Ohio Public Utilities Commission

PUCO USE ONLY – Version 1.08		May 2016
Date Received	Renewal Certification Number	ORIGINAL CRS Case Number
	16-539G(1)	16-1513-GA-CRS

Retail Natural Gas Marketer

RENEWAL CERTIFICATION APPLICATION COMPETITIVE RETAIL NATURAL GAS SUPPLIERS

Please type or print all required information. Identify all attachments with an exhibit label and title (*Example: Exhibit A-15 - Company History*). 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 directly input information onto the form. You may also download the form by saving it to your local disk.

SECTION A - APPLICANT INFORMATION AND SERVICES

A-1 Applicant intends to renew its certificate as: (check all that apply)

🔲 Retail Natural Gas Aggregator 🛛 🗌 Retail Natural Gas Broker

A-2 Applicant information:

Legal Name Address	Provision Power a 2305 E. Cesar Ch				
Telephone No.	1-800-930-5427		Web site A	Address	www.provisionpg.com
Current PUCO Cer	rtificate No.	16-539G(1)	Effective Dates	08/31/2	016-08/31/2018

A-3 Applicant information under which applicant will do business in Ohio:

Name	Provision Power & Gas, LLC		
Address	2305 E. Cesar Chavez St.		
Web site Address	www.provisionpg.com	Telephone No.	1-800-930-5427

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

Provision Power & Gas, LLC

A-5 Contact person for regulatory or emergency matters:

Name N	atalie Nokeo	Ti	itle	Compliance Ana	lyst
Business Add	iress 2305 E. Ce	esar Chavez St.			
Telephone N	o. 512-588-1393	Fax No. 1-866-593-9771		Email Address	compliance@elevationeg.com

(CRNGS Supplier Renewal - Version 1.08) Page 1 of 8

180 East Broad Street • Columbus, OH 43215-3793 • (614) 466-3016 • www.PUCO.ohio.gov The Public Utilities Commission of Ohio is an Equal Opportunity Employer and Service Provider

A-6	Contact person for Commission Staff use in investigating	customer complaints:
	Name Natalie Nokeo Tit	le Compliance Analyst
	Business address 2305 E. Cesar Chavez St.	
	Telephone No. 512-588-1393 Fax No. 1-866-593-9771	Email Address compliance@elevationeg.com
A- 7	Applicant's address and toll-free number for customer se	ervice and complaints
	Customer service address P.O. Box 6036, Austin, TX 78762	
	Toll-Free Telephone No. ¹⁻⁸⁰⁰⁻⁹³⁰⁻⁵⁴²⁷ Fax No. ¹⁻⁸⁶⁶⁻⁵⁹³⁻⁹⁷⁷	1 Email Address care@provisionpg.com
A-8	Provide "Proof of an Ohio Office and Employee," in acco	ordance with Section 4929.22 of the Ohio

A-8 Provide "Proof of an Ohio Office and Employee," in accordance with Section 4929.22 of the Ohio Revised Code, by listing name, Ohio office address, telephone number, and Web site address of the designated Ohio Employee

Name	David Moxley	1		Title	Sales Ma	inager
Business	address	1163 E. 40th \$	St., Ste 207A, Cleveland, OH 4	4114		
Telephor	ne No. 1-800-9	930-5427	Fax No. 1-866-593-9771	Email	Address	team@elevationeg.com
Applica	nt's federa	l employer	identification number	47-168	1806	

A-10	Applicant's form of ownership: (Check one)	
	Sole Proprietorship	Dertnership
	Limited Liability Partnership (LLP)	☑ Limited Liability Company (LLC)
	Corporation	Other

A-9

A-11 (Check all that apply) Identify each natural gas company service area in which the applicant is currently providing service or intends to provide service, including identification of each customer class that the applicant is currently serving or intends to serve, for example: residential, small commercial, and/or large commercial/industrial (mercantile) customers. (A mercantile customer, as defined in Section 4929.01(L)(1) of the Ohio Revised Code, means a customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within the state or consumes natural gas, other than for residential use, as part of an undertaking having more than three locations within or outside of this state. In accordance with Section 4929.01(L)(2) of the Ohio Revised Code, "Mercantile customer" excludes a not-for-profit customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within or outside of this state. In accordance with Section 4929.01(L)(2) of the Ohio Revised Code, "Mercantile customer" excludes a not-for-profit customer that consumes, other than for residential use, more than 500,000 cubic feet of natural gas per year at a single location within this state or consumes natural gas, other than for residential use, as part of an undertaking having more than three locations within or outside this state that has filed the necessary declaration with the Public Utilities Commission.)

Columbia Gas of Ohio	Residential 🖌 Small Commercial 🖌 Large Commercial / Industrial
Dominion East Ohio	Residential 🖌 Small Commercial 🖌 Large Commercial / Industrial
Duke Energy Ohio	Residential 🖌 Small Commercial 🖌 Large Commercial / Industrial
Vectren Energy Delivery of (Ohio 🖌 Residential 🖌 Small Commercial 🖌 Large Commercial / Industrial

A-12 If applicant or an affiliated interest previously participated in any of Ohio's Natural Gas Choice Programs, for each service area and customer class, provide approximate start date(s) and/or end date(s) that the applicant began delivering and/or ended services.

Residential	Beginning Date of Service	10/2013	End Date	n/a
Small Commer	cial Beginning Date of Service	10/2013	End Date	n/a
Large Commer	cial Beginning Date of Service	10/2013	End Date	n/a
✓ Industrial	Beginning Date of Service	10/2013	End Date	n/a
Dominion East Ohio				
Residential	Beginning Date of Service	05/2012	End Date	n/a
Small Commer	cial Beginning Date of Service	05/2102	End Date	n/a
✓ Large Commer	cial Beginning Date of Service	05/2012	End Date	n/a
✓ Industrial	Beginning Date of Service	05/2012	End Date	n/a
	The second s			
Residential	Beginning Date of Service		End Date	
Residential Small Commer		新國的發展的發展的影響。	End Date End Date	
	cial Beginning Date of Service			
Small Commer	cial Beginning Date of Service		End Date	
Small Commer	cial Beginning Date of Service cial Beginning Date of Service Beginning Date of Service		End Date End Date	
Small Commer	cial Beginning Date of Service cial Beginning Date of Service Beginning Date of Service		End Date End Date	n/a
Small Commer	cial Beginning Date of Service rcial Beginning Date of Service Beginning Date of Service ery of Ohio Beginning Date of Service	03/2017	End Date End Date End Date	n/a n/a
Small Commer Large Commer Industrial	cial Beginning Date of Service rcial Beginning Date of Service Beginning Date of Service ery of Ohio Beginning Date of Service cial Beginning Date of Service	03/2017 03/2017	End Date End Date End Date End Date	

A-13 If not currently participating in any of Ohio's four Natural Gas Choice Programs, provide the approximate start date that the applicant proposes to begin delivering services:

	Columbia Gas of Ohio	Intended Start Date	
	Dominion East Ohio	Intended Start Date	
~	Duke Energy Ohio	Intended Start Date	12/2018
	Vectren Energy Delivery of Ohio	Intended Start Date	

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

- A-14 <u>Exhibit A-14 "Principal Officers, Directors & Partners,</u>" provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
- A-15 Exhibit A-15 "Company History," provide a concise description of the applicant's company history and principal business interests.
- A-16 Exhibit A-16 "Articles of Incorporation and Bylaws," provide the articles of incorporation filed with the state or jurisdiction in which the applicant is incorporated and any amendments thereto, only if the contents of the originally filed documents changed since the initial application.
- A-17 Exhibit A-17 "Secretary of State," provide evidence that the applicant is still currently registered with the Ohio Secretary of the State.

SECTION 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 current 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 natural gas service, or retail/wholesale electric services.
- B-2 <u>Exhibit B-2 "Experience & Plans</u>," provide a current 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 4929.22 of the Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.
- **B-3** <u>Exhibit B-3 "Summary of Experience</u>," provide a concise and current summary of the applicant's experience in providing the service(s) for which it is seeking renewed certification (e.g., number and types of customers served, utility service areas, volume of gas supplied, etc.).
- **B-4** Exhibit B-4 "Disclosure of Liabilities and Investigations," provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocations 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 for which it is seeking renewed certification since applicant last filed for certification.

Exhibit B-5 "Disclosure of Consumer Protection Violations," disclose whether the applicant, B-5 affiliate, predecessor of the applicant, or any principal officer of the applicant has been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws since applicant last filed for certification.

V No Ye

If Yes, provide a separate attachment labeled as Exhibit B-5 "Disclosure of Consumer Protection Violations," detailing such violation(s) and providing all relevant documents.

Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation," disclose B-6 whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, or revoked, or whether the applicant or predecessor has been terminated from any of Ohio's Natural Gas Choice programs, or been in default for failure to deliver natural gas since applicant last filed for certification.

V	No	Yes
~	110	103

If Yes, provide a separate attachment, labeled as Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation," detailing such action(s) and providing all relevant documents.

SECTION C - APPLICANT 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, labeled as 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 applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 whether the applicant is not required to file with the SEC and why.
- Exhibit C-3 "Financial Statements," provide copies of the applicant's two most recent years of C-3 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 satisfy collateral requirements to conduct retail electric/gas business activity (e.g., parental or third party guarantees, 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 NATURAL GAS 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 <u>Exhibit C-6 "Credit Rating</u>," provide a statement disclosing the applicant's current 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 current 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.

SECTION D - APPLICANT TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

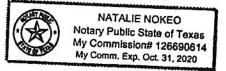
- Exhibit D-1 "Operations," provide a current written description of the operational nature of the D-1 applicant's business functions.
- D-2 Exhibit D-2 "Operations Expertise," given the operational nature of the applicant's business, provide evidence of the applicant's current experience and technical expertise in performing such operations.
- Exhibit D-3 "Key Technical Personnel," provide the names, titles, email addresses, telephone D-3 numbers, and background of key personnel involved in the operational aspects of the applicant's current business.

Applicant Signature and Title /

Sworn and subscribed before me this

all

Signature of official administering oath



is 18th day of July Month 2018 Year Natalic Moleo, Notary Public Print Name and Title

My commission expires on 10312020

Competitive R	<i>ties Commission of Ohio</i> etail Natural Gas Service ffidavit Form 'ersion 1.07)
In the Matter of the Application of)
Provision Power & Gas, LLC) Case No. 16 - 1513 - GA-CRS
for a Certificate or Renewal Certificate to Provide) Case No. 16 - 1513 -GA-CRS
Competitive Retail Natural Gas Service in Ohio.)
County of Travis State of Texas	
Tri Vo	[Affiant], being duly sworn/affirmed, hereby states that:

- (1) The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant.
- (2) The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.
- (3) The applicant will timely pay any assessment made pursuant to Section 4905.10 or Section 4911.18(A), Ohio Revised Code.
- (4) Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
- (5) Applicant will cooperate with the Public Utilities Commission of Ohio and its staff in the investigation of any consumer complaint regarding any service offered or provided by the applicant.
- (6) Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.
- (7) Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.

(8)	Affiant further sayeth naught.	7 _
	Affiant Signature & Title	President
	Sworn and subscribed before me this	ay of July Month 208 Year
	Signature of Official Administering Oatl	h Natalic Nokeo Notary Public
	NATALIE NOKEO Notary Public State of Texas My Commission# 126690614 My Comm. Exp. Oct. 31, 2020	My commission expires on 10/31/2020
	3 K. 20	(CRNGS Supplier Renewal) - Version 1.08 Page 8 of 8

EXHIBIT A-14 "Principal Officers, Directors & Partners"

Name	Title	Address	Phone
Tri Vo	President	2305 E. Cesar Chavez St. Austin, TX 78702	512-237-7791

EXHIBIT A-15 "Company History"

Provision Power & Gas, LLC is a Delaware limited liability company with its principal place of business in Austin, TX. Provision Power & Gas, LLC is a wholly-owned subsidiary of Elevation Energy Group, LLC. Provision Power & Gas, LLC engaged in the retail sale of natural gas in Michigan in 2014 and Ohio in 2017. Currently, Provision Power & Gas supplies retail natural gas to customers through DTE Gas Company, Consumers Energy, Semco Energy, Michigan Gas Utilities, and Vectren Energy Delivery Ohio.

No changes were made to Provision Power & Gas, LLC's Articles of Incorporation and Bylaws since the initial application filing on June 30, 2016.

Please see attached.

UNITED STATES OF AMERICA STATE OF OHIO OFFICE OF THE SECRETARY OF STATE

I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities: that said records show PROVISION POWER & GAS, LLC, a Delaware For Profit Limited Liability Company, Registration Number 3875227, filed on March 7, 2016, is currently in FULL FORCE AND EFFECT upon the records of this office.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 12th day of July, A.D. 2018.

Jon Hastel

Ohio Secretary of State

Validation Number: 201819301038

Provision Power & Gas, LLC provides natural gas in the states of Michigan and Ohio. Provision Power & Gas, LLC has been granted authorization to provide retail natural gas in the states of West Virginia and Pennsylvania. In addition to natural gas markets, Provision Power & Gas has been granted authorization from PUCO, FERC, and PJM to supply retail electric service in the state of Ohio.

Provision Power & Gas, LLC is experienced on contracting customers, supplying natural gas, providing billing statements, and responding to customer inquiries. In addition to its experience in Ohio, the staff has also managed successful retail operations in California with previous employers. Provision Power & Gas, LLC plans to continue leveraging this experience to expand its successful program in Ohio.

Methods of contracting customers will include call centers, internet marketing, door-to-door marketing, traditional media (including print), and online enrollment.

Natural gas will be supplied according to industry standards and regulations.

Billing information will be provided via consolidated utility billing, where available, to bill customers.

Customer inquiries and complaints will be addressed by trained customer care representatives. Calls will be routinely monitored for quality assurance, and continuous coaching will be provided to ensure customer satisfaction. Customers can reach customer care representatives by calling 1-800-930-5427.

FILED UNDER SEAL

PURSUANT TO O.A.C. 4901:1-27-08(A), EXHIBIT B-3

HAS BEEN FILED UNDER SEAL

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EXHIBIT B-4 "Disclosure of Liabilities and Investigations"

Provision Power & Gas, LLC has no liabilities or investigations that may adversely impact its financial or operational status.

As Provision Power & Gas, LLC is a privately held company, it does not publish Annual Reports.

As Provision Power & Gas, LLC is a privately held company, it does not file with the SEC.

FILED UNDER SEAL

PURSUANT TO O.A.C. 4901:1-27-08(A), EXHIBIT C-3

HAS BEEN FILED UNDER SEAL

Please see attached a current statement from an Ohio local distribution utility (LDU).



Vectren Corporation P.O. Box 209 Evansville: IN: 47702-0209

July 19, 2018

Natalie Nokeo Elevation Energy Group, LLC 2305 E. Cesar Chavez St. Austin, Texas 78702

RE: PUCO Renewal

Dear Natalie,

Please use this letter as confirmation that Provision Power and Gas, LLC has met the collateral requirements for Vectren's Choice Program in Ohio.

Sincerely,

Emily Lamb

Emily Lamb Vectren Corporation One Vectren Square Evansville, IN 47708-1251 <u>e.lamb@vectren.com</u>

FILED UNDER SEAL

PURSUANT TO O.A.C. 4901:1-27-08(A), EXHIBIT C-5

HAS BEEN FILED UNDER SEAL

As Provision Power & Gas, LLC is a privately held company, it does not have a credit rating.

FILED UNDER SEAL

PURSUANT TO O.A.C. 4901:1-27-08(A), EXHIBIT C-7

HAS BEEN FILED UNDER SEAL

Provision Power & Gas, LLC has not filed for bankruptcy or reorganized since it was formed in 2014.

Provision Power & Gas, LLC has had no dissolution or merger or acquisition within the two most recent years preceding the application.

EXHIBIT C-10 "Corporate Structure"

Energy 95 LLC does business as Quake Energy LLC and supplies natural gas in Ohio. Please see below for graphical depiction of Energy 95 LLC's corporate structure.

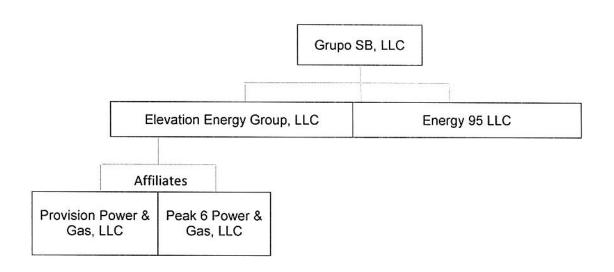


EXHIBIT D-1 "Operations"

Provision Power & Gas, LLC's operations include contracting natural gas for retail sales, nominating and scheduling natural gas for delivery, providing retail ancillary services, and performing other services as necessary to supply natural gas to the natural gas company city gate for retail customers.

Provision Power & Gas, LLC's staff has extensive experience trading, scheduling, and nominating on over twenty pipelines, both in Ohio and beyond. It expects to supply natural gas to its customers without issue due to its experience purchasing and selling natural gas from producers as well as to/from other marketers.

Tri Vo began his career as a natural gas scheduler at Texla Energy Management. At United Energy Trading, Tri traded the Gulf, Southeast, Northeast, and Appalachia regions. Additionally, he developed retail natural gas programs in California and Ohio. While developing these programs, he took an active role in overseeing all aspects of the retail business, including trading, scheduling, accounting, and customer service.

Name: Tri Vo, President Email: tri@elevationeg.com Phone: 512-237-7791

Ben Huff is the Manager of Trading and Origination for Provision Power & Gas, LLC. He has over twelve years in trading and marketing. The first ten years of his career were spent at BP followed by the last two years managing the trading and marketing positions for Elevation Energy Group. Ben holds an undergraduate degree from the Kelley School of Business at Indiana University and an MBA degree from Butler University.

Name: Ben Huff, Manager of Trading and Origination Email: ben.huff@elevationeg.com Phone: 317-333-7281 This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/26/2018 3:52:25 PM

in

Case No(s). 16-1513-GA-CRS

Summary: Text Provision Power & Gas, LLC's Renewal Certification Application electronically filed by Teresa Orahood on behalf of Devin D. Parram