



# Public Utilities Commission

PUCO USE ONLY – Version 1.08 May 2016		
Date Received	Case Number	Certification Number
18-1251	- GA-CRS	

## INITIAL CERTIFICATION APPLICATION COMPETITIVE RETAIL NATURAL GAS SUPPLIERS

FILE

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 be certified as: (check all that apply)

☐ Retail Natural Gas Aggregator ☐ Retail Natural Gas Broker ☒ Retail Natural Gas Marketer

#### A-2 Applicant information:

Legal Name Jeffrey Feinstein (Mercury Energy Marketing, LLC)

Address 500 Dallas St, Suite 1370, Houston, TX 77002

Telephone No. 832-615-8156

Web site Address [www.mercuryenergyohio.com](http://www.mercuryenergyohio.com)

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

Name Mercury Energy Ohio, LLC

Address 600 Superior Ave. East Fifth Third Building, Suite 1300, Cleveland, OH 44144

Web site Address [www.mercuryenergyohio.com](http://www.mercuryenergyohio.com)

Telephone No. 216-479-6873

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

Mercury Energy Marketing, LLC

Mercury Energy Ohio, LLC

#### A-5 Contact person for regulatory or emergency matters:

Name Jeffrey Feinstein

Title President/CEO

Business Address 500 Dallas St. Suite 1370, Houston, TX 77002

Telephone No. 832-615-8156

Fax No.

Email Address [jfeinstein@mercuryenergyohio.com](mailto:jfeinstein@mercuryenergyohio.com)

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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 MA

Date Processed AUG 01 2018

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

Name Jeffrey Feinstein Title President/CEO  
Business address 500 Dallas St. Suite 1370, Houston, TX 77002  
Telephone No. 832-615-8156 Fax No. Email Address jfeinstein@mercuryenergyohio.com  
jfeinstein@mercuryenergyohio.com

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

Customer service address 600 Superior Ave. East, Fifth Third Building, Suite 1300, Cleveland OH, 44144  
Toll-Free Telephone No. 1-800-975-6372 Fax No. Email Address customerservice@mercuryenergyohio.com  
customerservice@mercuryenergyohio.com

**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 Registered Agents Inc. Title Ohio Registered Agent  
Business address 6545 Market Ave. North, STE 100 North Canton, OH 44721  
Telephone No. 740-969-5258 Fax No. Email Address agent@ohioregisteredagent.com

**A-9 Applicant's federal employer identification number 83-0990987**

**A-10 Applicant's form of ownership: (Check one)**

☐ Sole Proprietorship ☐ Partnership  
☐ Limited Liability Partnership (LLP) ☒ Limited Liability Company (LLC)  
☐ Corporation ☐ Other

**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 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.)**

<input checked="" type="checkbox"/>	Columbia Gas of Ohio	<input checked="" type="checkbox"/>	Residential	<input checked="" type="checkbox"/>	Small Commercial	<input type="checkbox"/>	Large Commercial / Industrial
<input checked="" type="checkbox"/>	Dominion East Ohio	<input checked="" type="checkbox"/>	Residential	<input checked="" type="checkbox"/>	Small Commercial	<input type="checkbox"/>	Large Commercial / Industrial
<input type="checkbox"/>	Duke Energy Ohio	<input type="checkbox"/>	Residential	<input type="checkbox"/>	Small Commercial	<input type="checkbox"/>	Large Commercial / Industrial
<input type="checkbox"/>	Vectren Energy Delivery of Ohio	<input type="checkbox"/>	Residential	<input type="checkbox"/>	Small Commercial	<input type="checkbox"/>	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.**

☐ Columbia Gas of Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

☐ Dominion East Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
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☐ Duke Energy Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		End Date	

☐ Vectren Energy Delivery of Ohio

<input type="checkbox"/>	Residential	Beginning Date of Service		End Date	
<input type="checkbox"/>	Small Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Large Commercial	Beginning Date of Service		End Date	
<input type="checkbox"/>	Industrial	Beginning Date of Service		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:**

<input checked="" type="checkbox"/>	Columbia Gas of Ohio	Intended Start Date	4/1/2019
<input checked="" type="checkbox"/>	Dominion East Ohio	Intended Start Date	10/15/2018
<input type="checkbox"/>	Duke Energy Ohio	Intended Start Date	
<input type="checkbox"/>	Vectren Energy Delivery of Ohio	Intended Start Date	

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.

- A-14 Exhibit A-14 "Principal Officers, Directors & Partners,"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
- A-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,"** if applicable, provide the articles of incorporation filed with the state or jurisdiction in which the applicant is incorporated and any amendments thereto.
- A-17 Exhibit A-17 "Secretary of State,"** provide evidence that the applicant is 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 Exhibit B-2 "Experience & Plans,"** 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 Exhibit B-3 "Summary of Experience,"** provide a concise and current summary of the applicant's experience in providing the service(s) for which it is seeking to be certified to provide (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 it is seeking to be certified to provide.

- B-5 Exhibit B-5 "Disclosure of Consumer Protection Violations,"** disclose whether the applicant, 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 within the past five years.

☒ No    ☐ Yes

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.

- B-6 Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation,"** disclose 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.

☒ No    ☐ Yes

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. 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 current financial arrangements to conduct competitive retail natural gas service (CRNGS) 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 **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 Exhibit C-6 “Credit Rating,”** provide a statement disclosing the applicant's current credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. 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 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.**

- D-1 Exhibit D-1 “Operations,”** provide a current written description of the operational nature of the applicant’s business. Please include whether the applicant’s operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas company city gate for retail customers.
- 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.
- D-3 Exhibit D-3 “Key Technical Personnel,”** provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant’s current business.

Applicant Signature and Title



President / CEO

Sworn and subscribed before me this

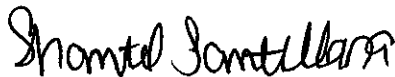
30th day of

July

Month

2018

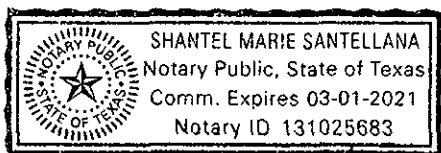
Year



Signature of official administering oath

Shantel Santellana Notary

Print Name and Title



My commission expires on

03/01/2021



# The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service  
Affidavit Form  
(Version 1.07)

In the Matter of the Application of )

Mercury Energy Marketing, LLC )  
for a Certificate or Renewal Certificate to Provide )  
Competitive Retail Natural Gas Service in Ohio. )

Case No.  -  -GA-CRS

County of Harris  
State of Texas

Jeffrey Feinstein [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.

Affiant Signature & Title

[Signature] President/CEO

Sworn and subscribed before me this

30th

day of

July

Month

2018

Year

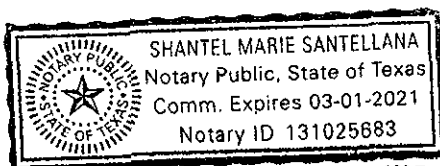
[Signature]

Signature of Official Administering Oath

Shantel Santellana

Print Name and Title

Notary



My commission expires on

03/01/2021

(CRNGS Supplier -Version 1.08) Page 8 of 8





# Public Utilities Commission

PUCO USE ONLY – Version 1.08 May 2016		
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Address      500 Dallas St, Suite 1370, Houston, TX 77002  
Telephone No.      832-615-8156      Web site Address      www.mercuryenergyohio.com

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Name      Mercury Energy Ohio, LLC  
Address      600 Superior Ave. East Fifth Third Building, Suite 1300, Cleveland, OH 44144  
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Mercury Energy Marketing, LLC      Mercury Energy Ohio, LLC

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Name      Jeffrey Feinstein      Title      President/CEO  
Business Address      500 Dallas St. Suite 1370, Houston, TX 77002  
Telephone No.      832-615-8156      Fax No.           Email Address      jfeinstein@mercuryenergyohio.com

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Name Jeffrey Feinstein Title President/CEO  
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**A-10 Applicant's form of ownership: (Check one)**

- |  |   |
|--|---|
| <input type="checkbox"/> Sole Proprietorship                 | <input type="checkbox"/> Partnership                                |
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| <input type="checkbox"/> Corporation                         | <input type="checkbox"/> Other                                      |

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☐ Duke Energy Ohio

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## **SECTION B - APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

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☒ No    ☐ Yes

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☒ No    ☐ Yes

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## **SECTION C - APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE**

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(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. 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 current financial arrangements to conduct competitive retail natural gas service (CRNGS) 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 **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 Exhibit C-6 “Credit Rating,”** provide a statement disclosing the applicant's current credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. 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 current 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.

## **SECTION D – APPLICANT TECHNICAL CAPABILITY**

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED.**

- D-1 Exhibit D-1 "Operations,"** provide a current written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas company city gate for retail customers.
- 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.
- D-3 Exhibit D-3 "Key Technical Personnel,"** provide the names, titles, email addresses, telephone numbers, and background of key personnel involved in the operational aspects of the applicant's current business.

**Applicant Signature and Title**



*President/CEO*

**Sworn and subscribed before me this**

*30th* day of

*July*

**Month**

*2018*

**Year**

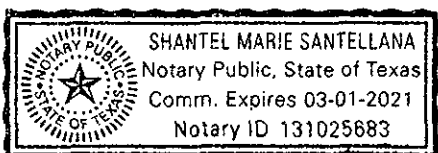


**Signature of official administering oath**

*Shantel Santellana*

*Notary*

**Print Name and Title**



**My commission expires on**

*03/01/2021*



# The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service  
Affidavit Form  
(Version 1.07)

In the Matter of the Application of )

Mercury Energy Marketing, LLC )  
for a Certificate or Renewal Certificate to Provide )  
Competitive Retail Natural Gas Service in Ohio. )

Case No.  -  -GA-CRS

County of Harris  
State of Texas

Jeffrey Feinstein [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.

Affiant Signature & Title

[Signature] President/CEO

Sworn and subscribed before me this

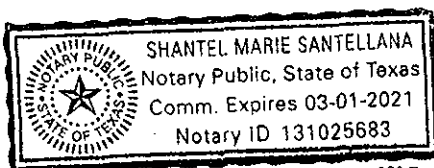
30th day of July Month 2018 Year

[Signature]

Signature of Official Administering Oath

Shantel Santellana Notary

Print Name and Title



My commission expires on

03/01/2021

(CRNGS Supplier -Version 1.08) Page 8 of 8



A-14

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

<b>Name</b>	<b>Title</b>	<b>Address</b>	<b>Telephone</b>
Jeffrey Feinstein	President/CEO	500 Dallas St. Suite 1370, Houston, TX 77002	832-615-8156
Scott Rice	Partner	500 Dallas St. Suite 1250, Houston, TX 77002	713-874-9005
Randy Newcomer	Partner	500 Dallas St. Suite 1250, Houston, TX 77002	713-874-9001

A-15

Exhibit A-15 "Company History"

**Company History**

Mercury Energy Ohio is a newly created LLC to provide competitive retail natural gas to residents and small businesses in Ohio – initially in the utility jurisdiction of Dominion East Ohio and Columbia Gas of Ohio.


**Principal Business Interests**

The principal business interests of the Company include, but are not exclusive to, attracting a large customer base by marketing a consistent and attractive natural gas service rate compared to its competitors and the utility in addition to providing top quality customer service. Additionally, the company will pursue offering retail power under a matching theme of low cost, transparency, and excellent customer service.

A-16

Exhibit 16 "Articles of Incorporation and Bylaws"

State of Texas Articles of Incorporation:

<b>Secretary of State</b> P.O. Box 13697 Austin, TX 78711-3697 FAX: 512/463-5709  <b>Filing Fee: \$300</b>	  <b>Certificate of Formation</b> <b>Limited Liability Company</b>	<b>Filed in the Office of the</b> <b>Secretary of State of Texas</b> <b>Filing #: 802991147 04/17/2018</b> <b>Document #: 807975400003</b> <b>Image Generated Electronically</b> <b>for Web Filing</b>
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**Article 1 - Entity Name and Type**

The filing entity being formed is a limited liability company. The name of the entity is:

**Mercury Energy Marketing, LLC**

**Article 2 - Registered Agent and Registered Office**

☐ A. The initial registered agent is an organization (cannot be company named above) by the name of:

**OR**

☒ B. The initial registered agent is an individual resident of the state whose name is set forth below:

**Name:**

**Jeffrey Feinstein**

C. The business address of the registered agent and the registered office address is:

**Street Address:**

**4805 Bellview Bellaire TX 77401**

**Consent of Registered Agent**

☐ A. A copy of the consent of registered agent is attached.

**OR**

☒ B. The consent of the registered agent is maintained by the entity.

**Article 3 - Governing Authority**

☒ A. The limited liability company is to be managed by managers.

**OR**

☐ B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Manager 1: **Jeffrey Feinstein**

**Title: Manager**

**Address: 4805 Bellview Bellaire TX, USA 77401**

**Article 4 - Purpose**

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

(Articles of Incorporation continued next page)

A-16

Exhibit 16 "Articles of Incorporation and Bylaws" (cont'd)

**Page 2 of Texas Articles of Incorporation**

[The attached addendum, if any, is incorporated herein by reference.]

**Organizer**

The name and address of the organizer are set forth below.

**Jeffrey Feinstein**      **4805 Bellview Bellaire, TX 77401**

**Effectiveness of Filing**

☐ A. This document becomes effective when the document is filed by the secretary of state.

**OR**

☒ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is: **April 18, 2018**

**Execution**

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

**Jeffrey Feinstein**

Signature of Organizer

**FILING OFFICE COPY**

A-16

Exhibit 16 "Articles of Incorporation and Bylaws" (cont'd)

**State of Texas Certificate of Incorporation:**

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Rolando B. Pablos  
Secretary of State

**Office of the Secretary of State**

**CERTIFICATE OF FILING  
OF**

**Mercury Energy Marketing, LLC**  
File Number: 802991147

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 04/17/2018

Effective: 04/18/2018



A handwritten signature in black ink, appearing to read "R. Pablos".

Rolando B. Pablos  
Secretary of State

A-17

Exhibit A-17 "Secretary of State"

State of Ohio Certificate of Filing with Secretary of State:




DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	CERT	COPY
05/09/2018	201812201802	REGISTRATION OF FOREIGN FOR PROFIT LLC (LFP)	99.00	100.00	0.00	0.00

**Receipt**

This is not a bill. Please do not remit payment

MERCURY ENERGY MARKETING, LLC  
4805 BELLVIEW  
BELLAIRE, TX 77401

<h2 style="margin: 0;">STATE OF OHIO</h2> <h3 style="margin: 0;">CERTIFICATE</h3> <p style="margin: 0;"><b>Ohio Secretary of State, Jon Husted</b> 4177692</p>	
<p>It is hereby certified that the Secretary of State of Ohio has custody of the business records for  <b>MERCURY ENERGY OHIO, LLC (MERCURY ENERGY MARKETING, LLC)</b></p> <p style="text-align: center;">and, that said business records show the filing and recording of:</p>	
<p>Document(s)  <b>REGISTRATION OF FOREIGN FOR PROFIT LLC</b>                      Effective Date: 05/08/2018</p>	<p>Document No(s):  <b>201812201802</b></p>
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">                       United States of America                      State of Ohio                      Office of the Secretary of State                 </div> <div style="text-align: center;"> <p>Witness my hand and the seal of the                          Secretary of State at Columbus, Ohio this                          9th day of May, A.D. 2018.</p>   <b>Ohio Secretary of State</b> </div> </div>	

B-1

**Exhibit B-1 "Jurisdictions of Operation"**

Ohio is the first jurisdiction Mercury Energy Marketing, LLC and its subsidiaries, is seeking certification to provide retail natural gas and electric services. Specifically, Dominion East Ohio, will be the first utility which the enterprise will provide natural gas. Other jurisdictions the Company is seeking certification include, but are not exclusive to, Pennsylvania, New York, Kentucky, Indiana, and Maryland.

B-2

**Exhibit B-2 “Experience and Plans”****Experience**

Mercury Energy Marketing, LLC is managed by Jeffrey Feinstein, an experienced physical natural gas trader and marketer. From 2013-2017 he traded Ohio equity production for Total Gas and Power, North America. He is an expert in natural gas transportation, storage, and end-use marketing for both large and small customers. Additionally, he has gained expertise in upstream production dynamics by managing the tailgate of the Kensington Processing Plant in Columbiana County, Ohio.

**Contracting with Customers**

Plans for contracting customers fall under an overlying theme of the company’s purpose: price transparency, honesty, and low cost. Mercury Energy Marketing, LLC plans to offer one of the lowest and most transparent prices amongst the retail natural gas providers. Additional plans include contracting selected public relations firms to benignly connect to the individuals in customer choice pools via social media and other digital outlets to promote the themes driving the success of the enterprise. The Customer can contract with the company via our interactive web-page as well as through middle-marketers offering our attractive prices to residents and commercial entities. The customer’s information will be kept in manners commensurate with appropriate privacy laws and moral compensation and only be utilized to continue or discontinue natural gas services with the customer.

**Providing Contracting Services**

In providing contracting services to the customer base, Mercury Energy Marketing is focused on maintaining its network of large regional producers as well as promoting the existing marketplace that exists amongst the retail natural gas suppliers. The services provided will be managed on a cycle by cycle basis, ensuring proper pipe balancing and delivery, as well as appropriating the necessary amount of gas into natural gas storage caverns for the winter months. Due to the underlying volatility of the delivered product (natural gas and power), additional mechanisms of protecting the integrity of the enterprise will be protecting summer and winter supplies with physical and financial products offered by trading houses and exchanges.

**Providing Billing Statements**

Mercury Energy Marketing, LLC will elect for the utilities to bill on it’s behalf, but it will have the necessary framework to manage the process tangentially and perform monthly audits on the receivables.

**Responding to Customer Inquiries and Complaints**

Mercury Energy Marketing, LLC will operate by the bylaws of the utility, the utility commission, and extended professionalism and courtesy when in responding customer inquiries and complaints. It will be in accordance with the commission’s rule-base. The Company will have extensive business hours as well as reception 24 hours a day, 7 days per week to log and respond to customer inquiries and complaints. In addition to our toll-free 1-800 number, the company will have ancillary phone services, a dedicated web portal, and appropriate timely responses to all medium of customer inquiries.



B-3

Exhibit B-3 "Summary of Experience"

**Summary**

The applicant, Jeffrey Feinstein, has experience as a wholesale provider to large end-user, large industrial, commercial, and retail natural gas suppliers working with Dominion East Ohio as well as Columbia Gas of Ohio. More specifically to Ohio, Jeffrey managed the tailgate of the Kensington Processing Facility in Columbiana Ohio, as well as multiple well-bores which produced natural gas that tied in directly to Dominion East Ohio's LPPS pooling area.

**Number and Types of Customers**

Jeffrey Feinstein has extensive experience in managing business relationships with customers of all sizes: large utilities, large power and industrial end-users, mid-marketers, and retail natural gas suppliers. While the Company has not to date provide retail natural gas services to a particular jurisdiction, the manager has experience in providing net gas supplies on daily, monthly, and term bases, to certified retail natural gas providers in Ohio and elsewhere.

**Utility Service Areas**

Areas which the Company's manager has experience delivering wholesale gas include, but not limited to: Dominion East Ohio, Columbia Gas of Ohio, Columbia Gas of Pennsylvania, Columbia Gas of Kentucky, Various UGI delivery areas in Pennsylvania, and National Grid. Additionally, Jeffrey has extensive experience with delivering gas to large end users such as Duke/Dynegy, Tennessee Valley Authority, Marathon Petroleum, and NRG.

**Volume of Gas**

Broadly, Jeffrey Feinstein has marketed on average 1 bcf/d of gas during the past 5 years. More specifically, the manager averaged 10,000-20,000 MMBtu/d of delivery at the Dominion East Ohio city gate. Additionally, at the time of management, Kensington was producing 180 MMCF/d – 220 MMCF/d. The service area which Kensington was marketable was Dominion East Ohio and Columbia Gas of Ohio. At Total Gas and Power, North America, Jeffrey held multiple midstream agreements on Dominion Transmission, Inc. as well as Tennessee Gas Pipeline and Texas Eastern which delivered to multiple utilities across the states of Ohio and Pennsylvania.

B-4

**Exhibit B-4 "Disclosure of Liabilities and Investigations"**

The applicant has no existing, pending, or past rulings, judgements, contingent liabilities, revocations of authority, regulatory investigations, or any other matter what adversely impacts the applicant's financial or operational status or its ability to provide the services it is seeking herein to provide power and natural gas to citizens and businesses of Ohio.

C-1

Exhibit C-1 "Annual Reports"

Mercury Energy Marketing does not have annual reports to shareholders.

C-2

Exhibit C-2 "SEC Filings"

The applicant is not required to file with the SEC because the entity offers no public securities for sale. Additionally, the company does not make public filings.

C-3

Exhibit C-3 "Financial Statements"

**Statement of Cash Flows:**

2:26 PM

06/20/18

**Mercury Energy Marketing, LLC**  
**Statement of Cash Flows**  
 January 1 through June 20, 2018

	<u>Jan 1 - Jun 20, 18</u>
<b>OPERATING ACTIVITIES</b>	
Net Income	-24,639.03
Net cash provided by Operating Activities	-24,639.03
<b>FINANCING ACTIVITIES</b>	
Members Equity	120,000.00
Net cash provided by Financing Activities	120,000.00
Net cash increase for period	95,360.97
Cash at end of period	<u>95,360.97</u>

C-3

Exhibit C-3 "Financial Statements" (cont'd)

**Balance Sheet:**

2:24 PM

06/20/18

Accrual Basis

**Mercury Energy Marketing, LLC**  
**Summary Balance Sheet**  
 As of June 20, 2018

	<u>Jun 20, 18</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	<u>95,360.97</u>
Total Current Assets	<u>95,360.97</u>
<b>TOTAL ASSETS</b>	<u><u>95,360.97</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	<u>95,360.97</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>95,360.97</u></u>

C-3

## Exhibit C-3 "Financial Statements" (cont'd)

## Income Statement:

2:27 PM  
06/20/18  
Accrual Basis

**Mercury Energy Marketing, LLC**  
**Profit & Loss Detail**  
January 1 through June 20, 2018

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>Ordinary Income/Expense</b>								
<b>Expense</b>								
<b>Advertising and Promotion</b>								
Check	5/3/2018	6	99Designs	Logo Desig...		Mercury_Ch...	518.00	518.00
Total Advertising and Promotion							518.00	518.00
<b>Computer and Internet Expenses</b>								
Check	5/2/2018	7	GoDaddy.com	web host		Mercury_Ch...	79.46	79.46
Total Computer and Internet Expenses							79.46	79.46
<b>Founder Deposit</b>								
Deposit	5/3/2018		JFeinstein_Deposit	Deposit		Mercury_Ch...	-1,500.00	-1,500.00
Total Founder Deposit							-1,500.00	-1,500.00
<b>Professional Fees</b>								
Check	2/16/2018	11	Texas_SOS			Mercury_Ch...	2.00	2.00
Check	4/16/2018	10	Texas_SOS	Name search		Mercury_Ch...	1.03	3.03
Check	4/17/2018	8	Texas_SOS	Texas SOS ...		Mercury_Ch...	308.10	311.13
Check	4/17/2018	9	Texas_SOS	Name Search		Mercury_Ch...	6.16	317.29
Deposit	5/2/2018		Corporate Filing L...	Return on l...		Mercury_Ch...	-125.00	192.29
Check	5/2/2018		Corporate Filing L...	-returned p...		Mercury_Ch...	125.00	317.29
Check	5/3/2018	4	Corporate Filing L...			Mercury_Ch...	49.00	366.29
Check	5/9/2018	2	Ohio_SOS	Ohio SOS F...		Mercury_Ch...	199.00	565.29
Total Professional Fees							565.29	565.29
<b>Rent Expense</b>								
Check	5/9/2018	3	REGUS_Virtual ...			Mercury_Ch...	346.47	346.47
Check	5/22/2018	1	REGUS_Virtual ...	Initial Regu...		Mercury_Ch...	198.90	545.37
Total Rent Expense							545.37	545.37
<b>Telephone Expense</b>								
Check	5/3/2018	5	Grasshopper			Mercury_Ch...	37.33	37.33
Check	6/3/2018	14	Grasshopper			Mercury_Ch...	37.33	74.66
Total Telephone Expense							74.66	74.66
<b>Web &amp; Content Expense</b>								
Check	5/31/2018	13	OWDT			Mercury_Ch...	24,356.25	24,356.25
Total Web & Content Expense							24,356.25	24,356.25
Total Expense							24,639.03	24,639.03
Net Ordinary Income							-24,639.03	-24,639.03
Net Income							-24,639.03	-24,639.03

C-4

Exhibit C-4 "Financial Arrangements"

Mercury Energy Marketing, LLC dba Mercury Energy Ohio, LLC, has been approved by Dominion Energy Ohio to become an Energy Choice supplier on system. Additionally, the risk control and credit departments have approved Mercury with a \$10,000 line of unsecured credit. Further determination of credit and collateral is expected closer to customer acquisition. Per the company's balance sheet and intent of its investors, Mercury Energy Marketing is fully prepared to present an appropriate letter of credit necessary to appropriately collateralize the exposure for the LDU. Dominion Energy Ohio's letter of acceptance is attached hereto.



C-4

Exhibit C-4 "Financial Arrangements" (cont'd)

Correspondence with Dominion Energy Ohio:

**Jeffrey Feinstein**

---

**From:** gas\_energy\_choice@dominionenergy.com  
**Sent:** Tuesday, July 17, 2018 8:51 AM  
**To:** Jeffrey Feinstein; gas\_energy\_choice@dominionenergy.com  
**Subject:** RE: New Energy Choice Supplier\_Mercury Energy Ohio, LLC  
**Attachments:** Startup Documents.zip

Good morning,

Dominion Energy Ohio (DEO) has approved Mercury Energy Marketing, LLC dba Mercury Energy Ohio, LLC to become an Energy Choice supplier on our system. Our Risk group has approved Mercury with \$10,000 of unsecured credit. Once your pool is established and you continue to enroll customers, a collateral check will take place to see if the unsecured credit is still valid. DEO may ask for collateral in the future if your exposure exceeds the \$10,000 limit.

DEO's Energy Choice tariff is available at: <https://www.dominionenergy.com/home-and-small-business/rates-and-regulation/tariffs>. If the link does not work, you can go to [www.dominionenergy.com](http://www.dominionenergy.com). Make sure the location in the upper left is set to 'Ohio'. Hover over the Large Business, and then click on 'Rates & Regulation' in the drop down list. Click the 'Tariffs' box. Section D-1 contains all tariffs for the Energy Choice program.

The General Terms and Conditions of Energy Choice Pooling Service is the first choice. The actual Energy Choice Pooling Service Agreement is on pages 3-6. If you are agreeable with receiving a scanned pooling contract, you can return the signed agreement to me via e-mail. If you require originals, then please mail two (2) signed copies.

C-5

Exhibit C-5 "Forecasted Financial Statements"

**Preparer:**

Matthew Cochrane

[mcochrane@rboil.com](mailto:mcochrane@rboil.com)

Phone: 832-615-8152

Address: 500 Dallas St, Suite 1370, Houston, TX 77002

C-5

## Exhibit C-5 "Forecasted Financial Statements" (cont'd)

## Forecasted Income Statement:

Forecasted Income Statement for Ohio only Business: Mercury Energy Ohio, LLC			
	Application Year (2018)	2019	2020
<b>Sales/Revenue from Gas Marketing</b>			
Gross Revenue from Retail Gas Marketing	\$815,398	\$1,628,819	\$2,112,178
<b>Cost of Sales</b>			
Natural Gas Costs	\$662,747	\$1,299,395	\$1,687,234
<b>Gross Profit</b>	\$152,651	\$329,424	\$424,944
<i>% Gross Profit Margin</i>	19%	20%	20%
<b>General Expenses</b>			
Internet	\$396	\$396	\$396
Insurance/Legal	\$21,200	\$21,200	\$21,200
Rent Expense	\$2,388	\$2,388	\$2,388
Legal/Tax Preparation	\$3,500	\$3,500	\$3,500
Web/Content Expense	\$26,500	\$4,500	\$4,500
Marketing/Acquisition Expense	\$0	\$0	\$0
Payroll Expense/Health Insurance	\$0	\$0	\$105,200
Employment Taxes	\$0	\$0	\$7,420
Interest Expense	\$4,077	\$8,509	\$11,159
Exchange Fees	\$7,200	\$7,200	\$7,200
<b>Net Income</b>	\$87,391	\$281,730	\$261,982
<i>% Net Profit Margin</i>	11%	17%	12%

C-5

Exhibit C-5 "Forecasted Financial Statements" (cont'd)

**Forecasted Balance Sheet:**

<b>Forecasted Balance Sheet for Ohio only Business: Mercury Energy Ohio, LLC</b>			
	<u>Application Year (2018)</u>	<u>2019</u>	<u>2020</u>
<b>Assets</b>			
Current Assets			
Checking	\$175,056	\$352,546	\$517,595
<b>Total Current Assets</b>	<b>\$175,056</b>	<b>\$352,546</b>	<b>\$517,595</b>
<b>Liabilities &amp; Equity</b>			
Member's Equity	\$175,056	\$352,546	\$517,595
<b>Total Liabilities &amp; Equity</b>	<b>\$175,056</b>	<b>\$352,546</b>	<b>\$517,595</b>

C-5

## Exhibit C-5 "Forecasted Financial Statements" (cont'd)

## Forecasted Statement of Cash Flows:

Forecasted Statement of Cash Flows for Ohio only Business: Mercury Energy Ohio, LLC			
	Application Year (2018)	2019	2020
<b>Operating Activities</b>			
Net Income	\$87,391	\$281,730	\$261,982
<b>Net Cash provided by Operating Activities</b>	<b>\$87,391</b>	<b>\$281,730</b>	<b>\$261,982</b>
<b>Financing Activities</b>			
Members Equity - Contributions	\$120,000	\$0	\$0
Members Equity - Distributions (Tax)	(\$32,335)	(\$104,240)	(\$96,933)
<b>Net Cash Provided By Financing Activities</b>	<b>\$87,665</b>	<b>(\$104,240)</b>	<b>(\$96,933)</b>
 Cash Increase for Period	 \$175,056	 \$177,490	 \$165,049
 Cash at End of Period	 <b>\$175,056</b>	 <b>\$352,546</b>	 <b>\$517,595</b>

C-6

Exhibit C-6 "Credit Rating"

N/A

C-7

## Exhibit C-7 "Credit Report"

Credit Report (7/28/2018) from Dun &amp; Bradstreet (Company Summary).



Printed By: Lester Schwarz  
Date Printed: July 27, 2018

**Disclaimer:** The software and information ("Services") accessed herein were developed exclusively at private expense, and are proprietary to Dun & Bradstreet, Inc., and its affiliates and subsidiaries (collectively, "D&B"), and may include copyrighted works, trade secrets, or other materials created by D&B at great effort and expense.

If the Customer accessing the Services is part of the executive, legislative or judicial branches of the U.S. Federal Government, the Services contained herein are a Commercial Item as that term is defined in FAR 2.101, and are comprised of Technical Data, Computer Software and Computer Software Documentation as those terms are defined in FAR 52.227-14(a) and DFAR 252.227-13.

Customer's rights to use the Services are as described in the government contract signed between D&B and the Government.

Under no circumstances will the Customer accessing the Services have greater rights in the Services provided hereunder than "Limited Rights" as that term is defined in FAR 52.227-14 (ALT II) and DFAR 252.227-7013(f) and "Restricted Rights" as that term is defined in FAR 52.227-14 (ALT III) and DFAR 252.227-7014(f), respectively.

**Live Report : MERCURY ENERGY MARKETING, LLC**

D-U-N-S® Number: 06-131-2462

Endorsement/Billing Reference: schwarzl@dnb.com

**D&B Address**

Address: 500 Dallas St Ste 1370  
Houston, TX, US - 77002  
Phone: 713 444-7708  
Fax:

Location Type: Single Location  
Web:

Endorsement: schwarzl@dnb.com

**Company Summary**

Currency: Shown in USD unless otherwise indicated

**Score Bar**

Credit Limit - D&B Conservative	750.00	Based on profiles of other similar companies.
Credit Limit - D&B Aggressive	2,500.00	Based on profiles of other similar companies.
PAYDEX®	Unavailable	
Commercial Credit Score Class		Moderate to High Risk of severe payment delinquency
Financial Stress Score Class		Moderate to High Risk of severe financial stress

**Public Filings**

The following data includes both open and closed filings found in D&B's database on this company:

Record Type	Number of Records	Most Recent Filing Date
Bankruptcies	0	-
Judgments	0	-
Liens	0	-
Suits	0	-
UCCs	0	-

The public record items contained herein may have been

**D&B Company Overview**

This is a single location

Chief Executive	JEFFREY FEINSTEIN, MGR
Year Started	2018
Employees	1
SIC	6221, 8742
Line of business	Commodity contract broker, management consulting services
NAICS	623130
History Status	CLEAR

C-7

Exhibit C-7 "Credit Report" (Cont'd)

Company Summary (second page)

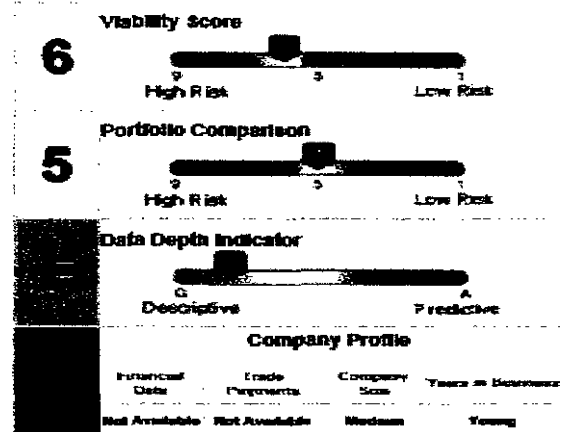
FirstRain Company News



This Company is not currently tracked for Company News

Powered by FirstRain

D&B Visibility Rating



Financial Overview



Based on your financial statement preference setting and the availability of financial data from the source, no financial statements are available.



C-8

**Exhibit C-8 "Bankruptcy Information"**

There have been no reorganizations, protections from creditors, or any form of bankruptcy filing made by the applicant or a parent affiliate organization to date.

C-9

Exhibit C-9 "Merger Information"

There has been no dissolution or merger or acquisition of the applicant within the two most recent years preceding this application.

C-10

Exhibit C-10 "Corporate Structure"

The applicant is a stand-alone entity with no affiliate or subsidiary companies.

D-1

Exhibit D-1 "Operations"

**Contracting Natural Gas for Retail Sales**

The operational nature of the business includes the contracting of physical natural gas purchases for retail sales. The Company has established relationships with producers and mid-marketers throughout the entire US, but more specifically in the Appalachia region. The Company has secured strategic partnerships for procuring physical natural gas and appropriate pre-payment and credit arrangements to facilitate the transactions.

**Nomination and Scheduling of Retail Natural Gas for Delivery**

The Company will schedule the purchased gas for delivery to the LDU. Management has experience in balancing natural gas nominations through the business cycle and will implement an immediate focus on ensuring the nominations and load needs are met on a cycle-by-cycle basis.

**Provision of Retail and Ancillary Services**

The Company seeks to only provide natural gas services as a profit center for the business, up until the company offers retail power services. Under the current business purpose, the company will make no other offerings or have any distinct partnerships other than retail natural gas and power.

**Other Services Used to Supply Natural Gas to City Gate**

The Company's manager is an expert in natural gas transportation and storage valuation and will utilize the complex natural gas infrastructure to provide securable delivery of natural gas to the utility's gate. The Company will review opportunities to contract short term and long-term storage, firm transportation, interruptible transportation, and delivered products to maintain a reliable natural gas source for delivery to its customers.

D-2

## Exhibit D-2 "Operations Expertise"

**Contracting Natural Gas for Retail Sales**

The manager of the applicant has many years of experience in buying and selling natural gas amongst different counterparties: producers, end-users, mid-marketers, large and small. Specific to marketing gas in Ohio, the manager has experience in transacting in Dominion's pooling area, Columbia Gas's pooling area. Additionally, as a historic provider to various city-gates, the manager has specific experience in seasonal load patterns and various means to procure gas for reliable deliverability.

**Nomination and Scheduling of Retail Natural Gas for Delivery**

The manager has nominated and scheduled with the counterparties which provide retail natural gas services. The manager has also nominated and scheduled on consistent rate patterns in addition to no-notice/hourly cycles. Specific to the area, the manager has nominated on all firm transportation paths which touch the jurisdiction area: Dominion Transmission, Texas Eastern Transmission Company, Tennessee Gas Pipeline, Dominion East Ohio, Columbia Gas, and ANR Gas Pipeline. The manager has also maintained and nominated well-head gas, casing-head gas, and processor (Kensington, Natrium, & Hastings) gas in the area.

**Other Services Used to Supply Natural Gas to City Gate**

The manager has vast technical experience in executing short and long-term storage, firm transportation agreements, park/loan agreements, interruptible transportation agreements, and pipe-wheeling services. He will utilize his skills in asset valuation and reliability needs when addressing the appropriate services needed to deliver reliable natural gas rates through the business cycle and across all seasons. Additionally, the manager has devoted his career to fundamental analysis of natural gas regions. Such expertise is utilized in managing forecasted load patterns and future needs of midstream assets.

D-3

## Exhibit D-3 "Key Technical Personnel"

**Key Technical Personnel**

<b>Operations</b>	<b>Name</b>	<b>Title</b>	<b>Email</b>	<b>Telephone</b>	<b>Background</b>
Natural Gas Trading/Procurement	Jeffrey Feinstein	President/CEO	<a href="mailto:jfeinstein@mercuryenergyohio.com">jfeinstein@mercuryenergyohio.com</a>	1-800-975-6372	Natural Gas Marketing and Trading
Nomination and Scheduling	Jeffrey Feinstein	President/CEO	<a href="mailto:jfeinstein@mercuryenergyohio.com">jfeinstein@mercuryenergyohio.com</a>	1-800-975-6372	Natural Gas Marketing and Trading
Midstream Business Development	Jeffrey Feinstein	President/CEO	<a href="mailto:jfeinstein@mercuryenergyohio.com">jfeinstein@mercuryenergyohio.com</a>	1-800-975-6372	Natural Gas Marketing and Trading
Backup for all Operations	Sunil Patel	Consultant			Natural Gas Business Development/Appalachia