

FILE

Ohio**Public Utilities
Commission**

Original AGG Case Number	Version
10 - 645 -EL-AGG	May 2016

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 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 Summit Energy Services, Inc.
 Address 10350 Ormsby Park Place, Suite 400, Louisville, KY 40223
 PUCO Certificate # and Date Certified 10-214E (4); June 18, 2016
 Telephone # (502) 429-3800 Web site address (if any) _____

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

Legal Name Summit Energy Services, Inc.
 Address 10350 Ormsby Park Place, Suite 400, Louisville, KY 40223
 Telephone # (502) 429-3800 Web site address (if any) _____

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

Schneider Electric
Summit Energy Services, Inc.

A-5 Contact person for regulatory or emergency matters

Name Holly Liter
 Title Director, Operations
 Business address 10350 Ormsby Park Place, Suite 400, Louisville, KY 40223
 Telephone # (502) 753-3181 Fax # (502) 753-2248
 E-mail address Holly.Liter@ems.schneider-electric

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
 Technician WJA Date Processed 5/8/18

RECEIVED-DOCKETING DIV
 2018 MAY -8 AM 10:29
 PUCO

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

Name Holly Liter
Title Director, Operations
Business address 10350 Ormsby Park Place, Suite 400, Louisville, KY 40223
Telephone # (502) 753-3181 Fax # (502) 753-2248
E-mail address Holly.Liter@ems.schneider-electri

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

Customer Service address 10350 Ormsby Park Place, Suite 400, Louisville, KY 40223
Toll-free Telephone # (502) 429-3800 Fax # (502) 753-2248
E-mail address n/a

A-8 Applicant's federal employer identification number # 61-1211144

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

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

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

B-3 **Exhibit B-3 "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

B-4 Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

☒ No ☐ Yes

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

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

☒ No ☐ Yes

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

C. FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

C-1 **Exhibit C-1 "Annual Reports,"** provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information in Exhibit C-1 or indicate that Exhibit C-1 is not applicable and why. (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.).

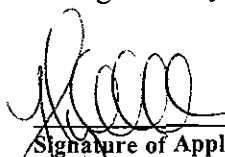
Renewal applicants can fulfill the requirements of Exhibit C-4 by providing a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU’s collateral requirements.

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 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 **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.

 Director - Operations
Signature of Applicant & Title

Sword and subscribed before me this 3 day of May, 2018
Month Year


Signature of official administering oath

Leslie Williams
Print Name and Title

My commission expires on 10/19/19



10/19/19

AFFIDAVIT

State of Kentucky :

Louisville ss.
(Town)

County of Jefferson :

Holly Liter, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the Director, Operations (Office of Affiant) of Summit Energy Services, Inc. (Name of Applicant);

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

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

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

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

[Signature] Director-Operations
Signature of Affiant & Title

Sworn and subscribed before me this 3 day of May, 2018 Year
Month

[Signature]
Signature of official administering oath

Leslie Williams
Print Name and Title

My commission expires on 10/19/19



Summit Energy Services, Inc.

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

Steve Wilhite
Senior Vice President, ESS
10350 Ormsby Park Place, Suite 400
Louisville, KY 40223
502-753-3103

Bill Brewer
Vice President, Global Supply & Sustainability Operations
10350 Ormsby Park Place, Suite 400
Louisville, KY 40223
502-753-3125

Kevin Whaites
Vice President, Global Sourcing and Solutions
5 Salmon Fields Business Village
Royton
Oldham UK
OL2 6HT
+44 (161) 785-7953

Summit Energy Services, Inc.

Exhibit B-1: Jurisdictions of Operation

<u>State:</u>	<u>License No:</u>
Delaware	13-378
District of Columbia	EA 2013-20, GA 2013-13
Illinois	10-0241
Maine	2006-318
Maryland	IR-1396, IR-3249
Massachusetts	RA-104, EB-149
New Hampshire	DM 13-328, DM 11-286
New Jersey	EA-0422
Ontario	ER-2017-0357
Pennsylvania	A-2015-2489074, A-2013-2389017
Rhode Island	D-96-6 (O6), 2379(D3)
Texas	80292

Exhibit B-2: Experience & Plans

Summit Energy Services Inc. is a broker, not a supplier, and we do not provide contracting services or billing statements.

Summit Energy Services, Inc.

Exhibit B-3: Disclosure of Liabilities and Investigations

In January 2015, Summit Energy Services, Inc. (Summit) was ordered by the Commodity Futures Trading Commission (CFTC) to pay a \$140,000 civil monetary penalty for acting as an unregistered Commodity Trading Advisor for a period of time from October 2012 through September 25, 2014. This arose as the result of Summit working with the CFTC to ensure all reporting requirements were met.

Currently, Summit is now registered as a Commodity Trading Advisor (CTA) with the CFTC and are in full compliance with the requirements to provide financial hedging and risk management services to clients, and there will be no impact to operations or customers. Even before the CFTC's inquiry, Summit was working through the requirements to meet these new regulations, including obtaining the necessary certifications to provide financial hedging and risk management services to our clients. This situation has been fully resolved, and does not impact any of our operations or our services, past or future. Furthermore, there are no implications for our clients, their businesses, or their interactions with Summit.

Information regarding this can be found in CFTC Docket No. 15-12

Exhibit C-1: Annual Reports

Annual reports for Schneider Electric SA can be found online at <http://www.schneider-electric.com/sites/corporate/en/finance/presentations/annual-reports.page>.

Exhibit C-2: SEC Filings

Schneider Electric SA shares are not traded on an organized exchange in the United States. As a result, Schneider Electric does not fall under the SEC's jurisdiction. The shares are traded on the Paris Stock Exchange (Eurolist – Euronext Paris).

Summit Energy Services, Inc.

Exhibit C-7: Credit Report

N/A

Summit Energy Services, Inc.

Exhibit C-8: Bankruptcy Information

Summit Energy Services, Inc & Schneider Electric are not in any bankruptcy or reorganization proceedings and does not anticipate need to do so.

Summit Energy Services, Inc.

Exhibit C-9: Merger Information

There has been no dissolution, merger or acquisition since Summit Energy Services, Inc. last filed.

Exhibit C-10: Corporate Structure

**Ownership
of
Summit
Energy Services, Inc.**

