	612 Park St, Suite 200, Columbus, OH 43215	(216) 789-3320



Exhibit A-11 Corporate Structure

Empower Gas & Electric, LLC is a standalone entity that is physically located in Columbus Ohio. Empower Gas & Electric, LLC is owned by Milenthal Holdings, Hecate Energy, and 3<sup>rd</sup> and Grandview, LLC. There are no affiliates or subsidiaries of Empower Gas & Electric, LLC.

Graphic Representation:



## Exhibit B-1 Jurisdiction of Operations

Empower Gas & Electric, LLC is certified, licensed, and registered to provide retail or wholesale electric services including aggregation services in Ohio.

## Exhibit B-2 Experience and Plans

Empower Gas & Electric, LLC (Empower) intends to use our experience as a platform for providing power to fulfill aggregation and other retail contracts. We will fulfill customers' power needs through developing generation assets for customers and providing the balance of power from the grid.

Our experience includes:

- Developing energy projects, both behind the meter and interconnected to the grid, that are currently operating in Ohio
- Financing energy projects, both through direct and third party ownership
- Advising and electric customers on utility contracts and PUCO filings, including contract and ordinance drafting
- Developing long term retail customer relationships
- Provide free-market energy efficiency solutions to end use customers

Empower will work with strategic partners, as needed, to procure all balance of power needs for customers, customer billing services and timely responses to customer complaints.

Balance of Power: Empower will ensure delivery of power from the grid either directly or contractually through a strategic partner.

Customer Billing: Empower will bill customers through a contract with their local electric distribution utility.

Customer Service: Empower will directly or contractually through a strategic partner, ensure that all customer complaints and inquiries are responded to within 3 business days and addressed in a timely manner. Empower will respond to both the customer and the PUCO within 3 days for complaints forwarded from the PUCO.

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

There are no existing, pending, or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact Empower Gas & Electric, LLC's financial or operational status or ability to provide the services it is seeking to be certified to provide.

## Exhibit B-4 Environmental Disclosures

There are none to date. The applicant will comply with all environmental disclosure rules of the Commission.

## Exhibit B-5 Disclosure of Liabilities and Investigations

There are none.

## Exhibit C-1 Annual Reports

Empower Gas & Electric, LLC does not have an Annual Report. See financial statements under exhibit C-3.

## Exhibit C-2 SEC Filings

Empower Gas & Electric, LLC is a privately held company and therefore does not have SEC filings.



Exhibit C-3 Financial Statements

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

## Exhibit C-4 Financial Arrangements

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

## Exhibit C-5 Forecasted Financial Statements

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

## Exhibit C-6 Credit Rating

As a newly formed LLC with less than three years business history, this company does not yet have a credit rating.

Exhibit C-7 Credit Report

Empower Gas & Electric, LLC 's Dun and Bradstreet number is 07-985-1484.



## Report

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For help reading this report, please review our sample report.

Search inquiry: Empower Gas And Electric / Columbus / OH / 43215

CreditScore<sup>SM</sup> Report

as of: 12/27/15 12:47 ET

## Empower Gas &amp; Electric

**Address:** 612 Park St Ste 300  
Columbus, OH 43215-1681  
United States

**Experian ID:** 989497535

**Experian File Established:** August 2014  
**Experian Years on File:** 1 Year  
**Years in Business:** More than 1 Year

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

**Payment Tradelines (see charts):** 1  
**UCC Filings:** 0

**✖ Businesses Scoring Worse:** 49%

- ✓ **Bankruptcies:** 0
- ✓ **Liens:** 0
- ✓ **Judgments Filed:** 0
- ✓ **Collections:** 0

## Credit Summary

[Back to top](#)

## Credit Ranking Score: 50

High  
Risk



Low  
Risk

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

## Key Score Factors:

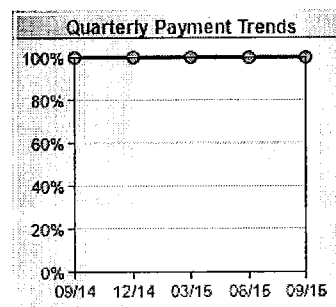
- Low number of recently reported commercial accounts.
- Ratio of total bal to total high bal across all comm accts.
- Length of time on experian's file.
- High maximum commercial account bal in the last 12 mos.

**Recommended Action:** Medium Risk

## Payment Summary

[Back to top](#)

Insufficient information to produce  
Monthly Payment Trends  
chart.

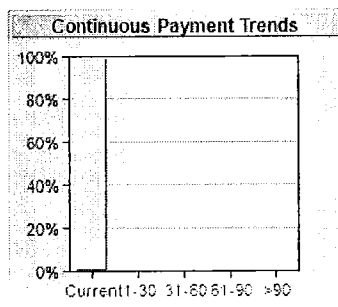


\*Percentage of on-time payments by quarter.

Insufficient information to produce  
Monthly Payment Trends  
table.

## Quarterly Payment Trends - Recent Activity

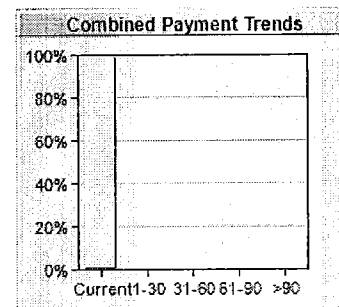
Date	Balance	Current	Up to 30 DBT	31-60 DBT	61-90 DBT	>90 DBT
09/14	\$0	0%	0%	0%	0%	0%
12/14	\$0	0%	0%	0%	0%	0%
03/15	\$0	0%	0%	0%	0%	0%
06/15	\$0	0%	0%	0%	0%	0%
09/15	\$3,600	100%	0%	0%	0%	0%



\*Continuous distribution with DBT.

Number of Accounts: 1  
Present Balance: \$3,600  
Highest Balance: \$3,600

Insufficient information to produce  
Newly Reported Payment Trends  
chart.



\*Combined distribution with DBT.

Number of Accounts: 1  
Present Balance: \$3,600  
Highest Balance: \$3,600

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## Exhibit C-8 Bankruptcy Information

Empower Gas & Electric, LLC has no bankruptcy information.



## Exhibit C-9 Merger Information

Empower Gas & Electric, LLC has no merger information.

## Exhibit D-1 Operations

Empower Gas & Electric, LLC plans on performing the following operations as part of its business:

**Development of Customer Sited Power Generation:** For customers with a desire to develop their own power generation assets, both behind the meter and connected to the grid, Empower Gas & Electric, LLC will work with the customers to design, finance, build and operate the desired assets.

**Provision of Grid Power:** For all power needed to satisfy customers' demand from the grid, Empower Gas & Electric, LLC will ensure delivery of power from the grid either by directly scheduling transmission and distribution or arranging for the power to be delivered contractually through a strategic partner. Empower Gas & Electric, LLC will disclose to the customer the method of delivery.

**Billing:** Empower Gas & Electric, LLC will bill customers either through the customer's local electric distribution utility or with Empower Gas & Electric, LLC's balance of power provider.

**Customer Service:** Empower Gas & Electric, LLC will directly or contractually through a strategic partner, ensure that all customer complaints and inquiries are responded to within 3 business days and addressed in a timely manner. Empower Gas & Electric, LLC will respond to both the customer and the PUCO within 3 days for complaints forwarded from the PUCO. Empower will disclose to the customer a toll free phone number, email and fax for all customer inquiries and complaints no later than when a contract is signed.

## Exhibit D-2 Operations Expertise

The leadership of Empower Gas & Electric, LLC has extensive and longstanding electric generation, regulation, sales, and development experience in Ohio.

Specifically, the formative group includes who have collectively developed hundreds of megawatts of successfully operating generating facilities. Additionally, the core group includes individuals with strong electricity regulatory experience, who are well informed on Commission rules, practices, and expectations.

### Experience includes:

- Participation in dozens of Commission actions, including work directly with all of Ohio's investor owned utilities, and many of their retail counterparts.
- Development leadership of utility scale solar projects in and outside of Ohio.
- Development leadership of utility scale wind projects.
- Extensive experience in high quality customer service, as well as product development and marketing for fortune 500 companies.
- Strong relationships with bonded energy service companies, wholesale energy suppliers, and other channel partners.

## Exhibit D-3 Key Technical Personnel

### **David Wilhelm – Executive Chair**

614-416-8024

dwilhelm@hecateenergy.com

**Key Technical Responsibilities:** Energy project development and financing, strategic partner relationships

**Bio:** Wilhelm has had a career spanning the worlds of energy, finance, politics, academia, and nonprofits; in each, he has made a meaningful impact and has always been guided by the idea of doing what he can to help others fulfill their human potential.

With Hecate, Wilhelm is leading efforts to build a 50 MW solar array on reclaimed mine land in his native Appalachian Ohio, linking clean energy development to substantial rural job creation. Wilhelm is heavily involved in Hecate's Power Africa initiative, which involves a 55 MW solar project on the campus of the University of Dodoma in central Tanzania.

Wilhelm is the founder of two regionally-focused venture capital funds designed to bring investment dollars to undeserved regions of the Midwest and Appalachia. He served as the co-chair of the statewide campaign to renew the Ohio Third Frontier, one of the nation's model programs in support of innovation and entrepreneurship.

Wilhelm has managed the campaigns of persons such as William J. Clinton, Richard M. Daley, Joseph R. Biden, and the late Paul Simon and was a leading national surrogate for the campaign of Barack Obama in 2008. Upon his election in 1992, President Clinton nominated Wilhelm to serve as Chair of the Democratic National Committee, making Wilhelm the youngest person in American history to serve in that post.

Wilhelm is a graduate of Ohio University and Harvard University; he has received honorary doctorates at Ohio University, the University of Charleston, and Wheeling Jesuit University, and has taught at Harvard University, the University of Chicago, DePaul University, and the University of Akron. He is the Co-Chair of the National Advisory Council of the Voinovich School of Leadership and Public Affairs at Ohio University.

### **David Milenthal - Chief Executive Officer**

614-554-1039

dmilenthal@empowergande.com

**Key Technical Responsibilities:** Strategic partner relationships, customer services

Bio: David is the founder of what became Engauge, a marketing services firm now owned by Publicis, the largest marketing firm in the world. Prior to selling his company, David built what became one of the largest independently owned ad agencies in the Midwest. Mr. Milenthal steered his agency into helping regulated industries transform their culture to be successful in a de-regulated, competitive environment. In health care, Mr. Milenthal's firm worked closely with Nationwide Insurance, Anthem Blue Cross Blue Shield, and over 20 years representing investor owned electric utilities in Ohio. At various times in his career he was agency of record for the Ohio Electric Utility Institute (association of all Ohio utilities) Ohio Edison(now First Energy), Cinergy (now Duke), and American Electric Power. Mr. Milenthal has built trusted relationships with C-Suite executives in all of those entities.

In addition Mr. Milenthal served on the leadership group of the Smart Grid Interoperability Panel, the leading association in the slowly evolving new electricity grid. Before selling his firm, Mr. Milenthal was the only marketing/communication member of the prestigious Ohio Business Roundtable, the statewide association of Ohio's major businesses. Mr. Milenthal also has significant entrée to most of the state's major advocacy associations and community foundations.

**Daniel Gray - Chief Operating Officer**

216-789-3320

dgray@empowergande.com

Key Technical Responsibilities: Operations and day-to-day management

Bio: Before joining Empower, Dan Gray served as the Business and Utility Consultant for Williams Allwein & Moser, an advanced energy law firm based in Columbus, where he combined his knowledge of utility rates and regulations with his background in financial modeling to drive value for the customers in complicated energy development projects. Dan managed the energy development portfolio for the firm, including projects ranging from distributed power generation at individual businesses to community-wide energy efficiency retrofit programs. He regularly consults with both end users and developers in the public, private and non-profit sectors.

Prior to his work in energy development, Dan ran community engagement programs for successful political campaigns across the country, including the election of two governors, two Senators and nine Congressmen.

Dan is a graduate of Case Western Reserve University and earned his MBA at The Ohio State University.

**Nolan Moser – Chief Strategy Officer**

614-214-0467

nmoser@empowergande.com

## Key Technical Responsibilities: Legal and regulatory affairs

An attorney and graduate of Case Western Reserve School of Law, Moser played a leading role in the development and implementation Ohio's energy policy. He specializes in energy efficiency incentives and support for private energy efficiency development efforts.

Moser has extensive energy efficiency and renewable energy development and financing experience; working with businesses and governments to help develop several large-scale solar projects and multi-million dollar energy efficiency investments.

Moser has been responsible for the management of a large docket of cases at the Public Utilities Commission of Ohio (PUCO). He has conducted successful bi-lateral negotiations with Ohio's investor owned utilities, ensuring the development of sound energy efficiency and clean energy programs, and has been an effective and respected attorney at the PUCO and beyond.

Moser has co-authored law review articles on energy and environmental law published by the Vermont Environmental Law Journal and Duke Environmental Law & Policy Forum.

## **Scott Ungerer – Board Member and Strategic Advisor**

610-457-4096

sungerer@enertechcapital.com

## Key Technical Responsibilities: Impartial board member

Scott has been a visionary and recognized leader in venture capital investing for the traditional and advanced energy sectors for nearly 20 years. He is also one of the few with an extensive and proven investment and management operations history. Currently, Scott specifically looks for opportunities that reduce the cost and/or improve the customer experience related to all aspects of energy supply, delivery and usage. His specific areas of experience, interest and expertise include companies that sell into the following industry sectors: central and distributed power generation; electric transmission; electric, natural gas and/or water distribution; energy management for the customer premise; broadly defined Intelligent Grid; and transportation.

Scott has worked with more than 15 early-to-mid stage companies providing both strategic and operational guidance and advice as a board member and investor. He currently sits on the boards of GeoDigital Inc. (Chairman), The NanoSteel Company, Tangent Energy Solutions (Chairman), Enbala Power Networks and N-Dimension Solutions Inc. Scott managed investments in and formerly sat on the boards of Clean Air Power (L: CAP)- sold; CURRENT Group; Catalytic Solutions (L: CTSU)- sold; Enerwise – purchased by Comverge; Intellon (NASDAQ: ITLN) - purchased by Atheros/Qualcom, Comverge (NASDAQ: COMV) - purchased by private equity investor, and CoaLogix (NASDAQ: ACORN) – purchased by private equity investor.

Scott shares his expertise and viewpoints with the core energy/power industry through participation in a select few organizations: currently the Industrial Internet Consortium (Chairman of the SmartGrid

TestBed Program's Advisory Group); and formerly as: a board member of the Smart Grid Interoperability Panel (SGIP); Chairman of the VC Advisory Board for the National Renewable Energy Lab; member of the Battelle Energy Advisory Council; and member of the Cleantech VentureNetwork Advisory Board.

Prior to EnerTech, Scott spent 16 years in the power industry as an operating executive with Atlantic Energy culminating in his role as one of five senior officers, and as President & COO of the entire set of the company's non-regulated enterprises.

Scott received a BS in Mechanical Engineering from Princeton University; he has also attended several graduate level Business, Strategy and Management courses at Wharton.

Exhibit D-4 FERC Power Marketer License Number

A FERC Power Marketer license number is not yet available for Empower Gas & Electric, LLC.



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**1/4/2016 3:48:32 PM**

**in**

**Case No(s). 14-0113-EL-CRS**

Summary: Application Renewal Application for Retail Generation Providers and Power Marketers electronically filed by Mr. Stephen M Howard on behalf of Empower Gas and Electric, LLC