



FILE

11208 Statesville Road  
Suite 200  
Huntersville, NC 28078  
(704) 274-1450 office  
(704) 274-1430 fax  
www.xoomenergy.com

June 6, 2017

2017 JUN -7 AM 11:26

PUCO

**VIA FEDEX**

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

**RE: XOOM Energy Ohio, LLC  
Case No. 13-1453-EL-CRS  
2017 Renewal Certification Application for Retail Generation Providers and Power Marketers**

Dear Sir/Madam:

Enclosed please find a Renewal Certification Application for Retail Generation Providers and Power Marketers ("Application") on behalf of XOOM Energy Ohio, LLC ("XOOM Energy"). Pursuant to Ohio's Application instructions, enclosed please find the following:

1. Four (4) copies of XOOM Energy's Application, including one (1) original notarized Application and all exhibits and affidavits that will be available to the public and three (3) copies; and
2. Three (3) copies of XOOM Energy's Confidential Exhibits C-3 "Financial Statements", C-4 "Financial Arrangements", and C-5 "Forecasted Financial Statements" ("Confidential Exhibits") under a separate cover. The Confidential Exhibits contain confidential information and should not be disclosed to the public. Please note that the Confidential Exhibits are provided under separate cover to preserve their confidentiality. Pursuant to Rule 4901: 1-24-08, please maintain the confidentiality of these documents for a period of six years from the date the renewal certificate in this case is issued.

Please feel free to contact me at kdetombeur@xoomenergy.com or call me at 704-274-3375 with questions. Thank you in advance.

Respectfully,

Kyle De Tombeur  
Regulatory Specialist  
XOOM Energy, LLC, single member manager  
of XOOM Energy Ohio, LLC

This is to certify that the enclosed documents are an accurate and complete record of the documents delivered in the regular course of business.  
Technician Am Date Processed 6/7/17



## Public Utilities Commission

Original CRS Case Number	Version
13 - 1453 -EL-CRS	May 2016

### 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 C-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 intends to be renewed as: (check all that apply)**

☒ Retail Generation Provider  
☒ Power Marketer

☐ Power Broker  
☐ Aggregator

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

Legal Name XOOM Energy Ohio, LLC  
Address 11208 Statesville Road, Suite 200, Huntersville NC 28078  
PUCO Certificate # and Date Certified PUCO #13-716E(1) Date: 7/22/13  
Telephone # (704) 274-1450 Web site address (if any) www.xoomenergy.com

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

Legal Name XOOM Energy Ohio, LLC  
Address 52 E. Gay Street, Columbus, OH 43215  
Telephone # (888) 997-8979 Web site address (if any) www.xoomenergy.com

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

XOOM Energy Ohio, LLC  
\_\_\_\_\_  
\_\_\_\_\_

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

Name Stephanie Kueffner  
Title Associate Counsel  
Business address 11208 Statesville Road, Suite 200, Huntersville, NC 28078  
Telephone # (704) 274-1450 Fax # (704) 274-1430  
E-mail address XOOM\_Regulatory@xoomenergy.com

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

Name Patricia Kulesa  
Title Compliance Officer  
Business address 11208 Statesville Road, Suite 200, Huntersville NC, 28078  
Telephone # (704) 274-3000 Fax # (704) 274-1430  
E-mail address pkulesa@xoomenergy.com

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

Customer Service address 11208 Statesville Road, Suite 200 Huntersville NC 28078  
Toll-free Telephone # (888) 997-8979 Fax # (877) 396-6041  
E-mail address customercare@xoomenergy.com

**A-8 Applicant's federal employer identification number # 45-1285939**

**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.**

## **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. (This is generally only applicable to publicly traded companies who publish annual reports.)

**C-2** **Exhibit C-2 “SEC Filings,”** provide the most recent 10-K/8-K Filings with the SEC. If the applicant does not have such filings, it may submit those of its parent company. An applicant may submit a current link to the filings or provide them in paper form. 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. If the applicant does not have a balance sheet, income statement, and cash flow statement, the applicant may provide a copy of its two most recent years of tax returns (with social security numbers and account numbers redacted).

**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.,).

Renewal applicants can fulfill the requirements of Exhibit C-4 by providing a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU’s collateral requirements.

First time applicants or applicants whose certificate has expired as well as renewal applicants can meet the requirement by one of the following methods:

1. The applicant itself stating that it is investment grade rated by Moody’s, Standard & Poor’s or Fitch and provide evidence of rating from the rating agencies.
2. Have a parent company or third party that is investment grade rated by Moody’s, Standard & Poor’s or Fitch guarantee the financial obligations of the applicant to the LDU(s).
3. Have a parent company or third party that is not investment grade rated by Moody’s, Standard & Poor’s or Fitch but has substantial financial wherewithal in the opinion of the Staff reviewer to guarantee the financial obligations of the applicant to the LDU(s). The guarantor company’s financials must be included in the application if the applicant is relying on this option.
4. Posting a Letter of Credit with the LDU(s) as the beneficiary.

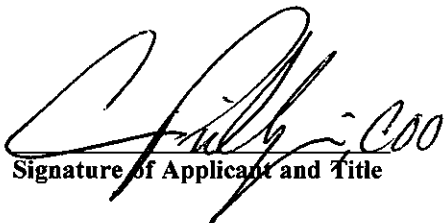
If the applicant is not taking title to the electricity or natural gas, enter "N/A" in Exhibit C-4. An N/A response is only applicable for applicants seeking to be certified as an aggregator or broker.

- C-5 **Exhibit C-5 “Forecasted Financial Statements,”** provide two years of forecasted income statements for the applicant’s **ELECTRIC related business activities in the state of Ohio Only**, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecasts should be in an annualized format for the two years succeeding the Application year.
- 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, Fitch IBCA, Moody’s Investors Service, Standard & Poor’s, 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 an 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. If an applicant or its parent does not have such a credit rating, enter “N/A” in Exhibit C-6.
- 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. An applicant that provides an investment grade credit rating for Exhibit C-6 may enter “N/A” for Exhibit C-7.
- 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 two most recent years preceding the application.
- C-10 **Exhibit C-10 “Corporate Structure,”** provide a description of the applicant’s corporate structure, not an internal organizational chart, 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. If the applicant is a stand-alone entity, then no graphical depiction is required and applicant may respond by stating that they are a stand-alone entity with no affiliate or subsidiary companies.

## D. TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

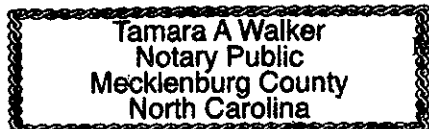
- D-1 **Exhibit D-1 "Operations"** provide a written description of the operational nature of the applicant's business. Please include whether the applicant's operations include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail 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 1<sup>st</sup> day of June, 2017  
Month Year

  
Signature of official administering oath

Tamara A. Walker  
Print Name and Title



My commission expires on May 20, 2017

# **AFFIDAVIT**

State of NORTH CAROLINA :

HUNTERSVILLE ss.  
(Town)

County of MECKLENBURG :

CHARLES PHELPS, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the AUTHORIZED REPRESENTATIVE (Office of Affiant) of KOON ENERGY OHIO, LLC (Name of Applicant);

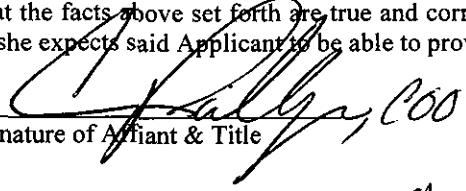
That he/she is authorized to and does make this affidavit for said Applicant,

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)

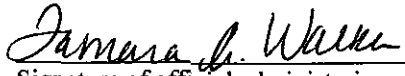


11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the renewal application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating customer complaints.

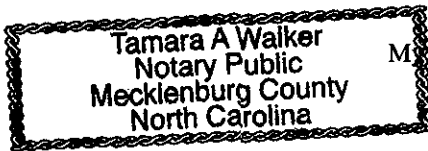
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

  
Signature of Affiant & Title

Sworn and subscribed before me this 1<sup>st</sup> day of June, 2017  
Month Year

  
Signature of official administering oath

Tamara A. Walker  
Print Name and Title



My commission expires on May 20, 2017

**Exhibit A-10**

**“Principal Officers, Directors, & Partners”**

**Exhibit A-10 “Principal Officers, Directors, & Partners,” provide the names, titles, addresses and telephone numbers of the applicant’s principal officers, directors, partner, or other similar officials.**

XOOM Energy Ohio, LLC (“XOOM Energy Ohio”) is a single-member managed limited liability company organized under the laws of Ohio. The single-member manager of XOOM Energy Ohio is XOOM Energy, LLC, a Delaware limited liability company. In accordance with the Operating Agreement for XOOM Energy Ohio, the officers of the member manager XOOM Energy, LLC are authorized to enter into agreements and transact business on behalf of XOOM Energy Ohio. To that end, the officers of XOOM Energy, LLC are:

Thomas L. Ulry  
Chief Executive Officer  
11208 Statesville Road  
Suite 200  
Huntersville, NC 28078  
(704) 274-1450  
(704) 274-1430 (fax)

Chris Phillips  
Chief Operating Officer  
11208 Statesville Road  
Suite 200  
Huntersville, NC 28078  
(704) 274-1450  
(704) 274-1430 (fax)

David Vail  
Chief Financial Officer  
11208 Statesville Road  
Suite 200  
Huntersville, NC 28078  
(704) 274-1450  
(704) 274-1430 (fax)

Michelle W. Harding  
Vice President, General Counsel, and Secretary  
11208 Statesville Road  
Suite 200  
Huntersville, NC 28078  
(704) 274-1450  
(704) 274-1430 (fax)

## **Exhibit B-1**

### **"Jurisdictions of Operation"**

**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.**

XOOM Energy Ohio's parent company XOOM Energy, LLC is authorized by the Federal Energy Regulatory Commission ("FERC") to sell electricity at market based rates under FERC Docket No. ER11-3418-000. XOOM Energy Ohio does not offer electricity services in any other jurisdiction. However, XOOM Energy, LLC has several wholly owned subsidiaries that are licensed alternative electricity providers and/or natural gas suppliers in their respective states of incorporation, as further described below:

XOOM Energy California, LLC is authorized to provide natural gas services in the state of California.

XOOM Energy Canada, ULC is licensed to market electricity and natural gas in the province of Alberta, Canada.

XOOM Energy Connecticut, LLC is licensed to provide electricity in the state of Connecticut.

XOOM Energy Delaware, LLC is licensed to provide electricity in the state of Delaware.

XOOM Energy Georgia, LLC is licensed to provide natural gas services in the state of Georgia.

XOOM Energy Illinois, LLC is licensed to provide electricity and natural gas in the state of Illinois.

XOOM Energy Indiana, LLC is authorized to provide natural gas services in the state of Indiana.

XOOM Energy Kentucky, LLC is authorized to provide natural gas services in the state of Kentucky.

XOOM Energy Maine, LLC is licensed to provide electricity in the state of Maine.

XOOM Energy Maryland, LLC is licensed to provide electricity and natural gas in the state of Maryland.

XOOM Energy Massachusetts, LLC is licensed to provide electricity and natural gas in the state of Massachusetts.

XOOM Energy Michigan, LLC is licensed to provide natural gas in the state of Michigan.

XOOM Energy New Hampshire, LLC is licensed to provide electricity in the state of New Hampshire.

XOOM Energy New Jersey, LLC is licensed to provide electricity and natural gas in the state of New Jersey.

XOOM Energy New York, LLC is licensed to provide electricity and natural gas in the state of New York.

XOOM Energy Ohio, LLC is licensed to sell natural gas and electricity in the state of Ohio.

XOOM Energy ONT, ULC is licensed to provide electricity and natural gas in the province of Ontario, Canada.

XOOM Energy Pennsylvania, LLC is licensed to provide electricity and natural gas in the state of Pennsylvania.

XOOM Energy Rhode Island, LLC is licensed to provide electricity in the state of Rhode Island.

XOOM Energy Texas, LLC is certified to provide electricity in the state of Texas.

XOOM Energy Virginia, LLC is licensed to provide natural gas in the state of Virginia.

XOOM Energy Washington, D.C., LLC is licensed to provide electricity in Washington D.C.

## **Exhibit B-2**

### **"Experience & Plans"**

**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.**

#### **A. Experience**

Although XOOM Energy Ohio was formed on March 24th, 2011, the company's managers bring with them years of experience serving and contracting with customers in the energy and regulated utilities industries. A summary of XOOM Energy Ohio's management team's experience in these areas is below.

Thomas L. Ulry, the Chief Executive Officer of XOOM Energy, LLC, the single-member manager of XOOM Energy Ohio, will closely oversee and manage the operations of XOOM Energy Ohio. Mr. Ulry has more than 25 years of sales and senior management experience, including experience managing both fast paced start-up companies and mature business environments, with 21 of those years being devoted to the sales, marketing, and management activities of retail energy businesses with substantial portfolios ranging from \$20 million to \$165 million over the course of his career. Please refer to Exhibit B-2 for a copy of Mr. Ulry's resume.

In addition to the energy industry experience of Mr. Ulry, our staff includes Michelle W. Harding as General Counsel and Secretary, who is responsible for all legal and regulatory matters. Mrs. Harding has over thirteen years of in-house legal experience working as a legal advisor to senior management of both public and privately held global companies on an array of corporate, regulatory, and risk management matters. Exhibit B-2 contains a copy of Ms. Harding's resume.

Our staff also includes Chief Operating Officer Chris Phillips, who has extensive experience managing operational functions within the industry. Most recently, Mr. Phillips previously served as VP, Retail Customer Operations at NRG/Reliant Energy. Exhibit B-2 contains a copy of Mr. Phillips' resume.

In addition, our staff also includes a Vice President of Marketing, Jackie Whitman, who will be responsible for the full customer experience with XOOM Energy Ohio. Mrs. Whitman brings over twelve years of marketing, advertising and public relations experience to XOOM Energy Ohio. Mrs. Whitman has been responsible for ensuring a pleasant experience for all customers, including managing website design and development, billing messages, customer communications, and direct mail advertising. Exhibit B-2 contains a copy of Ms. Whitman's resume.

Our staff also includes experienced Senior Vice President Andrew Coppola, an experienced energy manager who provides technical risk management and operational support services to XOOM Energy Ohio. Mr. Coppola has 29 years of deregulated energy experience in energy management, energy origination and procurement, asset optimization, operations, risk management, trading,

internal controls, and other related core business functions for gas and power customers ranging in size from small retail to large wholesale customers. Between the years 2000 and 2010, Mr. Coppola held a variety of positions that included the management of substantial risk portfolios ranging in size from \$45 million to \$500 million. Among the responsibilities Mr. Coppola had in managing these risk portfolios were: instituting best- practice risk mitigation; the creation of risk policies; and the creation of internal processes for position reporting, volume management, weekly reconciliations, and energy accounting.

Mr. Coppola was previously with Shell Energy, where as General Manager he led a Midwest-based office serving commercial and industrial customers and regional niche marketing companies. Prior to working at Shell Energy, Mr. Coppola served for three years as Vice President of Energy Supply and Fulfillment at Commerce Energy and ACN Energy for 100,000 retail gas and power customers being served by eleven different distribution utilities in nine states. Before joining Commerce Energy, he was a Vice President of CoEnergy Trading and a Director at DTE Energy Trading, where he was responsible for physical and financial gas trading and marketing activities related to the wholesale energy business and the optimization of robust natural gas and electric asset portfolios, and in charge of commercial and industrial gas books of business with sales of approximately 35 Bcf per year. Throughout his career, Mr. Coppola has been instrumental in the startup and management of energy marketing activities operating within a variety of distribution utility service territories, commercial and industrial marketing programs, and a number of strategic marketing partnerships. Mr. Coppola has previously worked for marketing affiliates of CMS Energy and The Coastal Corporation (now El Paso). Exhibit B-2 contains a copy of Mr. Coppola's resume.

#### B. Plans

XOOM Energy Ohio will conduct its retail energy business in Ohio in accordance with Public Utility Commission of Ohio ("Commission") rules adopted pursuant to Section 4929.22 of the Ohio Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code. Summarized below are XOOM Energy Ohio's plans for (1) contracting with customers, (2) providing contracted retail energy services, (3) providing billing statements, and (4) responding to customer inquiries.

##### 1) Contracting with Customers

When a new customer indicates intent to receive electric service from XOOM Energy Ohio, XOOM Energy Ohio will follow a standard procedure for initiating service. Each customer must execute a service contract with XOOM Energy Ohio. XOOM Energy Ohio intends to enroll customers primarily through electronic enrollment over the internet using a secure web page accessible through [www.xoomenergy.com](http://www.xoomenergy.com). XOOM Energy Ohio's enrollment policies and procedures will be consistent with Section 4901: 1-29-06 of the Ohio Administrative Code.

(2) Providing Retail Energy Services

XOOM Energy Ohio registers with Ohio electricity utilities to provide local distribution of electricity to its customers. XOOM Energy Ohio will procure electricity at wholesale through its single-member manager XOOM Energy, LLC, which will procure electricity from a well-known wholesale energy supplier. Under XOOM Energy Ohio and XOOM Energy, LLC's arrangement with this wholesale supplier, the wholesale supplier will (i) supply electricity to XOOM Energy Ohio and (ii) provide various supply and related management functions to XOOM Energy Ohio.

(3) Providing Billing Statements and Responding to Customer Inquiries

To support its customer service needs, XOOM Energy Ohio has a Customer Care Department and Operations department which will handle billing services and customer service.

**CHRIS J. PHILLIPS, PMP**  
11208 Statesville Rd, Suite 200  
Huntersville, North Carolina  
28078

(832) 523-8342

chris@kindredis.com

---

## **OPERATIONS EXECUTIVE**

### **P&L / Organizational Change / Customer Support / Call Centers / Continuous Improvement Project & Program Management / IT / Sales / Product Development / Vendor Management**

Extensive experience in consumer services with significant accomplishments in building and leading customer service and support operations that have provided employers such as XOOM Energy, NRG/Reliant, Hewlett-Packard and Dell a keen competitive edge. Effective at building, managing and motivating top-performing teams. *Strengths...*

- **Transforming customer support from a cost drain to a source of sales, profits and repeat business**
- **Tightly controlling costs while keeping quality and customer satisfaction at peak levels**
- **Delivering new sales channels and increased customer count**
- **Delivering large-scale transformational, cross-functional projects on time and on budget**
- **Managing change smoothly in volatile market conditions and regulatory environments**

**MBA** (honors) and **Masters of Management** in Corporate Finance (honors), University of Dallas. **BS** in Political Science (cum laude), Texas A&M University. Black Belt Six Sigma. PMP. Proven ability to motivate and inspire organizational change across large-scale organizations. Able to effectively communicate and bridge gaps across technical staff, non-technical staff and all levels of stakeholders.

---

## **History and Highlights**

---

### **Chief Operating Officer**

XOOM Energy  
2016 to present

*A retail provider serving over 92 markets in North America providing electricity, gas and solar products.  
Ranked #1 by Inc. 500 in 2015 as the fastest-growing private energy company.*

Direct the North American organization to increase customer count, diversify sales channels and develop a customer-focused organization. Directly manage the North American marketing, sales, back-office and call center organizations as we deliver services in over 92 markets, 18 states and 1 province across North America.

### **Vice President, Retail Customer Operations**

NRG/Reliant Energy  
2012 to 2015

*A \$15 billion Fortune 500 company providing electricity, solar, electric vehicle and energy-related products to three million customers in Texas and the Mid-Atlantic region.*

Promoted to oversee a \$60M shared services organization with responsibility for overall customer experience operations for residential, small business, large commercial and industrial customer segments. In charge of: customer experience delivery; call center support; customer retention; acquisition sales; credit and collections; data management; product management; retail supply chain and home security installation.

The shared services organization supports over 10 subsidiaries of NRG including Reliant Energy, Green Mountain, eVgo, Pennywise Power and NRG Solar. Also accountable for management and monitoring of internal financial analysis, audit and controls of the Retail organization. Managed a staff of 11 directors and senior managers in charge of 700+ internal analysts, support staff and outsource operations.



- **Orchestrated a complex integration.** After NRG purchased Green Mountain Energy, selected to integrate the customer operations teams moving them to NRG's SAP platform. Formed and led a team with subject matter experts from all operational groups who mapped out the existing processes at Green Mountain. Leveraged best contract pricing for printing operations, collection agency rates, call center and credit card fees. Developed business requirements for changes to the SAP platform to ensure the Green Mountain brand differentiation remained intact. Concluded conversion of all customer data into the SAP platform within the twelve-month deadline. Improved call center service levels 10%, cut annual IT and operations costs by more than \$10M. Right-sized the operations organization, keeping the top talent.
- **Cut costs to shore up declining earnings.** Earnings were eroding profits due to multiple factors. Formed a new organization to drive continuous improvement activities across the entire retail energy organization. Created a continuous improvement program that included Six Sigma, cost saving project identification and implementation. Initiated and completed more than 100 projects driving more than \$40M in cost savings (versus goal of \$25M) and new revenue generation.
- **Created a new business unit.** NRG acquired a home security company that managed sales and installation but then sold off their customers to a monitoring company. NRG wanted to maintain the customers and also launch a new security brand. Analyzed sales plans to determine operational needs. Established call center to handle technical support and customer service calls. Built a new infrastructure including a billing platform and installation capabilities. Met all service level goals for call center, on-time installation and first time billing within the first three months of launching program.

**Senior Director, Texas Customer Operations**  
NRG/Reliant Energy  
2010 to 2012

Led a multi-dimensional, customer-focused organization of more than 150 professionals to deliver customer service, billing, transaction management and print operations services. Exceeded accuracy, timeliness, and efficiency targets with a progressively shrinking budget.

- **Built a shared services function to support growth and diversification.** NRG was diversifying into electric vehicles (eVgo), residential solar (NRG Home Solar) and commercial solar (NRG Solar) businesses that required customer operations. Built a shared services business model that became SimplySmart Solutions. In 24 months, grew SimplySmart Solutions to support the customer operations for over 10 businesses for NRG providing call center, billing, remittance and collections services. Logged cost savings ranging from 10-30% versus having each business maintain its own customer operations teams.
- **Transformed Shared Services into a profit center.** As the retail energy business' earnings eroded due to multiple factors, new sources of revenue needed to be implemented. Led the launch of the SimplySmart brand as a provider of outsourced services for other electricity and utility providers. Built a sales team and helped develop collateral. Represented SimplySmart at trade shows and conferences. Served as senior leader in sales presentations to prospects. Landed the first billing services client within three months of launching and closed the first large client with a three-year contract to manage smart meter data.

**Director, Customer Care Call Center**  
NRG/Reliant Energy  
2007 to 2010

Recruited to manage daily operations of a 1000+ agent inbound service and retention call center including phone, chat and email, across three internal and outsource locations. Led a staff of seven managers with responsibility for internal agents, support staff and outsource operations.

- **Managed major change.** Reliant's call center was created when the industry was regulated. To align the organization to the new competitive environment of deregulation, kicked-off a call center transformation program. Created a new balanced scorecard to measure what was important for driving the performance of the agents, as well as what was important to the customers. Established new, more relevant customer satisfaction metrics. Built incentive programs to encourage desired performance. Divided the organization into two parts: retention and customer acquisition. Boosted retention sales rates by 40%+, improved First call resolution 8%, cut non-productive time 10% while boosting customer satisfaction 10%.

- **Cut call center costs.** Annual call volume was 4.5 million. Spearheaded a project to improve online and IVR (Interactive Voice Response) systems to deflect customer call volume. Determined which issues could be handled without live agents on the phone. Logged a 20% improvement in IVR call resolution (no live agents). Added new online tools that allowed customers to complete routine tasks on their own. Achieved a 15% budget cost savings over two years.

### **Senior Service Business Manager**

Hewlett Packard - North America Consumer Support  
2004 to 2007

*A \$104 billion dollar electronics organization*

Oversaw operations of seven national and international outsource partner sites that handled five million calls annually. Established and managed executive relationships with outsource partners. Drove \$20M+ in annual revenue generation with sale-at-the-point-of-service program. Led a team of six direct reports.

- **Converted a cost center into a profit center.** HP North America technical support was a cost center that handled over 20 million calls a year. Trained the organization to recognize and seize upsell opportunities. Built an agent sales team. Developed and deployed training across all outsource centers (more than 5,000 service agents). Achieved more than \$20M in annual sales.
- **Boosted customer satisfaction.** Customer satisfaction scores showed customer discontent with offshore outsourcing due to language barriers. Opened two new call centers in North America (250 agents each) to eliminate language issues. Coordinated ramp plans, training and performance management. Achieved 15% improvement in customer satisfaction.

### **Project Manager, Strategy & Analysis**

Reliant Energy  
2002 to 2004

Orchestrated the identification and coordination of cost savings initiatives across customer care operations. Delivered improvement in efficiencies while trimming cost.

- **Established a program management office.** Reliant's retail business had numerous projects running in parallel with conflicting timelines, resource constraints and budget overruns. Developed and implemented an organizational Program Management Office. Established processes, checkpoints and review committee structure. Trained the management team to ensure complete understanding of the processes for managing projects across the business and IT. Improved on-time and on-budget project performance.

### **Program Manager**

Dell Computer  
1999 to 2001

Managed a team of five operational analysts responsible for shifting technical support call center activities to an interactive contact center environment.

- **Improved customer experience, while cutting support costs.** Built a team of analysts and project managers. Determined calls drivers and customer types. Coordinated with IT to develop online tools to allow customers to solve issues themselves. Created new metrics to measure the success of online interactions. Delivered Dell's first version of Premier Support online with tools and solutions for major account customers. Saved \$4M annually via online call avoidance while boosting customer satisfaction.

---

### **Additional Information**

---

**Recent Training Programs:** Leadership Program – 2009 – NRG

**Professional groups:** PMI

**Awards:** Leadership Program – 2009 – NRG; Performance Recognition Award – 2007 – Hewlett Packard; Performance Recognition Award – 2005 – Hewlett Packard; Project Management Professional (PMP) – 2001; Customer Experience Award – 2000 – Dell Computer Corporation

## **SUMMARY**

Senior energy executive with extensive P/L responsibility in the natural gas and power industry in origination, asset optimization, operations, risk management, trading and other related core business functions. Successful leadership in diverse business environments to include Wholesale, Commercial & Industrial, and Retail Choice. Demonstrated skill in energy management, control processes, team development, customer satisfaction and innovative products development, resulting in four successful startup/growth companies that became significant industry leaders.

## **PROFESSIONAL EXPERIENCE**

### **□ SHELL ENERGY N.A., Naperville, IL**

#### **General Manager, Commercial & Industrial, and Customer Aggregators**

**2007 to 2010**

Startup of Midwest Sales office covering 10 states for natural gas and power to key regional and national accounts, including Fortune 500 commercial/industrial accounts; providing energy commodity, structured sales solutions, and financial products through diverse sales channels. Managed a staff of six inside & outside sales professionals utilizing pertinent sales CRM and operational support systems.

- Brought 3 major term-deals worth \$5 million margin (\$250 million sales) annually to final negotiations as team leader of the evaluation, deal structure, and energy portfolio support for key customer-aggregators in the region.
- Supported several key, contracted supply/services relationships with regional marketers, energy consultants, and commercial/industrial customers resulting in \$6 million (\$500 million sales) annual margin.

### **□ AC ENERGY MANAGEMENT, Plymouth, MI**

#### **President, Energy Management Consulting Services**

**2006 to 2007**

Empowered organizations and corporations by designing and implementing sound, cost effective energy procurement processes that created appropriate controls and effectiveness in forecasting and managing their forward energy expenditures, budgets, and risk.

### **□ COMMERCE ENERGY (and ACN ENERGY), Farmington Hills, MI**

#### **Senior Vice President, Energy Supply and Pricing & Structure**

**2003 to 2006**

Strategic development, budgeting, and operation of gas and power Supply, New Products Design, and Deal Structures for 16 RETAIL markets in 8 states (150,000 customers); comprising over 50 standard product offerings along with continuous, specifically-customized deal structures that mitigated retail risk exposure in over 15 categories.

Expertise in key Retail Energy business drivers – including products and markets development, price modeling, energy load forecasting and management, price volatility, embedded optionality, regulatory changes, billing and settlements, and electronic data transmission.

- Complete responsibility for relocating, re-staffing, and redesigning entire ACN Energy business from Virginia to Michigan that reduced costs, consolidated resources, improved controls, and turned the company from EBITDA negative to positive.
- Created and modeled budget for \$120 million sales at ACN resulting in \$15 million gross margin relative to 85,000 retail, commercial, and industrial endusers of Gas and Power on 11 different local distribution companies; compared to negative gross margin from prior management.
- Presentation to Board of Directors and implementation of a state-of-the-art hedging program at minimal cost that included monitoring 50+ technical and fundamental market factors. Reduced Earnings at Risk volatility by 90%, providing predictable earnings and cash flow.
- Created trading desk, risk policies, and internal processes for position reporting, forecasting, volume management, weekly reconciliations, and energy accounting. This resulted in predictable margins and financial forecasts.
- Created and staffed the energy operations and scheduling group for 24/7 coverage, key assets acquisition, monetization of embedded value, and reduced scheduling errors and penalties to negligible levels; which increased profits margin levels by 15%.

□ **DTE ENERGY TRADING (a subsidiary of DTE Energy), Ann Arbor, MI**

**Director, Gas Trading and Origination**

2000 to 2003

Established profitable natural gas marketing and trading group in an environment focused exclusively on power marketing and trading. Created new gas/power synergies, cross-commodity products, and increased liquidity.

- Responsible for \$2 Billion in purchases/sales and \$15 million O&M budget with over \$45 million gross margin contribution.
- Staffed leadership positions for Trading, Origination, Operations, Contract Administration and developed fully functioning organizational structure, growing to 45 direct reports.
- Structured gas supply, storage, and financial derivatives for a variety of fuels and tolling deals, including 11,000 mW of owned and other contracted generation facilities.

**Vice President, CoEnergy Trading Company (a subsidiary of MCN Energy)**

- Upon DTE Energy merger with MCN Energy in May 2001 took responsibility for 55 Bcf Storage, 1 Bcf/d Transport, Purchase/Sale of 180 Bcf of forward owned production, .5 Bcf/d Wholesale and Retail books.
- Skillfully managed business, personal, and cultural integration of MCN employees into the DTE organization; creating a blended functional structure and motivated business environment.
- Managed Commercial and Industrial sales staff and business of approximately 90,000 MMcf/d, including a Wisconsin based partnership. Restored profitability and viability to business lines by instituting best-practices risk mitigation, contracts and systems, and skill set enhancement of customer account representatives.

□ **CMS MARKETING, SERVICES AND TRADING (a subsidiary of CMS Energy), Dearborn, MI**

**Director, Market Area Trading and Operations**

1997 to 2000

Responsible for front office activities including Trading, Deal Origination, Asset Optimization and Management, and Wholesale Marketing for Midwest and 4 additional satellite offices. Included seven direct and 24 total reports.

- Effectively grew and managed annual supply and market of 130 Bcf and 35 Bcf of local production in Michigan / Midwest, resulting in \$325 million gross sales. Personally negotiated and closed complex structured deals such as prepaid sales of 180 Bcf (\$490 million total value) for \$5 million of annual revenue over 12 years.
- Directly supervised Operations activity responsible for scheduling and internal tracking for 1.2 Bcf/d, including management of 47 municipal accounts supply, transport and storage. Developed systems for retail account management and load balancing.
- Personally created and managed marketing partnerships in Chicago (retail business) and Ontario (wholesale, retail, and services business).

**Regional Marketing Manager**

1990 to 1997

- Sales and account management for natural gas accounts including traditional interstate pipeline customers - LDCs, municipals; and wholesale and retail accounts in 6 Midwest states.
- Created load management systems utilizing weather, consumption, and nominations requirements to maximize transport and storage balancing.

□ **COASTAL GAS MARKETING COMPANY and ANR PIPELINE COMPANY, Detroit, MI**

**Marketing Manager (Coastal)**

1984 to 1990

**Financial Planning and Budgeting (ANR)**

1982 to 1984

**EDUCATION**

**University of Michigan** Dearborn, Michigan

Bachelor of Science in Business Administration; Finance and Economics specialization

**Michelle W. Harding, Esq.**  
8734 Viceregal Court  
Charlotte, North Carolina 28216  
(704) 724-3858  
E-mail: [michelle.harding08@yahoo.com](mailto:michelle.harding08@yahoo.com)

### **QUALIFICATION SUMMARY**

- Engaging and highly effective instructor with over 13 years of training and lecturing to Senior Management; Peer Professionals; and Hourly Workforce
- Successfully skillful mediator; negotiator; problem solver and closer
- Extraordinary interpersonal skills which facilitate networking and realization of strategic vision, opportunities and risk mitigation
- Extensive domestic and international transactional experience, including M&A, Credit Facilities; and Corporate Re-organizations resulting in well over 750M in savings and/or additional revenue
- Highly adaptable proven performer: excelling as an expert in employment law and then smoothly transitioning to corporate transactional law and 3 promotions in a seven year period.

### **LEGAL EXPERIENCE**

**Xoom Energy, LLC**  
Charlotte, North Carolina  
*Secretary/General Counsel*

**April 2011 – Present**

Xoom Energy was formed in March 2011 to become a retail seller of energy (gas & electricity) and energy related products. Secretary to the Board of Directors and responsible for legal, regulatory, and corporate governance matters required to form the company and begin selling in the desired states and markets.

**ACN, Inc.**  
Concord, North Carolina  
*Director, Senior Counsel*

**Nov. 2009 – April 2011**

Function as Deputy General Counsel, supporting EVP Global GC and Secretary, CEO, COO and Board of Directors of the largest Global Telecommunication Direct Marketing provider (on matters ranging from internal policies & procedures, transactional, including M&A and Credit Facilities totaling well over seven figures, to corporate governance). Responsibilities include providing legal advice and counsel on newly formed Korean entity; managing outside counsel on major litigation; supervision of junior associate and support staff; providing advice and counsel on employment matters; negotiating significant vendor and partnership agreements both domestic and international; provide advice and counsel on new business development; and managing legal department staff and budget.

**Carolina Legal Staffing**  
Charlotte, North Carolina  
*Contract Attorney*

**July 2008 – June 2009**

Contracted with prestigious Charlotte law firm in support of significant Anti-trust litigation; Advised and counseled junior associates on elements of anti-trust claims; Reviewed corporate documents and counseled regarding matters of attorney-client privilege, confidentiality and notice requirements.

**United Technologies Corporation (“UTC”)**

**July 1998 – July 2008**

**Carrier Corporation, Charlotte, North Carolina**  
*Assistant Counsel*

**August 2006 – July 2008**

Promoted from prior position to Lead Counsel for Carrier Corporation's Commercial Building Systems and Services North American Operations (over 2.5B revenues in 2007). Essential Business Partner and lead functional support to six different organizations throughout United States, Canada and Mexico, comprised of divisions and wholly owned subsidiaries with varying HVAC service and equipment products lines.

Provided advice and counsel on all transactional matters, contract drafting and negotiations, including M&A with 9 successful acquisitions (US and Canada) in a fourteen month period resulting in over \$150M in additional revenue for a newly acquired subsidiary; product liability matters; employment law matters, including policy drafting and training to human resource

professionals in multiple states; risk management; and compliance and regulatory matters, including contract and anti-trust training.

**Senior Attorney**

August 2003 – July 2006

Promoted from prior position to Lead Counsel for Carrier Commercial Refrigeration, Inc., a wholly owned subsidiary of Carrier Corporation (\$830M revenue in 2005), consisting of 8 manufacturing divisions, with varying product lines, providing product to the Commercial Refrigeration/Beverage and Food Service Industries.

Provided advice and counsel on all domestic and international transactional matters, contract negotiations and drafting; employment law matters, including policy drafting and training to human resource professionals in multiple states; risk management; product liability matters; and compliance and regulatory matters both domestic and international, including management of compliance with newly enacted European Environmental Regulations.

Strategic business partner and lead legal support during major Corporate Administrative Re-organization which resulted in \$50M dollar tax savings to Parent Company.

**UTC Corporate Headquarters**

Hartford, Connecticut

September 2000 - August 2003

**Counsel**

*The first Attorney Invited to join UTC Legal Department from a position within another functional department.*

Responsible for all contract negotiations and drafting as lead legal support to Corporate Purchasing Department for all Non Product Purchases during a Corporate twelve month cost reduction initiative resulting in a \$500M year over year saving to Company.

Provided advice and counsel on employment law matters and assisted in drafting of Human Resource policies. Led peers and cross functional teams on various employment law initiatives including I-9 compliance, and quality and employee development programs. Designed Corporate Paralegal Professional Career Program and assisted managing attorney in the recruitment, succession planning, and employee relations matters for Legal Department.

**Human Resource Manager**

October 1999 - September 2000

Promoted from prior position after 1 year with company. Critical Human Resource lead and advisor to senior members of management including CFO and General Counsel on all Shared Business Initiatives across various functions resulting in synergy across major business units as well as multi million dollar savings to Corporation. Provided employment law support on variety of legal matters, drafted policy and provided guidance on compliance with OFCCP, EEOC, and DOL in multiple states; conducted Human Resource investigations and provided employment law training to Human Resource professionals.

**Hamilton Sundstrand Inc, a UTC Company**

Windsor Locks, Connecticut

July 1998 - October 1999

**Employment Law/Workforce Consultant**

Provided human resource and employment/labor law support on a variety of legal matters including guidance on compliance with Labor Contract, DOL, EEOC, OFCCP and FAA; employee relations, Human Resource investigations; as well as provided training to lower level management on harassment free workplace policies and trained senior levels of management and Human Resource personnel on various areas of employment/personnel law related topics. Key Instructor with IR/HR University an internal certification program for Human Resource and Industrial Relations Professionals and instrumental in establishing a successful working relationship with organized labor.

**Teikyo Post University,**

West Hartford, Connecticut

September 1998 - November 1998

**Adjunct Professor**

Lecturer for Employment and Personnel Law Course for Human Resources Manager Certification Program.

**Jackson Lewis, LLP.**

Hartford, Connecticut

August 1997 - July 1998

***Associate***

National labor and employment firm representing management only. Managed diverse case load of State and Federal Employment Litigation; provided advice and counsel to large National client base on various employment law matters including wage and hour issues, employment discrimination claims, Family Medical Leave matters, EEOC and OFCCP compliance, and employee relations. Particularly adept at developing and conducting training seminars on employment law for management personnel and human resource professionals a staple of the practice designed at saving clients millions in litigation avoidance.

**Connecticut Commission on Human Rights and Opportunities ("CHRO")** August 1994 - August 1997  
Hartford, Connecticut

***Assistant Commission Counsel II***

Mediator, Investigator, Arbitrator, and Negotiator of cases filed with the CCHRO alleging violations of the Connecticut Fair Employment Practices Act. Recipient of Outstanding Employee Award two consecutive years.

**Waterbury Superior Court**

Waterbury, Connecticut

September 1993 - August 1994

***Law Clerk***

Responsible for management of court calendar; assistance with trials and trial prep; and research for Judge William J. Sullivan (*currently Chief Justice of Connecticut Supreme Court*).

**EDUCATION**

**The University of Texas School of Law, Austin, Texas**

August 1993

Juris Doctorate

Admitted to United States District Court Connecticut and Connecticut Bar  
(Eligible for waiver in several other jurisdictions)

**Hampton University, Hampton, Virginia**

May 1990

Bachelor of Arts in Political Science

**HONORS & ASSOCIATIONS**

**2005 United Technologies Team Award for completion of successful Re-organization resulting in 50M Saving to Company**

**2001 United Technologies Team Award for completion of UTC Finance Shared Business Initiative resulting combining Company synergies and significant labor cost savings to Company**

**2000 Selected for University of VA Darden Executive Management Program**

**1999 Professional Award for Superior Achievements in the Field of Law, NANBPW**

**Sacred Heart High School, School Board**

References available upon request.

## THOMAS L. ULRY

3800 Davis Drive  
Charlotte, NC 28270

(704) 321-4527  
tomulry@yahoo.com

### EXECUTIVE SUMMARY

Dynamic leader offering twenty five years of diverse operations, sales and senior management experience in both fast paced start-up companies and mature business environments. Results driven executive capable of juggling multiple priorities with a constant focus on value creation. Strategic thinker and creative problem solver with a demonstrated ability to adapt to changing business conditions. Personally invested in assignments with a "roll up the shirt sleeves/get the job done" attitude and work ethic while offering a "board room presence" when called for. Experienced in the following:

- |                                  |   |
|----------------------------------|---|
| ❖ Strategic Planning & Budgeting | ❖ Sales, Marketing & Business Development |
| ❖ P&L Management                 | ❖ Project Management                      |
| ❖ Vendor/Account Management      | ❖ Staff Development & Motivation          |
| ❖ Product Development            | ❖ Technology / eCommerce                  |
| ❖ Operations & Customer Service  | ❖ Regulatory / Market Analysis            |

### PROFESSIONAL EXPERIENCE

**XOOM Energy, Charlotte, North Carolina** 2011 - Present  
XOOM Energy is newly created retail seller of energy (gas & electricity) and energy related products.

#### Chief Executive Officer

Responsible for the launch of Xoom energy into multiple markets; hiring of key senior level and middle level management; identification of and negotiation with key vendors; and overall management of setting up newly created entity.

**ACN Incorporated, Concord, North Carolina** 2008-20011  
Executive Vice President, Business Development

**COMMERCE ENERGY INC, Costa Mesa, California** 2005-2008  
Commerce Energy, Inc. is a wholly owned subsidiary of Commerce Energy Group, Inc. (AMEX: EGR), a holding company doing business through its two wholly-owned operating subsidiaries, Commerce Energy, Inc. and Skipping Stone Inc. Commerce Energy is a FERC licensed unregulated retail marketer of natural gas and electricity to residential, small-medium businesses and commercial customers in ten states behind 20 utilities. With approximately 170,000 customers and revenue in excess of \$400 million, Commerce Energy is the leading independent energy marketer in the U.S.

#### Senior Vice President, Sales & Marketing

- Senior member of executive team responsible for reversing four (4) years of declining customer base and \$29 million of losses for the previous two (2) years
  - Significant increase in revenue and gross profit
- Developed and implemented organic customer growth strategy resulting in 50% growth in total customer base in eighteen (18) months and seven-fold increase in the company's major growth market.
  - Completely rebuilt marketing and sales capabilities as well as establish new branding strategy
  - Nearly 190,000 accounts have been acquired since assuming responsibility for sales
- Developed and launched an array of service offerings including the Sure Choice Traditional Energy product line and the Clear Choice Clean Energy product line.
- Assumed responsibility for Operations and Information Technology in summer of 2007
  - Stabilized EDI capabilities leading to a significant improvement in billing through-put and improved customer service performance.

**ACN Incorporated., Farmington Hills, Michigan** 2003-2005  
ACN is a network sales organization offering a broad range of services covering local & long distance telecom, DSL & dial up Internet, as well as electric power and natural gas. ACN has a growing presence in North America, Europe and Australia and

XE0015OH



specializes in serving the needs of the residential and small businesses consumer segments. With annual revenues in excess of \$500m, ACN is among the fastest growing private companies in the United States.

#### ***Global Vice President / C.O.O. ACN Energy***

ACN Energy is the North America retail energy business unit of ACN Inc., specializing in serving consumers in deregulated energy markets. ACN Energy participates in 11 retail choice programs in 7 states with annual sales excess of \$85m.

- Hired to orchestrate a turn-around of unprofitable business unit
  - Established budget and strategic initiatives to achieve profitability
  - Augmented and reinvigorated management team
  - Initiated complete revamp of business operations with emphasis on processes, controls, information systems and financial reporting capabilities
    - Established operating metrics to measure performance and improvements.
  - Bad debt reduced by 45% compared to year earlier results
  - Implemented supply hedge strategies effectively protecting gross margins from a volatile wholesale market.
    - Collaborated pricing strategies improving competitive position in key markets
  - Achieved operating profitability in first full fiscal year
  - Senior member of executive team that facilitated the sale of the business unit to Commerce Energy.

#### **NICOR ENERGY, L.L.C., Lisle, Illinois**

**2001-2003**

Nicor Energy is an integrated energy marketing organization formed as a joint venture between Nicor, Inc. (NYSE: GAS) and Dynegy (NYSE: DYN). Nicor Energy serves all customer segments with natural gas, electric power and energy related products and services. Core territory focus is the greater Chicagoland area with some activity in southern Illinois, Indiana, Ohio, Michigan, Iowa and Wisconsin. 2002 revenue exceeded \$550 million.

#### ***Senior Vice President***

- Managed profit and loss center responsible for the company's consumer business unit consisting of 135,000+ commercial and residential accounts and generating in excess of \$165 million in annual revenue.
  - Added 65,000 new customers in a five month window, an increase of 90%.
    - Expanded sales channels to include direct sales, agent network, telemarketing, door-to-door, direct mail, affinity/alliances and internet sales.
  - Lowered cost of acquisition within the consumer business unit by 35% representing savings in excess of \$1 million.
  - Improved gross margins by 150% on new products by comprehensive economic/pricing models.
  - Implemented new standardized acquisition and sales agreements which reduced risk and streamlined administration.
- Established a regulatory function which resulted in improved relations with various regulatory bodies and utility contacts.
- Re-organized and developed staff within the consumer business unit, electric product team and marketing department.
- Assumed responsibility for the I.T. efforts where I was credited with stabilizing the core business support systems after continual technical failures were causing significant productivity loss.
- Had over-arching influence on entire company where I contributed to several advancements in the risk-management area, credit policy, billing practices, customer service, web site design & functionality and dispute resolution.
- In fall of 2002, Nicor Energy's owners made a decision to sell the business for strategic reasons. The business was ultimately sold to five different suitors. I took a lead role in:
  - Assuming responsibility for all P&L activities.
  - Identifying and contacting potential buyers.
  - Packaging and presenting the business units to interested parties.
  - Evaluating offers and making recommendations to owners
  - Negotiating and finalizing associated Asset Purchase Agreements.
  - Transitioning the business to new owners.

#### **ENERGY.COM CORPORATION, Westerville, Ohio**

**1997-2001**

Energy.com was a wholly-owned unit of Columbia Energy Services, an arms-length independent business with a mission to create an unbiased energy marketplace designed to assist consumers faced with making energy choices for the first time. Energy.com was credited with pioneering the consumer energy portal space and was featured in several research reports and industry conferences.

**President & COO**

- Successfully launched business in spring of 1998 with an e-commerce store specializing in energy related products.
- Launched B2C on-line marketplace in summer of 1998 with over 15 participating energy suppliers.
- Launched B2B bidding platform during the summer of 1999 with the greatest geographic reach of any competing platform.
- Launched several services targeting energy professionals including EnergyJobs.com and EnergyUniversity.com.
  - Subsequently sold EnergyJobs.com to an energy industry recruiting firm.
- Due to hostile takeover attempt on Columbia Energy Group in 1999, Columbia was forced to divest itself of all non-core assets. I successfully facilitated the sale of the business to eVulkan Inc. (d/b/a beMANY) in spring of 2000. I was retained as Energy.com's President with expanded roles with other beMANY departments.
- Inline with beMANY's strategic focus, I directed the transition of the business and re-launched the company as a direct reseller of energy with offers behind Dominion East Ohio, Columbia Gas of Ohio and Columbia Gas of Kentucky.
- Achieved the 2001 business target to acquire 32,000 customers, generate \$20 million in sales and recognize gross margin in excess of 15% of revenue.

**AQUILA INC.** (formerly Utilicorp Energy Services)/Broad Street Oil & Gas, Columbus, Ohio

1991-1997

Broad Street Oil & Gas was an unregulated energy marketer formed in late 1990 which specialized in the aggregation of small to medium commercial accounts. As a principal of the business, I was responsible for the design and development of the core business systems.

**Director of Operations**

- Designed, built and implemented front, mid and back office systems to support the following functions:
  - Sales – agent sales support platform, commission payments and sales reports.
  - Order provisioning – manage and track an order from the point of sale to the fulfillment of the service.
  - Billing – rate tables, detail or summary bills, EDI billing and usage analysis reports.
  - A/R Management – credit scoring and screening, cash receipts processing and collection (dunning) activity.
  - Demand forecasting – load profiling/modeling, risk management and pool balancing/settlement.
- Played instrumental role in Broad Street Oil & Gas being acquired by UtiliCorp Energy Services (renamed Aquila Inc.) in spring of 1995 as their entry into commercial aggregation.
- Led the integration of BSO&G into UES. Special emphasis placed on gas supplies, forecasting demand, sales support, market and economic evaluation and A/R management. Dealt with professionals spanning all levels of the organization.
  - Received the 1995 Outstanding Achievement Award as a result of this integration effort.
- Increased operational capabilities to support annual growth of 30% by improving order management and provisioning platforms as well as standardizing product design and sales procedures.
- Transitioned sales support platforms to the Internet enabling the addition of hundreds of independent agents to the sales force with little incremental support staff being required.

**UNICORP ENERGY, INC.**, Worthington, Ohio

1990-1991

UniCorp Energy was an energy marketing organization catering to the needs of the commercial and industrial user base. I was recruited to totally revamp the company's information platforms.

**Manager, Information Systems**

Led the company's needs-analysis, solution evaluation, system selection and implementation. During the early stage of the solution implementation, the unexpected departure of the company's President led to a reorganization plan which called for the consolidation of the business to its Michigan location.

**YANKEE GAS / ACCESS ENERGY CORPORATION**, Dublin, Ohio

1987-1989

Access Energy pioneered the country's first retail choice programs for the unregulated sale of natural gas.

**Senior Programmer Analyst**

Led a group of programmers who designed, wrote and implemented the first-of-its-kind system supporting the aggregation of commercial accounts for the sale of natural gas.

**Jacquelyn H. Whitman**  
8346 Sandowne Lane, Huntersville, NC 28078

---

**EXPERIENCE**

**Director of Marketing, May 2011 - Present**

*XOOM Energy, Charlotte, NC*

- Lead all marketing efforts for start-up energy company
- Develop brand and identity of new company including positioning and logo
- Manage developers to design, develop and execute customer-facing websites which will allow customers to sign up for service
- Create and design customer communication materials including collateral, emails, training and website to help inform customers about our products and services
- Research competitive companies to better understand competitive landscape and work with Supply team to create products for consumer base
- Responsible for overall customer experience

**Senior Channel Marketing Manager, January 2008 – April 2011**

*ACN, Inc., Concord, NC*

- Led product marketing team to develop and maintain marketing materials for 16 products in the U.S., Canada and Puerto Rico
- Responsible for marketing efforts in launching 14 products (wireless, satellite TV, home security, energy, digital phone service, computer support, etc.) into this multi-level marketing channel including websites, flyers, training, customer emails and communication, etc.
- Assisted with the design and development of several websites to offer products and services to consumers
- Collaborated with marketing team to create customer emails, collateral and packaging for several products and services
- Organized, planned and executed lifestyle photoshoots to help promote ACN products

**Retail Communications Project Manager, June 2006 – December 2009**

*SunCom Wireless, Charlotte, NC*

- Manage 15-20 projects simultaneously to deliver high quality, cost-effective, comprehensive campaigns to increase number of subscribers by 106,000, achieve 97% brand awareness, and enhance brand consideration by 13% in one year
- Direct dealer and sales associate program (497 stores) to develop materials (brochures, flyers, coupons, packaging, etc.) utilized by the sales team to meet their sales goals
- Collaborate with sales team to identify, create and promote specific marketing programs internally and externally to increase Average Revenue Per User (ARPU) by 14% and EBITDA by 52% in one year
- Provide marketing support for Product Development team including merchandising, packaging, messaging and creative implementation to launch several new products including Mobile Manager, Account Protection, Anytime Phone Rewards<sup>SM</sup>, SunCom GoodCall<sup>SM</sup> (prepaid service), Napster Mobile<sup>TM</sup>, and Sony MusicBox<sup>TM</sup>
- Responsible for managing teams at external agencies, internal creative team and vendors on the development and execution of collateral, POP and in-box communication programs
- Organized, planned and executed \$200,000 lifestyle photography shoots for Spring/Summer and Fall/Holiday seasons including coordinating mood boards, wardrobe selections and shot lists with photographers, producer, stylists and other team members
- Coordinated and organized \$250,000 studio photography shoot with Harry Connick, Jr.
- Assist in the development and management of the annual \$4 million budget for collateral, POP, packaging and in-box items. Review and authorize expenditures and track costs against budgeted amounts
- Oversee planning and support of monthly promotions, new plan offerings and new products, including development of messaging and creative executions
- Collaborate with Advertising and E-Commerce teams to ensure continuity of brand messaging from advertising to retail environment
- Actively participated in the \$20 million re-branding effort of SunCom Wireless

**Jacquelyn H. Whitman**  
8346 Sandowne Lane, Huntersville, NC 28078

---

**Senior Marketing Coordinator, February 2004 - June 2006**

*Turner Construction Company, Charlotte, NC*

- Coordinated all marketing/advertising/public relations efforts for the Carolinas Region of this \$7 billion international general contracting firm
- Collaborated with Manager of Business Development to design and compose approximately 50 proposals per year for various job opportunities including the NASCAR Hall of Fame, the Core Laboratory Building in the NC Research Campus and Cape Fear Valley Hospital
- Improved brand awareness and consideration and increased gross volume sales by 84% from 2004 to 2006
- Planned, scheduled and coordinated all advertising including newspaper and magazine insertions.
- Created and implemented 2004 and 2005 Media Plans
- Responsible for all media relations and public relations activities including press releases, media interviews, contributions and sponsorships
- Designed and updated website and e-newsletters for Carolinas Business Unit

**Marketing Coordinator, February 2002 - February 2004**

*Skanska USA Building Inc., Charlotte, NC*

- Coordinated all marketing/advertising/public relations efforts for \$70 million international general contracting company
- Composed proposals for various job chases including RFPs and RFQs
- Designed presentations for client interviews, internal and regional meetings and organizational luncheons
- Developed press releases, articles for newsletters and advertising copy
- Organized and managed company's community service activities including fundraisers for the American Heart Association, Boy Scouts of America, Habitat for Humanity and Youth Homes
- Researched various markets in North Carolina and South Carolina for company job prospects
- Coordinated 2003 brand/name change for Charlotte office

**Assistant Media Planner, November 2000 - November 2001**

*BBDO South, Atlanta, GA*

- Actively participated in the 2001 retail launch of Cingular Wireless
- Developed and implemented media plans for the Central Region of the retail portion of Cingular
- Managed \$60 million client media budget and provided monthly summaries
- Worked closely with buying group to ensure broadcast buys were bought according to specifications
- Completed newspaper county coverage analysis and negotiated 100+ newspapers
- Researched various media vehicles including TV, radio, newspaper and outdoor to find the best avenues for our client's advertising message.

**EDUCATION**

Master of Business Administration, Marketing Concentration  
Queens University of Charlotte, McColl Graduate School of Business

Bachelor of Arts in Journalism and Mass Communication, Advertising Sequence  
The University of North Carolina at Chapel Hill

**SKILLS**

Filemaker	Adobe Photoshop	SharePoint
Media Tools	Quark Xpress	Adobe Pagemaker
IMS	Microsoft Office (Word, Excel, PowerPoint)	

**COMMUNITY INVOLVEMENT**

Volunteer, CMS Playground Build, American Heart Association,  
Race for the Cure, Athena's Path, Salvation Army

**Exhibit B-3**

**"Disclosure of Liabilities and Investigations"**

**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.**

XOOM Energy Ohio does not have any history of rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations or any other matters creating an adverse impact on XOOM Energy Ohio's financial or operational status or ability to provide the services XOOM Energy Ohio is seeking to provide.

## **Exhibit C-1**

### **"Annual Reports"**

**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. (This is generally only applicable to publicly traded companies who publish annual reports.)**

XOOM Energy Ohio is a private company and does not prepare a traditional annual report that is prepared for public companies. Please refer to Exhibit C-3 for the two most recent financial statements.

## **Exhibit C-2**

### **"SEC Filings"**

**Exhibit C-2 "SEC Filings," provide the most recent 10-K/8-K Filings with the SEC. If the applicant does not have such filings, it may submit those of its parent company. An applicant may submit a current link to the filings or provide them in paper form. 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.**

XOOM Energy Ohio and its parent entity are privately held limited liability companies. As such, neither XOOM Energy Ohio nor its parent entity are required to file with the U.S. Securities and Exchange Commission ("SEC"). Accordingly, this question is not applicable to XOOM Energy Ohio's renewal application.

### **Exhibit C-3**

#### **"Financial Statements"**

**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. If the applicant does not have a balance sheet, income statement, and cash flow statement, the applicant may provide a copy of its two most recent years of tax returns (with social security numbers and account numbers redacted).**

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



**Exhibit C-4**

**"Financial Arrangements"**

**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.,).**

**Renewal applicants can fulfill the requirements of Exhibit C-4 by providing a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU's collateral requirements.**

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

**Exhibit C-5**

**“Forecasted Financial Statements”**

**Exhibit C-5 “Forecasted Financial Statements,” provide two years of forecasted income statements for the applicant’s ELECTRIC related business activities in the state of Ohio Only, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecasts should be in an annualized format for the two years succeeding the Application year.**

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

**Exhibit C-6**

**“Credit Rating”**

**Exhibit C-6 “Credit Rating,”** provide a statement disclosing the applicant’s credit rating as reported by two of the following organizations: Duff & Phelps, Fitch IBCA, Moody’s Investors Service, Standard & Poor’s, 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 an 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. If an applicant or its parent does not have such a credit rating, enter “N/A” in Exhibit C-6. “Credit Rating”

XOOM Energy Ohio is not currently rated by any credit ratings from any of the organizations listed in C-6. Accordingly, please see Exhibit C-6 for the credit rating of XOOM Energy, LLC, the single-member manager of XOOM Energy Ohio.

## Summary

Order Reference: amara@dnb.com | Report as of: 05-08-2017

using Currency as CAD (Change)

## XOOM ENERGY, LLC

Tradestyle(s): XOOM ENERGY

**ACTIVE****SINGLE LOCATION****Address:** 11208 Statesville Rd Ste 200, Huntersville, NC, 28078, UNITED STATES**Phone:** (704) 274-1450**D-U-N-S:** 96-826-4643**In Portfolio:** No**Failure Score****61****Delinquency Score****79****Age of Business****6 years**

2,011 Year Started

**Employees****4**

### Company Profile

**D-U-N-S**

96-826-4643

**Mailing Address**

United States

**Employees**

4

**Legal Form**

Corporation (US)

**Telephone**

(704) 274-1450

**Age (Year Started)**

6 years (2011)

**History Record**

Clear

**Named Principal**

Thomas Ulry, CEO

**Date Incorporated**

03-15-2011

**Line of Business**

Gas and Other Services Combined

**State of Incorporation**

Delaware

**Ownership**

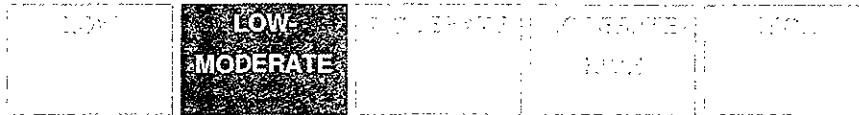
Not publicly traded

### Risk Assessment



XE00270H

## Overall Business Risk



## Dun & Bradstreet Thinks...

- Overall assessment of this organization over the next 12 months: **STABLE CONDITION**
- Based on the predicted risk of business discontinuation: **LIKELIHOOD OF CONTINUED OPERATIONS**
- Based on the predicted risk of severely delinquent payments: **LOW POTENTIAL FOR SEVERELY DELINQUENT PAYMENTS**

## Maximum Credit

### Recommendation

C\$ 34,221

The recommended limit is based on a moderately low probability of severe delinquency.

## D&B Viability Rating

### Portfolio Comparison Score

3

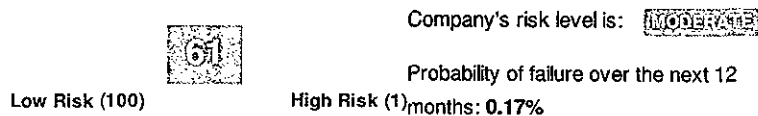
Low Risk (1)

High Risk (9)

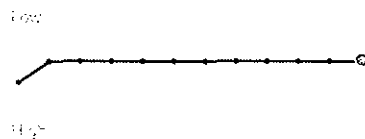
Company's risk level is: **LOW**

Probability that a company will go out of business, become dormant/inactive, or file for bankruptcy/insolvency within the next 12 months: **3%**

## Failure Score Formerly Financial Stress Score



### Past 12 Months



## Delinquency Score Formerly Commercial Credit Score

79

Low Risk (100)

Company's risk level is:

LOW-MODERATE

Probability of delinquency over the next

12 months: 2.69%

High Risk (1) Past 12 Months



## PAYDEX ®

80

Low Risk (100)

Pays On Time

Past 24 Months



High Risk (0)

## D&B Rating

Current Rating as of 08-17-2015

Previous Rating

Employee Size

Risk Indicator

2R : 1 to 9 employees

3 : Moderate Risk

Employee Size

Risk Indicator

2R : 1 to 9 employees

4 : Higher than  
Average Risk

## Legal Events



Events	Occurrences	Last Filed
Bankruptcies	0	-
Judgements	0	-
Liens	1	05-06-2013
Suits	0	-
UCC	18	01-30-2017

## Trade Payments

XE00290H



## Highest Past Due

C\$ 0

Highest Now Owing  
C\$ 3,422

Total Trade  
Experiences  
22

Largest High Credit  
C\$ 136,884

Average  
High  
Credit  
C\$  
13,457

Ownership



This company is a **Single Location**

Financial Overview

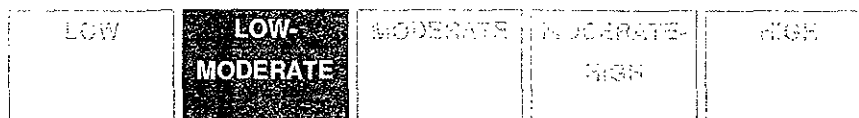


This company does not have a Financial Summary.

## Risk Assessment

D&B Risk Assessment

### Overall Business Risk



### Dun & Bradstreet Thinks...

- Overall assessment of this organization over the next 12 months: **STABLE CONDITION**
- Based on the predicted risk of business discontinuation: **LIKELIHOOD OF CONTINUED OPERATIONS**
- Based on the predicted risk of severely delinquent payments: **LOW POTENTIAL FOR SEVERELY DELINQUENT PAYMENTS**

**Maximum Credit  
Recommendation**

**C\$ 34,221**

The recommended limit is based on  
a moderately low probability of  
severe delinquency.

**D&B Viability Rating**

**Portfolio Comparison Score**

**3**

Low Risk (1)

High Risk (9)

Level of risk  
**Low**

Rating Confidence Level  
**Robust  
Predictions**

Probability of becoming  
no longer viable  
**3%**

Percentage of  
businesses ranked with  
this score  
**11%**

Average probability of  
becoming no longer  
viable  
**5%**

**Failure Score Formerly Financial Stress Score**

**61**

Low Risk (100)

High Risk (1)

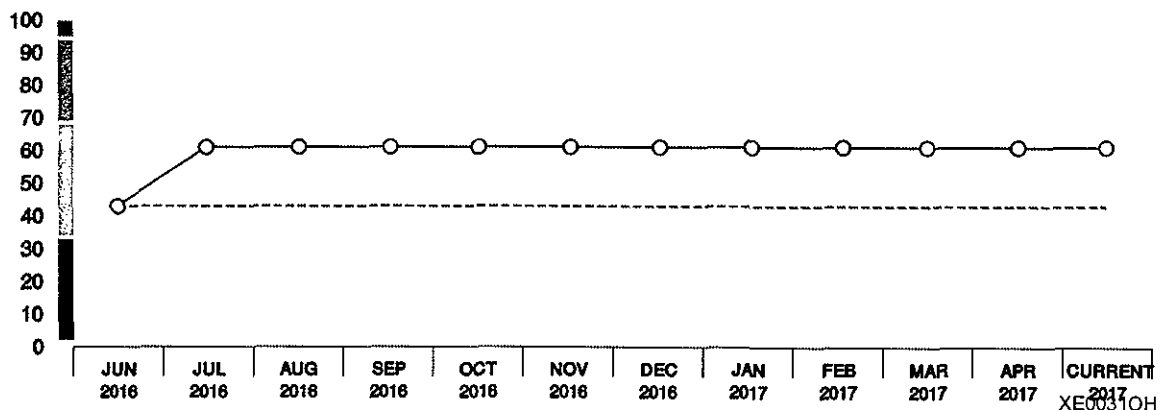
- Limited time under present management control
- UCC Filings reported

Level of risk  
**Moderate**

Probability of Failure  
**0.17%**

Average Probability of Failure for  
Businesses in D&B Database  
**0.48%**

**Business and Industry Trends**



Failure Score

—○—

Industry Median Quartile

---



**Delinquency Score Formerly Commercial Credit Score**

**79**

Low Risk (100)

High Risk (1)

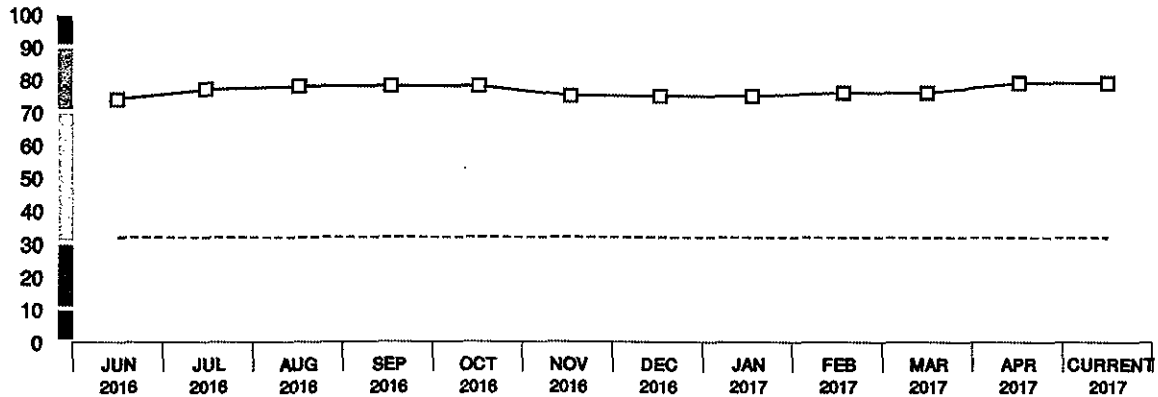
- Limited time under present management control
- Recent high balance past due
- Higher risk industry based on delinquency rates for this industry
- Evidence of open liens

Level of risk  
Low-Moderate

Probability  
of  
Delinquency  
**2.69%**

Compared  
to  
Businesses  
in D&B  
Database  
**10.2%**

**Business and Industry Trends**



Delinquency Score



Industry Median Quartile



**PAYDEX ®**

Based on 24 months of data

**80**

Low Risk (100)

High Risk (0)

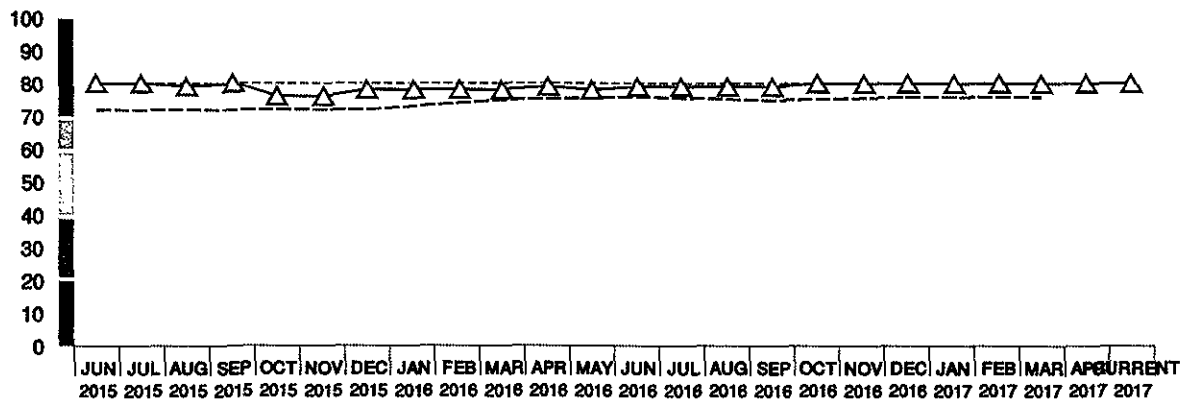
Risk of Slow Pay  
**Low**

Payment Behaviour  
Pays on time

**Business and Industry Trends**

4932 - Gas and Other Services Combined

XE00320H



PAYDEX®



Industry Median Quartile

---

Industry Upper Quartile



Industry Lower Quartile

---

## D&B Rating

Current Rating as of 08-17-2015

Previous Rating

Employee Size

Risk Indicator

Employee Size

Risk Indicator

**2R** : 1 to 9 employees

**3** : Moderate Risk

**2R** : 1 to 9 employees

**4** : Higher than  
Average Risk

## Trade Payments

### Trade Payments Summary

Overall Payment Behaviour

**0**

Days Beyond Terms

% of Trade Within Terms

**100%**

Highest Past Due

**US\$ 0**

Highest Now Owning:  
US\$ 2,500

Total Trade Experiences:  
22

Largest High Credit:  
US\$ 100,000

Average High Credit:  
US\$ 9,831

Total Unfavorable Comments:  
0

Largest High Credit:  
US\$ 0

Total Placed in Collections:  
0

Largest High Credit:  
US\$ 0

### Trade Payments By Credit Extended

XE00330H

Range of Credit Extended (US\$)	Number of Payment Experiences	Total Value
100,000 & over	1	US\$ 100,000
50,000 - 99,999	0	US\$ 0
15,000 - 49,999	1	US\$ 20,000
5,000 - 14,999	3	US\$ 22,500
1,000 - 4,999	6	US\$ 13,500
Less than 1,000	5	US\$ 1,300

#### Trade Payments By Industry

Industry Category	Number of Payment Experiences	Largest High Credit (US\$)	% Within Terms (Expand to View)	1 - 30 Days Late (%)	31 - 60 Days Late (%)	61 - 90 Days Late (%)	91 + Days Late (%)
▼ 27 - Printing, Publishing and Allied Industries	1	100					
2752 - Lithographic printing	1	100	100	0	0	0	0
▼ 48 - Communications	3	2,500					
4812 - Radiotelephone commun	2	2,500	100	0	0	0	0
4813 - Telephone communictns	1	2,500	100	0	0	0	0
▼ 50 - Wholesale Trade - Durable Goods	1	5,000					
5044 - Whol office equipment	1	5,000	100	0	0	0	0
▼ 51 - Wholesale Trade - Nondurable Goods	1	100					
5112 - Whol office supplies	1	100	100	0	0	0	0
▼ 61 - Nondepository Credit Institutions	3	10,000					
6153 - Short-trm busn credit	1	250	100	0	0	0	0
6159 - Misc business credit	2	10,000	100	0	0	0	0
▼ 73 - Business Services	4	2,500					
7359 - Misc equipment rental	1	2,500	100	0	0	0	0
7361 - Employment agency	1	750	100	0	0	XE0034OH 0	0

7389 - Misc business service	2	2,500	100	0	0	0	0
▼ 87 - Engineering Accounting Research Management and Related Services	1	100,000					
8711 - Engineering services	1	100,000	100	0	0	0	0
▼ 96 - Administration of Economic Programs	1	100					
9651 - Reg misc coml sector	1	100	100	0	0	0	0
▼ 99 - Nonclassifiable Establishments	1	20,000					
9999 - Nonclassified	1	20,000	100	0	0	0	0

Date of Experience	Payment Status	Selling Terms	High Credit (US\$)	Now Owes (US\$)	Past Due (US\$)	Months Since Last Sale
04/17	Pays Promptly	-	10,000	0	0	Between 2 and 3 Months
04/17	Pays Promptly	-	7,500	0	0	Between 2 and 3 Months
04/17	Pays Promptly	N30	100	0	0	Between 6 and 12 Months
04/17	-	Cash account	0	0	0	1
03/17	Pays Promptly	-	100,000	0	0	Between 2 and 3 Months
03/17	Pays Promptly	-	2,500	1,000	0	1
03/17	Pays Promptly	-	2,500	2,500	0	1
03/17	Pays Promptly	-	2,500	1,000	0	1
03/17	Pays Promptly	-	2,500	0	0	Between 2 and 3 Months
03/17	Pays Promptly	-	1,000	1,000	0	1

03/17	Pays Promptly	-	100	-	-	1
11/16	Pays Promptly	N30	750	0	0	Between 6 and 12 Months
10/16	Pays Promptly	-	20,000	0	0	Between 6 and 12 Months
10/16	satisfactory	-	100	-	-	1
09/16	cash own option	Cash account	500	-	-	1
09/16	-	Cash account	100	-	-	Between 6 and 12 Months
07/16	Pays Promptly	Lease Agreeemnt	250	0	0	Between 6 and 12 Months
06/16	-	Cash account	50	-	-	1
05/16	-	Cash account	50	-	-	Between 6 and 12 Months
04/16	Pays Promptly	-	5,000	0	0	Between 6 and 12 Months
04/16	Pays Promptly	Lease Agreeemnt	2,500	500	-	-
04/16	-	Cash account	250	-	-	1

## Legal Events

The following Public Filing data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

Judgements	Liens	Suits	UCC Filings
0	1	0	18
Latest Filing: -	Latest Filing: 05-06-2013	Latest Filing: -	Latest Filing: 01-30-2017

### Events

**Lien - Tax Lien**

XE00360H

**Filing Date**

05-06-2013

<b>Filing Number</b>	9474238
<b>Status</b>	Open
<b>Date Status Attained</b>	05-06-2013
<b>Received Date</b>	08-22-2013
<b>Amount</b>	US\$ 644
<b>Debtor</b>	XOOM ENERGY AND OTHERS
<b>Creditor</b>	STATE OF INDIANA
<b>Court</b>	MARION COUNTY CIRCUIT COURT, INDIANAPOLIS, IN

**UCC Filing - Original**

<b>Filing Date</b>	01-30-2017
<b>Filing Number</b>	2017010928
<b>Received Date</b>	02-21-2017
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY ONT, ULC
<b>Filing Office</b>	FINANCE & REVENUE DEPT, WASHINGTON, DC

**UCC Filing - Original**

<b>Filing Date</b>	01-27-2017
<b>Filing Number</b>	2017 0618220
<b>Received Date</b>	02-28-2017
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRAINING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ONTARIO HOLDINGS, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**UCC Filing - Original**

<b>Filing Date</b>	01-27-2017
--------------------	------------

XE0037OH

<b>Filing Number</b>	2017 0618048
<b>Received Date</b>	02-28-2017
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**UCC Filing - Assignment**

<b>Filing Date</b>	07-15-2015
<b>Filing Number</b>	2015 3053518
<b>Received Date</b>	08-14-2015
<b>Original Filing Date</b>	05-19-2015
<b>Original Filing Number</b>	2015 2142577
<b>Secured Party</b>	BANC OF AMERICA LEASING & CAPITAL, LLC, CHICAGO, IL
<b>Secured Party</b>	ORACLE CREDIT CORPORATION, REDWOOD SHORES, CA
<b>Debtor</b>	XOOM ENERGY, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**UCC Filing - Original**

<b>Filing Date</b>	05-19-2015
<b>Filing Number</b>	2015 2142577
<b>Received Date</b>	06-23-2015
<b>Collateral</b>	Equipment
<b>Secured Party</b>	ORACLE CREDIT CORPORATION, REDWOOD SHORES, CA
<b>Debtor</b>	XOOM ENERGY, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**UCC Filing - Original**

XE00380H

<b>Filing Date</b>	04-25-2014
<b>Filing Number</b>	2014036457
<b>Received Date</b>	05-16-2014
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY WASHINGTON, D.C., LLC
<b>Filing Office</b>	FINANCE & REVENUE DEPT, WASHINGTON, DC

**UCC Filing - Original**

<b>Filing Date</b>	01-10-2014
<b>Filing Number</b>	1401108012754
<b>Received Date</b>	01-24-2014
<b>Collateral</b>	Account(s) and proceeds - Chattel paper and proceeds - General intangibles(s) and proceeds
<b>Secured Party</b>	NATIONAL FUEL GAS DISTRIBUTION CORPORATION, WILLIAMSVILLE, NY
<b>Debtor</b>	XOOM ENERGY NEW YORK, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, ALBANY, NY

**UCC Filing - Amendment**

<b>Filing Date</b>	01-10-2014
<b>Filing Number</b>	1401108013124
<b>Received Date</b>	01-24-2014
<b>Original Filing Date</b>	01-10-2014
<b>Original Filing Number</b>	1401108012754
<b>Secured Party</b>	NATIONAL FUEL GAS DISTRIBUTION CORPORATION
<b>Debtor</b>	XOOM ENERGY NEW YORK, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, ALBANY, NY

**UCC Filing - Amendment**

XE00390H

<b>Filing Date</b>	01-10-2014
--------------------	------------



<b>Filing Number</b>	1401108012968
<b>Received Date</b>	01-24-2014
<b>Original Filing Date</b>	01-10-2014
<b>Original Filing Number</b>	1401108012754
<b>Secured Party</b>	NATIONAL FUEL GAS DISTRIBUTION CORPORATION, WILLIAMSVILLE, NY
<b>Debtor</b>	XOOM ENERGY NEW YORK, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, ALBANY, NY

**UCC Filing - Original**

<b>Filing Date</b>	11-13-2012
<b>Filing Number</b>	2012 4366573
<b>Received Date</b>	12-06-2012
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY CLEAN, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**UCC Filing - Original**

<b>Filing Date</b>	01-27-2012
<b>Filing Number</b>	26134321
<b>Received Date</b>	02-23-2012
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY NEW JERSEY, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, TRENTON, NJ

**UCC Filing - Original**

<b>Filing Date</b>	07-28-2011
--------------------	------------

XE00400H

11

<b>Filing Number</b>	2011 2918392
<b>Received Date</b>	08-26-2011
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, DOVER, DE

**UCC Filing - Original**

<b>Filing Date</b>	07-28-2011
<b>Filing Number</b>	117279533917
<b>Received Date</b>	08-11-2011
<b>Collateral</b>	All Assets
<b>Secured Party</b>	EDF TRADING NORTH AMERICA, LLC, HOUSTON, TX
<b>Debtor</b>	XOOM ENERGY CALIFORNIA, LLC
<b>Filing Office</b>	SECRETARY OF STATE/UCC DIVISION, SACRAMENTO, CA

The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this report was printed. This information may not be reproduced in whole or in part by any means of reproduction

There may be additional UCC Filings in D&B's file on this company available by contacting 1-800-234-3867.

There may be additional suits, liens, or judgements in D&B's file on this company available in the U.S. Public Records Database, also covered under your contract. If you would like more information on this database, please contact the Customer Resource Center at 1-800-234-3867.

A lien holder can file the same lien in more than one filing location. The appearance of multiple liens filed by the same lien holder against a debtor may be indicative of such an occurrence.

## Special Events

XE00410H

There are no Special Events recorded for this business.

## Company Profile

---

### Company Overview

**D-U-N-S**

96-826-4643

**Mailing Address**

United States

**Employees**

4

**Legal Form**

Corporation (US)

**Telephone**

(704) 274-1450

**Age (Year Started)**

6 years (2011)

**History Record**

Clear

**Named Principal**

Thomas Ulry, CEO

**Date Incorporated**

03-15-2011

**Line of Business**

Gas and Other Services Combined

**State of Incorporation**

Delaware

**Ownership**

Not publicly traded

---

### Business Registration

Corporate and business registrations reported by the secretary of state or other official source as of: 07-16-2011

This data is for informational purposes only, certification can only be obtained through the Office of the Secretary of State.

**Registered Name**

XOOM ENERGY, LLC

**Corporation Type**

Corporation (US)

**Business Commenced On**

2011

**State of Incorporation**

DELAWARE

**Registration ID**

4953757

XE00420H

<b>Registration Status</b>	STATUS NOT AVAILABLE
<b>Filing Date</b>	03-15-2011
<b>Where Filed</b>	SECRETARY OF STATE/CORPORATIONS DIVISION
<b>Registered Agent</b>	
<b>Name</b>	CORPORATION SERVICE COMPANY
<b>Address</b>	2711 CENTERVILLE ROAD SUITE 400, WILMINGTON, DE, 198080000

---

**Principals****Officers**

THOMAS ULRY, CEO

**Directors**

DIRECTOR(S): THE OFFICER(S)

---

**Company Events**

The following information was reported on: 02-02-2017

The Ohio Secretary of State's business registrations file showed that Xoom Energy Ohio, LLC was registered as a Limited Liability Company on March 24, 2011, under the file registration number 2008069.

Business started 2011 by Thomas Ulry.

THOMAS ULRY. 2011-present active here. Further antecedents were not available.

Business address has changed from 13850 Ballantyne Corporate Pl Ste 150, Charlotte, NC, 28277 to 11208 Statesville Rd # 200, Huntersville, NC, 28078.

---

**Business Activities And Employees**

The following information was reported on: 02-02-2017

**Business Information**

<b>Trade Names</b>	XOOM ENERGY
--------------------	-------------

<b>Description</b>	Provides gas and other services combined. Provides gas transmission or distribution.  Terms are cash, credit cards, check & Net 30 days. Sells to general public & commercial concerns. Territory : United States.
--------------------	--

<b>Employees</b>	4 which includes officer(s).
------------------	------------------------------

XE00430H

<b>Financing Status</b>	Unsecured
<b>Tenure</b>	Rents
<b>Facilities</b>	Rents premises in a building.

#### SIC/NAICS Information

SIC Codes	SIC Description	Percentage of Business
4932	Gas and Other Services Combined	-
49320000	Gas and other services combined	-
49230000	Gas transmission and distribution	-

NAICS Codes	NAICS Description
221210	Natural gas distribution
221210	Natural gas distribution

---

#### Government Activity

##### Activity Summary

<b>Borrower(Dir/Guar)</b>	No
<b>Administrative Debt</b>	No
<b>Contractor</b>	No
<b>Grantee</b>	No
<b>Party excluded from federal program(s)</b>	No

##### Possible candidate for socio-economic program consideration

<b>8(A) Firm</b>	Yes
<b>Labor Surplus Area</b>	Yes (2017)
<b>Small Business</b>	Yes (2017)

## Financials

XE0044OH

D&B currently has no financial information on file for this company

This information may not be reproduced in whole or in part by any means of reproduction.

---

©Dun & Bradstreet, Inc. 2017. All rights reserved

**Exhibit C-7**

**“Credit Report”**

**Exhibit C-7 “Credit Report,”** provide a copy of the applicant’s credit report from Experian, Dun and Bradstreet or a similar organization. An applicant that provides an investment grade credit rating for Exhibit C-6 may enter “N/A” for Exhibit C-7.

XOOM Energy Ohio is not currently rated by any credit report companies listed in C-7. Accordingly, please see Exhibit C-7 for the credit report of XOOM Energy, LLC, the single-member manager of XOOM Energy Ohio.

Subcode: 202330

Ordered: 05/08/2017 14:57:08 CST



Transaction Number: C095187186

Search Inquiry: XOOM ENERGY, LLC/11208 STATESVILLE RD STE 200/HUNTERSVILLE/NC/28078-7635/US/960278462

Model Description: Intelliscore Plus V2

\*\*\* FOR DEMONSTRATION PURPOSES ONLY - THIS REPORT NOT TO BE SOLD \*\*\*

Business Name

**XOOM ENERGY, LLC.**

Business Identification Number

**960278462**Primary Address: 11208 STATESVILLE RD STE 200  
HUNTERSVILLE, NC 28078-7635Website: [gasbillpayment.com](http://gasbillpayment.com)

Ultimate Parent: BLUEGREEN HOLDINGS, LLC

This business is a member of a corporate family.  
[See the corporate hierarchy by clicking here](#)

TOP

## Risk Dashboard

Intelliscore Plus

LOW TO  
MEDIUM  
RISK

Financial Stability Risk



LOW RISK

Company DBT



Industry DBT: 5

Original Filings



High Risk Alerts



Score range: 1 - 100 percentile

Credit Limit Recommendation: \$11,600

TOP

## Business Facts

Years on File: 6 (FILE ESTABLISHED 04/2011)

SIC Code: ELECTRICAL CONTRACTORS - 1731

State of Incorporation: DE

NAICS Code:

Date of Incorporation: 04/20/2011

Electrical Contractors and Other Wiring Installation Contractors -

Business Type: Profit

238210

Contacts: THOMAS ULRY - CHIEF EXECUTIVE OFFICER

TOM ULRY - CHIEF EXECUTIVE OFFICER

MICHELLE HARDING - SECRETARY

TOP

## Commercial Fraud Shield

Evaluation for: XOOM ENERGY, LLC, 11208 STATESVILLE RD STE 200, HUNTERSVILLE, NC28078-7635

Active Business Indicator:



Experian shows this business as active

The primary Business Name, Address, and Phone Number on Experian File were reviewed for High Risk indicators, no High Risk indicators were found.

Possible OFAC Match:



No OFAC match found

Business Victim Statement:



No victim statement on file

TOP

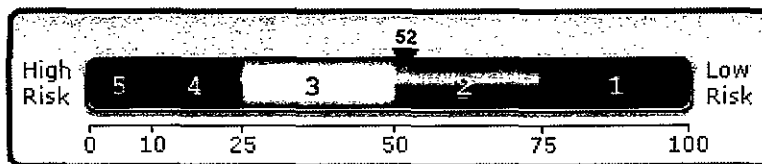
## Credit Risk Score and Credit Limit Recommendation

Current Intelliscore Plus Score: 52

Risk Class: 2

XE00470H





**LOW-MEDIUM RISK**

The risk class groups scores by risk into ranges of similar performance. Range 5 is the highest risk, range 1 is the lowest risk.

This score predicts the likelihood of serious credit delinquencies for this business within the next 12 months. Payment history and public record along with other variables are used to predict future risk. Higher scores indicate lower risk.

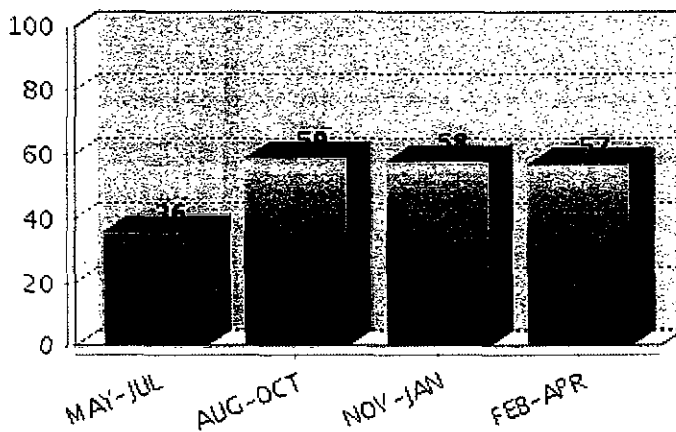
#### Factors lowering the score

- NUMBER OF COMMERCIAL ACCOUNTS WITH NET 1-30 DAYS TERM
- NBR OF ACTIVE COMMERCIAL ACCTS WITHIN THE LAST 12 MOS
- NUMBER OF RECENTLY ACTIVE COMMERCIAL ACCOUNTS
- PERCENT OF DELINQUENT COMMERCIAL ACCOUNTS

#### Industry Risk Comparison

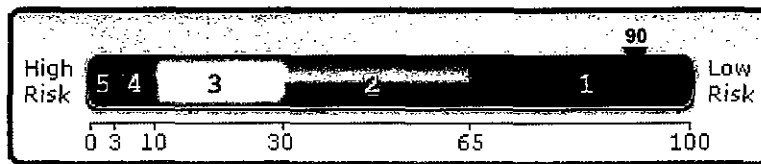
51% of businesses indicate a higher likelihood of severe delinquency.

#### Quarterly Score Trends



The Intelliscore Plus Quarterly Score Trends provide a view of the likelihood of delinquency over the past 12 months for this business. The trends will indicate if the score improved, remained stable, fluctuated or declined over the last 12 months.

#### Current Financial Stability Risk Score: 90



#### Risk Class: 1

**LOW RISK**

The risk class groups scores by risk into ranges of similar performance. Range 5 is the highest risk, range 1 is the lowest risk.

This score predicts the likelihood of financial stability risk within the next 12 months. The score uses tradeline and collections information, public filings as well as other variables to predict future risk. Higher scores indicate lower risk.

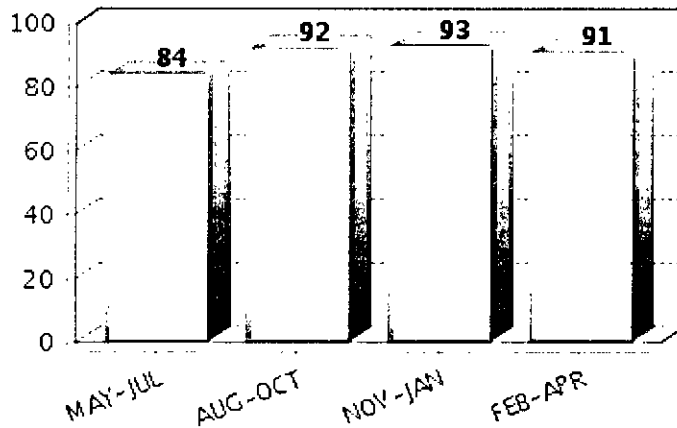
#### Factors lowering the score

- RISK ASSOCIATED WITH THE COMPANY'S INDUSTRY SECTOR
- NUMBER OF ACTIVE COMMERCIAL ACCOUNTS
- RISK ASSOCIATED WITH THE BUSINESS TYPE
- PERCENT OF COMMERCIAL ACCOUNTS DELINQUENT

#### Industry Risk Comparison

89% of businesses indicate a higher likelihood of financial stability risk.

## Quarterly Score Trends



The Financial Stability Risk Quarterly Score Trends provide a view of the likelihood of financial stability risk over the past 12 months for this business. The trends will indicate if the score improved, remained stable, fluctuated or declined over the last 12 months.

## Credit Limit Recommendation

### Credit Limit Recommendation

\$11,600

This recommendation compares this business against similar businesses in the Experian business credit database. It is based on trade information, industry, age of business and the Intelliscore Plus. The recommendation is a guide. The final decision must be made based on your company's business policies.

TOP

## Payment and Legal Filings Summary

### Payment Performance

Current DBT: 1  
 Predicted DBT as 07/05/2017 : 1  
 Monthly Average DBT: 0  
 Highest DBT Previous 6 Months: 2  
 Highest DBT Previous 5 Quarters: 1

### Payment Trend Indication:

Payments are stable

### Trade and Collection Balance

Total trade and collection (7): \$10,500  
 All trades (7): \$10,500  
 All collections (0): \$0  
 Continuous trade (3): \$2,800  
 6 month average: \$2,800 - \$3,900  
 Highest credit amount extended: \$2,600  
 Most frequent industry purchasing terms:  
 NET 30,CREDIT,REVOLVE

### Legal Filings

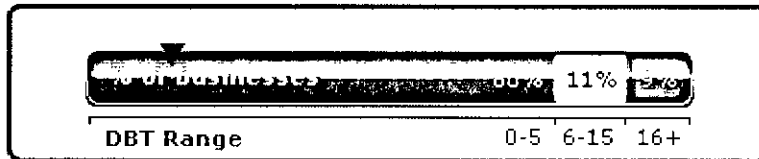
Bankruptcy: No  
 Tax Lien filings: 0  
 Judgment filings: 0  
 Sum of legal filings: \$0  
 UCC filings: 7  
 Cautionary UCC filings: Yes

## Industry Comparison

### Industry DBT Range Comparison

The current DBT of this business is 1. 80% of businesses have a DBT range of 0-5.

### DBT for this business: 1



### DBT Norms

All industry: 4  
 Same industry: 5

### Industry Payment Comparison

Has paid sooner than 50% of similar businesses

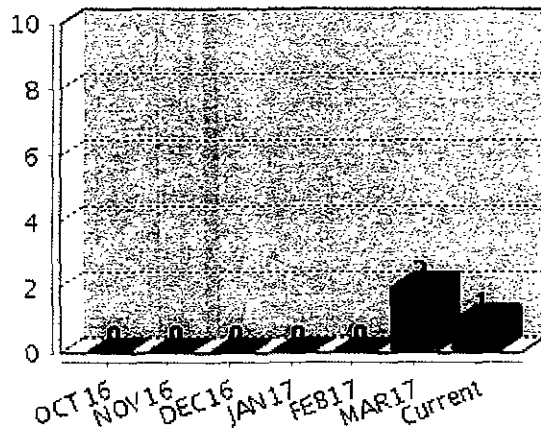
TOP

## Payment Trending

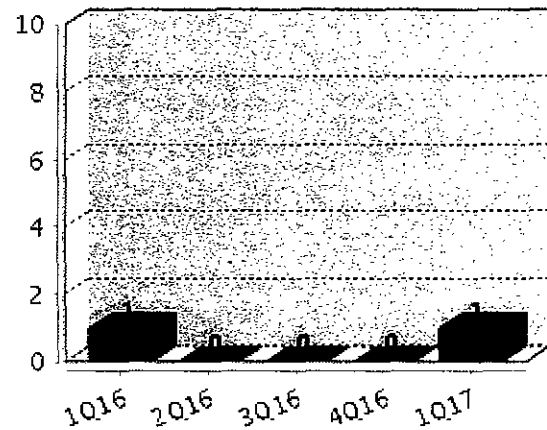
### DBT Trends

XE00490H

Monthly DBT Trends



Quarterly DBT Trends



Payment Trends Analysis  
ELECTRICAL CONTRACTORS - 1731

Account Status  
Days Beyond Terms

Date Reported	Cur	Industry DBT	Business DBT	Balance	Cur	1-30	31-60	61-90	91+
CURRENT	N/A	N/A	1	\$2,800	99%			1%	
MAR17	90%	5	2	\$3,700	89%	11%			
FEB17	89%	5	0	\$3,300	100%				
JAN17	89%	5	0	\$3,300	100%				
DEC16	89%	5	0	\$3,900	100%				
NOV16	90%	5	0	\$2,900	100%				
OCT16	90%	4	0	\$2,900	100%				

Payment History - Quarterly Averages

Account Status  
Days Beyond Terms

Quarter	Months	DBT	Balance	Cur	1-30	31-60	61-90	91+
Q1 - 17	JAN - MAR	1	\$3,400	96%	4%			
Q4 - 16	OCT - DEC	0	\$3,200	100%				
Q3 - 16	JUL - SEP	0	\$3,400	100%				
Q2 - 16	APR - JUN	0	\$2,400	100%				
Q1 - 16	JAN - MAR	1	\$1,900	91%	9%			

TOP

Trade Payment Summary

Trade Line Type	Lines Reported	DBT	Recent High Credit	Balance	Current	01-30	31-60	61-90	91+
Continuous	3	1	\$5,100	\$2,800	99%			1%	
New	0			\$0					
<b>Combined Trade</b>	<b>3</b>	<b>1</b>	<b>\$5,100</b>	<b>\$2,800</b>	<b>99%</b>			<b>1%</b>	
Additional	4		\$8,400	\$7,700	100%				
<b>Total Trade</b>	<b>7</b>		<b>\$13,500</b>	<b>\$10,500</b>	<b>100%</b>				

TOP

Trade Payment - New and Continuously Reported Trade Details

XE00500H

Business Category	Date Reported	Last Sale	Payment Terms	Recent High Credit	Balance	Cur	1-30	31-60	61-90	91+	Comments
AIR TRANS	05/2017	04/2017	OTHER	\$2,500	\$200	91%			9%		
COMMUN SVC	04/2017		NET 30	\$2,600	\$2,600	100%					CUST 5 YR
PACKAGING	05/2017	12/2015	NET 30		\$0						CUST 2 YR

TOP

#### Trade Payment - Additional Trade Details

Business Category	Date Reported	Last Sale	Payment Terms	Recent High Credit	Balance	Cur	1-30	31-60	61-90	91+	Comments
ACCT SVCS	06/2015		VARIED	\$1,400	\$1,400	100%					
LEASING	04/2015		CONTRACT	\$4,000	\$3,300	100%					
OFFC EQUIP	04/2015	03/2015	REVOLVE	\$2,200	\$2,200	100%					
TEMP HELP	02/2016	02/2016	ROI	\$800	\$800	100%					

TOP

#### Uniform Commercial Code (UCC) Filings

Date Range	Year	Cautionary UCCs **	Total Filed	Released / Termination	Continuous	Amended / Assigned
JAN - PRESENT	2017		2			
JUL - DEC	2016	1	1			
JAN - JUN	2016	1	2			
JUL - DEC	2015					1
JAN - JUN	2015	1	1			
PRIOR TO JAN	2015		1			
<b>Total</b>		<b>3</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>1</b>

\*\* Cautionary UCC Filings include one or more of the following collateral:

Accounts, Accounts Receivables, Contract Rights, Hereafter Acquired Property, Inventory, Leases, Notes Receivable or Proceeds.

**UCC FILED Date:** 01/30/2017  
**Filing Number:** 2017010928  
**Jurisdiction:** WASHGTON DC RECORDER  
**Secured Party:** EDF TRADING NORTH AMERICA, LLC TX  
 HOUSTON 77041 4700 W. SAM  
**Collateral:** UNDEFINED

**UCC FILED Date:** 01/27/2017  
**Filing Number:** 2017 0618048  
**Jurisdiction:** SEC OF STATE DE  
**Secured Party:** EDF TRADING NORTH AMERICA, LLC TX  
 HOUSTON 77041 4700 W. SAM  
**Collateral:** UNDEFINED

THE FOLLOWING DATA IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT AN OFFICIAL RECORD. CERTIFIED COPIES MAY BE OBTAINED FROM THE PENNSYLVANIA DEPARTMENT OF STATE. THE DATA IS CURRENT AS OF 05/08/2017.

**UCC FILED Date:** 07/27/2016  
**Filing Number:** 2016072701094  
**Jurisdiction:** SEC OF STATE PA  
**Secured Party:** COLUMBIA GAS OF PENNSYLVANIA, INC. OH  
 COLUMBUS 43215 290 WES  
**Collateral:** UNDEFINED, HEREAFTER ACQUIRED PROP

**UCC FILED Date:** 04/11/2016  
**Filing Number:** 201604115416355  
**Jurisdiction:** SEC OF STATE NY  
**Secured Party:** ORANGE & ROCKLAND UTILITIES, INC. NY  
 SPRING VALLEY 10977 390  
**Collateral:** UNDEFINED, HEREAFTER ACQUIRED PROP

**UCC FILED Date:** 04/11/2016  
**Filing Number:** 51625375  
**Jurisdiction:** SEC OF STATE NJ  
**Secured Party:** ORANGE & ROCKLAND UTILITIES, INC. NY  
 SPRING VALLEY 10977 390  
**Collateral:** UNDEFINED

**UCC ASSIGNED Date:** 07/15/2015  
**Filing Number:** 2015 3053518  
**Original Filing Date:** 07/15/2015  
**Original Filing Number:** 2015 21425  
**Original Filing State:** DE  
**Jurisdiction:** SEC OF STATE DE  
**Secured Party:** ORACLE CREDIT CORPORATION

**UCC FILED Date:** 05/19/2015

**UCC FILED Date:** 04/25/2014

XE00510H

**Filing Number:** 2015 2142577  
**Jurisdiction:** SEC OF STATE DE  
**Secured Party:** ORACLE CREDIT CORPORATION CA REDWOOD SHORES 94065 500 ORACLE  
**Collateral:** UNDEFINED, EQUIP, HEREAFTER AQUIRED PROP

**Filing Number:** 2014036457  
**Jurisdiction:** WASHGTON DC RECORDER  
**Secured Party:** EDF TRADING NORTH AMERICA, LLC TX HOUSTON 77041 4700 W. SAM  
**Collateral:** UNDEFINED

TOP

### Additional Business Facts

THE FOLLOWING INFORMATION WAS PROVIDED BY THE STATE OF MASSACHUSETTS. THE DATA IS CURRENT AS OF 05/08/2017.

**State of Origin:** DE  
**Date of Incorporation:** 04/20/2011  
**Current Status:** Active  
**Business Type:** Profit  
**Charter Number:** 001051271  
**Agent:** CORPORATION SERVICE COMPANY  
**Agent Address:** 84 STATE ST BOSTON, MA

TOP

### Corporate Linkage

**Ultimate Parent of the inquired upon business and the top entity within the corporate family:**

<u>BLUEGREEN HOLDINGS, LLC</u>	6875 ROTHCHILD DR - CHARLOTTE, NC	955056048
--------------------------------	-----------------------------------	-----------

**Immediate Parent of the inquired upon business:**

<u>XOOM ENERGY GLOBAL HOLDING, LLC</u>	11208 STATESVILLE RD STE 200 - HUNTERSVILLE, NC	960278465
--	---	-----------

**Subsidiaries of the inquired upon business:\***

<u>XOOM ENERGY TEXAS, LLC</u>	717 W MAIN ST STE 4B - MIDLOTHIAN, TX	946603193
<u>XOOM ENERGY ILLINOIS, LLC</u>	11208 STATESVILLE RD - HUNTERSVILLE, NC	946755582
<u>XOOM ENERGY KENTUCKY, LLC</u>	11208 STATESVILLE RD STE 200 - HUNTERSVILLE, NC	947146954
<u>XOOM ENERGY CALIFORNIA, LLC</u>	11208 STATESVILLE RD STE 300 - HUNTERSVILLE, NC	948071695
<u>XOOM ENERGY MICHIGAN, LLC</u>	13854 LAKESIDE CIR - STERLING HEIGHTS, MI	960278467
<u>XOOM ENERGY OHIO, LLC</u>	52 E GAY ST - COLUMBUS, OH	960278470
<u>XOOM ENERGY INDIANA, LLC</u>	11208 STATESVILLE RD STE 200 - HUNTERSVILLE, NC	960278471
<u>XOOM ENERGY MARYLAND, LLC</u>	211 E LOMBARD ST - BALTIMORE, MD	960278472
<u>XOOM ENERGY NEW YORK, LLC</u>	11208 STATESVILLE RD STE 200 - HUNTERSVILLE, NC	968694028
<u>XOOM ENERGY CONNECTICUT, LLC</u>	11208 STATESVILLE RD STE 200 - HUNTERSVILLE, NC	968902833

\* The inquired upon business has more than 10 subsidiaries.

[See the complete hierarchy by clicking here.](#)

TOP

### Inquiries

Business Category	MAY17	APR17	MAR17	FEB17	JAN17	DEC16	NOV16	OCT16	SEP16
BUREAU								1	1
<b>Totals</b>								1	1

TOP

*Experian prides itself on the depth and accuracy of the data maintained on our databases. Reporting your customer's payment behavior to Experian will further strengthen and enhance the power of the information available for making sound credit decisions. Give credit where credit is due. Call 1-800-520-1221, option #4 for more information.*

End of report

1 of 1 report

XE00520H

*The information herein is furnished in confidence for your exclusive use for legitimate business purposes and shall not be reproduced. Neither Experian Information Solutions, Inc., nor their sources or distributors warrant such information nor shall they be liable for your use or reliance upon it.*

---

© Experian 2017. All rights reserved. [Privacy policy](#).

Experian and the Experian marks herein are service marks or registered trademarks of Experian.

**Exhibit C-8**

**"Bankruptcy Information"**

**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.**

XOOM Energy Ohio attests that there are no reorganizations, protection from creditors, or any other form of bankruptcy filings made by XOOM Energy Ohio, a parent, or affiliate organization that guarantees the obligations of the applicant or any other officer of the XOOM Energy Ohio in the current year or since its last renewal certification.

**Exhibit C-9**

**"Merger Information"**

**Exhibit C-9 "Merger Information," provide a statement describing any dissolution or merger or acquisition of the applicant within the two most recent years preceding the application.**

XOOM Energy Ohio has not been involved with any mergers, dissolutions or acquisitions since its inception.



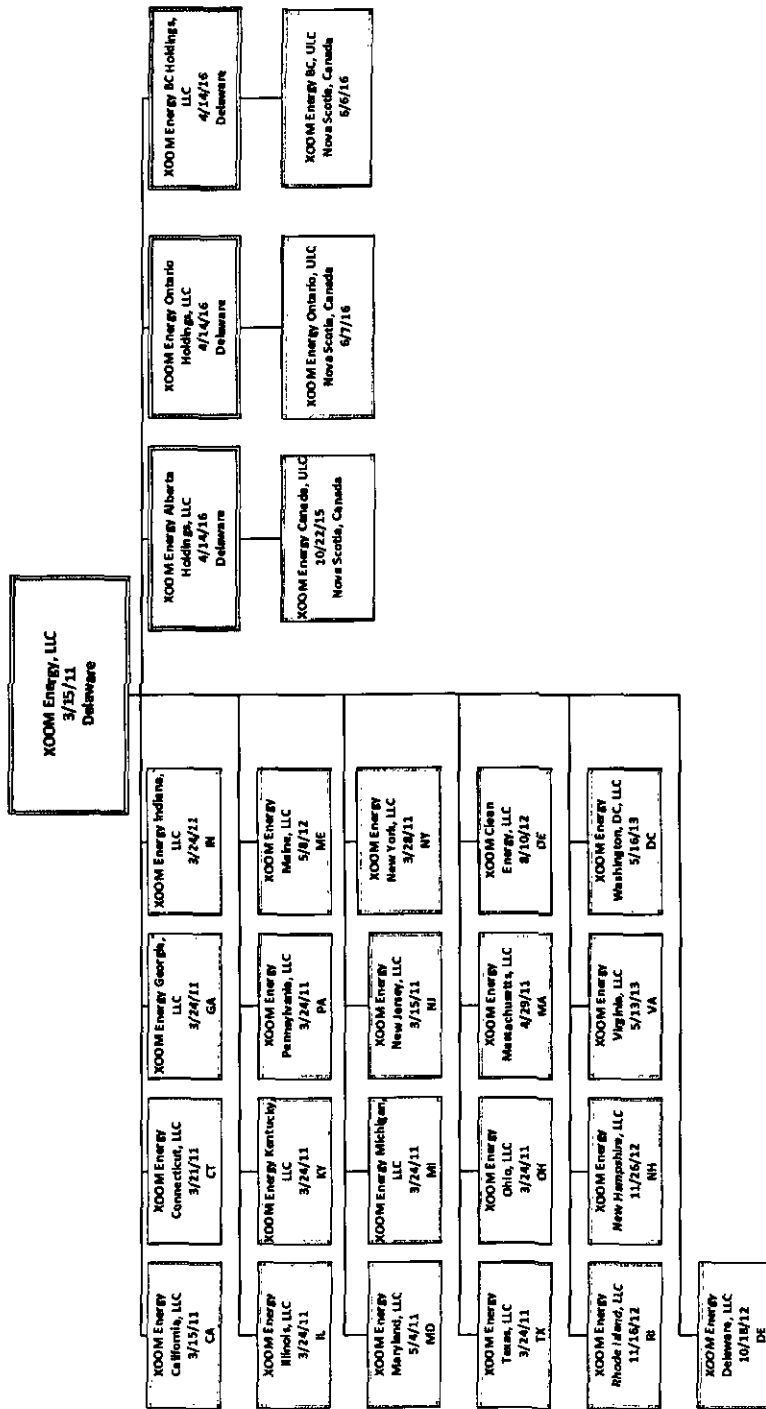
## **Exhibit C-10**


### **"Corporate Structure"**

**Exhibit C-10 "Corporate Structure,"** provide a description of the applicant's corporate structure, not an internal organizational chart, 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. If the applicant is a stand-alone entity, then no graphical depiction is required and applicant may respond by stating that they are a stand-alone entity with no affiliate or subsidiary companies.

XOOM Energy Ohio is a single-member managed limited liability company organized under the laws of Ohio. The single-member manager of XOOM Energy Ohio is XOOM Energy, LLC, a Delaware limited liability company. In addition to XOOM Energy Ohio, XOOM Energy, LLC has several wholly owned subsidiaries that are licensed alternative electricity providers and/or natural gas suppliers in their respective states of incorporation, as further described in Exhibit B-1.

Please see Exhibit C-10 for the graphical depiction of the corporate structure of XOOM Energy Ohio.



 Existing

## **Exhibit D-1**

### **"Operations"**

**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.**

XOOM Energy Ohio, in conjunction with its agents, will perform all of the functions of a power marketer, including the scheduling of power for transmission and delivery, the provision of ancillary services as well as other services in arranging for the purchase and delivery of electricity to the retail customer.

#### **Management**

Thomas Ulry and Chris Phillips will manage the day to day operations. Principal responsibilities will be to drive strategic growth initiatives and manage day to day operations including overseeing the Front and Back office functions.

#### **Back Office Functions**

To support its customer service needs, XOOM Energy Ohio has an Operations Department and Customer Care Department which will handle billing services and customer service.

#### **Front Office Functions**

XOOM Energy Ohio uses independent sales representatives in Ohio. Operations include contracting of power sales. In addition, the Principals will also take an active role in marketing.

## **Exhibit D-2**

### **"Operations Expertise"**

**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.**

XOOM Energy Ohio's officers, staff, and third-party contractors come to XOOM Energy Ohio with years of experience managing the kinds of business, technical, and customer service issues that may arise during the operation of a retail energy business. A summary of XOOM Energy Ohio's management team's experience in these areas is below, as well as referenced in Exhibit B-2.

Thomas L. Ulry, the Chief Executive Officer of XOOM Energy, LLC, the single-member manager of XOOM Energy Ohio, will closely oversee and manage the operations of XOOM Energy Ohio. Mr. Ulry has more than 25 years of sales and senior management experience, including experience managing both fast paced start-up companies and mature business environments, with 21 of those years being devoted to the sales, marketing, and management activities of retail energy businesses with substantial portfolios ranging from \$20 million to \$165 million over the course of his career. Please refer to Exhibit B-2 for a copy of Mr. Ulry's resume.

In addition to the energy industry experience of Mr. Ulry, our staff includes Michelle W. Harding as General Counsel and Secretary, who is responsible for all legal and regulatory matters. Mrs. Harding has over thirteen years of in-house legal experience working as a legal advisor to senior management of both public and privately held global companies on an array of corporate, regulatory, and risk management matters. Exhibit B-2 contains a copy of Ms. Harding's resume.

Our staff also includes Chief Operating Officer Chris Phillips, who has extensive experience managing operational functions within the industry. Most recently, Mr. Phillips previously served as VP, Retail Customer Operations at NRG/Reliant Energy. Exhibit B-2 contains a copy of Mr. Phillips' resume.

In addition, our staff also includes a Vice President of Marketing, Jackie Whitman, who will be responsible for the full customer experience with XOOM Energy Ohio. Mrs. Whitman brings over twelve years of marketing, advertising and public relations experience to XOOM Energy Ohio. Mrs. Whitman has been responsible for ensuring a pleasant experience for all customers, including managing website design and development, billing messages, customer communications, and direct mail advertising. Exhibit B-2 contains a copy of Ms. Whitman's resume.

Our staff also includes experienced Senior Vice President Andrew Coppola, an experienced energy who provides technical risk management and operational support services to XOOM Energy Ohio. Mr. Coppola has 29 years of deregulated energy experience in energy management, energy origination and procurement, asset optimization, operations, risk management, trading, internal controls, and other related core business functions for gas and power customers ranging in size from small retail to large wholesale customers. Between the years 2000 and 2010, Mr. Coppola held a variety of positions that included the management of substantial risk portfolios ranging in size from

\$45 million to \$500 million. Among the responsibilities Mr. Coppola had in managing these risk portfolios were: instituting best- practice risk mitigation; the creation of risk policies; and the creation of internal processes for position reporting, volume management, weekly reconciliations, and energy accounting.

Mr. Coppola was previously with Shell Energy, where as General Manager he led a Midwest-based office serving commercial and industrial customers and regional niche marketing companies. Prior to working at Shell Energy, Mr. Coppola served for three years as Vice President of Energy Supply and Fulfillment at Commerce Energy and ACN Energy for 100,000 retail gas and power customers being served by eleven different distribution utilities in nine states. Before joining Commerce Energy, he was a Vice President of CoEnergy Trading and a Director at DTE Energy Trading, where he was responsible for physical and financial gas trading and marketing activities related to the wholesale energy business and the optimization of robust natural gas and electric asset portfolios, and in charge of commercial and industrial gas books of business with sales of approximately 35 Bcf per year. Throughout his career, Mr. Coppola has been instrumental in the startup and management of energy marketing activities operating within a variety of distribution utility service territories, commercial and industrial marketing programs, and a number of strategic marketing partnerships. Mr. Coppola has previously worked for marketing affiliates of CMS Energy and The Coastal Corporation (now El Paso). Exhibit B-2 contains a copy of Mr. Coppola's resume.

**Exhibit D-3**

**"Key Technical Personnel"**

**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.

Key Technical personnel for XOOM Energy Ohio were included in prior exhibits. Please refer to Exhibits B-2, D-1 and D-2.

**Exhibit D-4**

**"FERC Power Marketer License Number"**

**Exhibit D-4 "FERC Power Marketer License Number," provide a statement disclosing the applicant's FERC Power Marketer License number. (Power Marketers only)**

FERC authorization is not required for XOOM Energy Ohio; rather XOOM Energy, LLC, the single-member manager of XOOM Energy Ohio is authorized by FERC to sell electricity at market based rates to XOOM Energy Ohio under FERC Docket No. ER 11-3418-000.