

09 - 871 -EL-AGG	
Case Number	Version
Original AGG	

RENEWAL APPLICATION FOR ELECTRIC AGGREGATORS/POWER BROKERS

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	-1 Applicant intends to be certified as: (check all that apply)				
	Power Broker Aggregator				
A-2	Applicant's legal name, address, telephone number, PUCO certificate number, and				
	web site address				
	Legal Name Energy Management Resources of Missouri, Inc.				
	Address 6324 N Chatham Avenue, Suite 166, Kansas City, MO 64151				
	PUCO Certificate # and Date Certified 09-172E / 10/30/2009				
	Telephone # (816) 883-1000 Web site address (if any) www.emr-energy.com				
A-3	List name, address, telephone number and web site address under which Applicant will do business in Ohio Legal Name Energy Management Resources of Missouri, Inc. Address 6324 N Chatham Avenue, Suite 166, Kansas City, MO 64151				
	Telephone # (816) 883-1000 Web site address (if any) www.emr-energy.com				
	receptione # (810) 883-1000 web site address (if any) www.emr-energy.com				
A-4	List all names under which the applicant does business in North America Energy Management Resources of M Energy Management Resources				
A-5	Contact person for regulatory or emergency matters				
	Name Darrel Palmer				
	Title President				
	Business address 6324 N Chatham Avenue, Suite 166, Kansas City, MO 64151				
	Telephone # (816) 883-1012 Fax # (816) 883-1001				
	E-mail address <u>dpalmer@emr-energy.com</u>				

A-6	Contact person for Commission Staff use in investigating customer eomplaints				
	Name Hilary Trumble				
	Title Manager, Admin. & Client Services				
	Business address 6324 N. Chatham Avenue, Suite 166, Kansas City, MO 64151				
	Telephone # (816) 883-1022 Fax # (816) 883-1022				
	E-mail address htrumble@emr-energy.com				
A-7	Applicant's address and toll-free number for customer service and complaints				
	Customer Service address 6324 N. Chatham Avenue, Suite 166, Kansas City, MO 6				
	Toll-free Telephone #_(816) 883-1000 Fax #_(816) 883-1001 E-mail address htrumble@emr-energy.com				
A-8	Applicant's federal employer identification number # 43-1793529				
A-9	Applicant's form of ownership (check one)				
	☐ Sole Proprietorship ☐ Partnership				
	☐ Limited Liability Partnership (LLP) ☐ Limited Liability Company (LLC)				
	☑ Corporation ☐ Other				
	PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:				
A-10	Exhibit A -10 "Principal Officers, Directors & Partners" provide the names, title addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.				

B. <u>APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE</u>

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- **B-1** Exhibit B-1 "Jurisdictions of Operation," provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services including aggregation services.
- **B-2** Exhibit B-2 "Experience & Plans," provide a description of the applicant's experience and plan for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Section 4928.10 of the Revised Code.

- B-3 <u>Exhibit B-3 "Disclosure of Liabilities and Investigations,"</u> provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.
- **B-4** Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

☑No ☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-4 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-5 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service including aggregation service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☑No [

☐ Yes

If yes, provide a separate attachment labeled as **Exhibit B-5 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

C. FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- C-1 <u>Exhibit C-1 "Annual Reports,"</u> 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 <u>Exhibit C-2 "SEC Filings,"</u> 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 <u>Exhibit C-3 "Financial Statements,"</u> 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 <u>Exhibit C-4 "Financial Arrangements,"</u> 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 <u>Exhibit C-5 "Forecasted Financial Statements,"</u> 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 <u>Exhibit C-7 "Credit Report,"</u> provide a copy of the applicant's credit report from Experion, 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 <u>Exhibit C-8 "Bankruptcy Information,"</u> 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 <u>Exhibit C-9 "Merger Information,"</u> 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.

Signature of Applicant & Title	
Sworn and subscribed before me this 21th day of Cotober, 2017 Month Year Month Year Month Notary Fig. Signature of official administer in general sistence and Title Platte County Platte County May of Cotober, 2017 Year Year	, È Clisat Save s
Signature of official administering mathission # 14963022 = My commission expires on	
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AFFIDAVIT

State of <u>IVIISSOUTI</u> :		
	Kansas Cityss.	
	(Town)	
County of Platte :	, ,	
-		
Darrel Palmer , Aff	ant, being duly sworn/affirmed according to law, d	leposes and says that:
	Energy Managemen	t Resour ce s
He/She is the President	(Office of Affiant) of of Missouri, Inc.	(Name of Applicant);
That he/she is authorized to and	I does make this affidavit for said Applicant,	

- 1. The Applicant herein, attests under penalty of false statement that all statements made in the application for certification renewal are true and complete and that it will amend its application while the application is pending if any substantial changes occur regarding the information provided in the application.
- 2. The Applicant herein, attests it will timely file an annual report with the Public Utilities Commission of Ohio of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Division (A) of Section 4905.10, Division (A) of Section 4911.18, and Division (F) of Section 4928.06 of the Revised Code.
- 3. The Applicant herein, attests that it will timely pay any assessments made pursuant to Sections 4905.10, 4911.18, or Division F of Section 4928.06 of the Revised Code.
- 4. The Applicant herein, attests that it will comply with all Public Utilities Commission of Ohio rules or orders as adopted pursuant to Chapter 4928 of the Revised Code.
- 5. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the Applicant.
- 6. The Applicant herein, attests that it will fully comply with Section 4928.09 of the Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
- 7. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
- 8. The Applicant herein, attests that it will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
- 9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
- 10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)

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

Exhibit A-10 Principal Officers, Directors and Partners

President Darrel Palmer 22752 Serenity Lane Nisswa, MN 56468 816-883-1012

Mr. Palmer is the director of the corporation

Exhibit B-1 Jurisdictions of Operation

Licensed in Illinois
Licensed in Maryland
Licensed in New Jersey
Licensed in Ohio
Licensed in Pennsylvania
Registered in Delaware
Registered in Missouri
Registered in Minnesota
Registered in New York

Exhibit B-2 Experience and Plans

EMR has experience requesting client quotes, managing power, and working with suppliers serving the Ohio energy market including: Duke Energy, Sempra Energy Solutions, First Energy Solutions, Constellation New Energy, and Direct Energy.

As an independently owned energy management services company, EMR brings cumulative energy expertise to the client in the form of risk management, market analysis, strategic sourcing and logistics, and data management. EMR executive leadership team has more than 30 years' experience in the energy industry. EMR support staff brings an average of 15 years of energy industry experience.

In compliance with Ohio Administrative Code Chapter 4928.10 of the Revised Code, EMR, through its marketing efforts, employs the practice of contacting the customer directly to discuss the menu of EMR services needed to meet the energy requirements of the customer. Our team of energy experts walks the customer through a professional energy procurement process that provides the lowest price possible and still meet the energy needs of the customer. As an example of one of EMR's services, letters of agency are obtained from interested clients in order to retrieve their utility usage data. From that data, EMR can formulate requests for quotes from potential suppliers.

EMR contracts with each of the certified suppliers and requests an RFQ on behalf of the client based on their usage data. EMR provides the client with a recommendation and contracts with the supplier on the client's behalf when the quote has been accepted by the client.

EMR reviews energy contracts from certified suppliers, provides invoice review, and responds to customers' inquiries and complaints.

Independently owned Energy Management Services company Energy Management Services is our core business Providing Energy Management Services for over 23 years Not affiliated with any Marketer/Producer/Utility Experienced energy staff (Avg. 15+ years)

Exhibit B-2 Experience and Plans (Continued)

All new Customer Inquiries may be directed to:
Ginger Needham, Manager of Operations
816-883-1008
6324 N. Chatham Avenue, Suite 166, Kansas City, MO 64151.

All Existing Customer Inquiries/Complaints may be directed to:
Hilary Trumble, Manager of Administration and Client Services
816-883-1022
6324 N. Chatham Avenue, Suite 166, Kansas City, MO 64151.

Complaints will be handled in accordance with Ohio Administrative Code Chapter 4901:1-21-08 and generally be responded to within 24 hours of receipt. Public Utility Commission contact information will be provided to any customer requesting this information. For the avoidance of doubt, EMR has reviewed Ohio Administrative Code Chapter 4901:1-21 and its plans in Ohio for contracting with customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints, as applicable, and are expecting to comply with applicable requirements of Chapter 4901:1-21 and any other applicable chapters of the Ohio Administrative Code.

Exhibit B-3 Disclosure of Liabilities and Investigations

EMR as of this filing date is not involved in any proceeding that would affect its ability to provide consulting services to any potential client in Ohio. EMR has no history of any client or regulatory agency having any proceedings against it.

Exhibit C-1 Annual Reports

The company does not have annual reports to shareholders for 2015 and 2016. EMR is a private, closely-held corporation whose owner is involved in the day-to-day affairs of the business. Accordingly, other than financial statements provided in Exhibit C-3, preparing an annual report with the information that would typically be contained in an annual report to shareholders is not necessary for EMR's business or shareholders because of their involvement with the business.

Exhibit C-2 SEC Filings

EMR made no SEC filings as the corporate stock is not publicly traded.

Exhibit C-3 Financial Statements

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

TRADE SECRET

Exhibit C-4 Financial Arrangements

Not Applicable

Exhibit C-5 Forecasted Financial Statements

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

TRADE SECRET

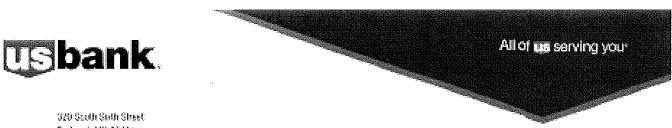
Exhibit C-6 Credit Rating

EMR has not issued any mortgage bonds and does not have any credit rating issued by the agencies listed in the commission's request.

Exhibit C-7 Credit Report

EMR does not use a credit reporting agency but relies on our bank to provide credit references to vendors and agencies when required. We have pulled a credit score report from Experian and included it in this filing. Also included is a reference letter from our bank.

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020 South Stath Sheet Busineed, MN 56405 258,028,5424

October 25, 2017

RE: Energy Management Resources

To whom it may concern:

US Bank has had an excellent banking relationship with Energy Management Resources, Inc. and its principles for over 18 years. The company has been run very responsibly with all banking accounts handled very satisfactorily.

The principles are well known and well regarded, and we have had very good deposit and lending relationships with them. All personal accounts have also been hundled very satisfactorily.

If you have any questions please let me know.

Thomas G. Norman

Market President

Exhibit C-8 Bankruptcy Information

EMR and its affiliates have not done any reorganization or filed for bankruptcy.

Exhibit C-9 Merger Information

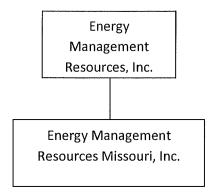
There has not been any dissolution, merger or acquisition activity by the corporation during the last 5 years.

Affidavit on following page

Exhibit C-10 Corporate Structure

Parent Energy Management Resources Inc. Incorporated in State of Minnesota

100 percent owned subsidiary Energy Management Resources of Missouri Inc. Incorporated in State of Delaware



This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/30/2017 1:40:22 PM

in

Case No(s). 09-0871-EL-AGG

Summary: Application Renewal electronically filed by Mr. Stephen M Howard on behalf of Energy Management Resources of Missouri, Inc.