



18-1846-EL-AGG 27

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Date Received	Case Number	Version
	- EL-AGG	May 2016

INITIAL CERTIFICATION APPLICATION FOR ELECTRIC AGGREGATORS/ POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-12 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 input information directly onto the form.
You may also download the form, by saving it to your local disk, for later use.

A. APPLICANT 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 and web site address

Legal Name Crimson Power Solutions, LLC
Address 110 State Road, Suite 8, Sagamore Beach, MA 02562
Telephone # (774) 413-5334 Web site address (if any) www.crimsonpowersolutions.com

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

Legal Name Crimson Power Solutions, LLC
Address 110 State Road, Sagamore Beach, MA 02562
Telephone # (774) 413-5334 Web site address (if any) www.crimsonpowersolutions.com

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

Crimson Power Solutions, LLC

A-5 Contact person for regulatory or emergency matters

Name Peter C. Schmitt
Title Vice President

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 bmm Date Processed 12/17/18

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2018 DEC 17 PM 3:31

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Business address 110 State Road, Sagamore Beach, MA 02562
Telephone # (585) 208-2448 Fax # (774) 413-9781
E-mail address pschmitt@crimsonpowersolutions.com

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

Name Peter C. Schmitt
Title Vice President
Business address 110 State Road, Sagamore Beach, MA 02562
Telephone # (585) 208-2448 Fax #
E-mail address pschmitt@crimsonpowersolutions.com

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

Customer Service address 110 State Road, Sagamore Beach, MA 02562
Toll-free Telephone # (774) 413-5334 Fax # (774) 413-9781
E-mail address info@crimsonpowersolutions.com

A-8 Applicant's federal employer identification number # 825317537

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 type="checkbox"/> Corporation | <input type="checkbox"/> Other <u></u> |

A-10 (Check all that apply) Identify each electric distribution utility certified territory in which the applicant intends to provide service, including identification of each customer class that the applicant intends to serve, for example, residential, small commercial, mercantile commercial, and industrial. (A mercantile customer, as defined in (A) (19) of Section 4928.01 of the Revised Code, is a commercial customer who consumes more than 700,000 kWh/year or is part of a national account in one or more states).

- | | | | | |
|--|--------------------------------------|--|--|--|
| <input checked="" type="checkbox"/> First Energy | | | | |
| <input type="checkbox"/> Ohio Edison | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input type="checkbox"/> Toledo Edison | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input type="checkbox"/> Cleveland Electric Illuminating | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Duke Energy | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Monongahela Power | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> American Electric Power | | | | |
| <input type="checkbox"/> Ohio Power | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input type="checkbox"/> Columbus Southern Power | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |
| <input checked="" type="checkbox"/> Dayton Power and Light | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Mercantile | <input checked="" type="checkbox"/> Industrial |

- A-11 Provide the approximate start date that the applicant proposes to begin delivering services

January 1, 2019

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- A-12 **Exhibit A-12 "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-13 **Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.
- A-14 **Exhibit A-14 "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-15 **Exhibit A-15 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.

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 "Summary of Experience,"** provide a concise summary of the applicant's experience in providing aggregation service(s) including contracting with customers to combine electric load and representing customers in the purchase of retail electric services. (e.g. number and types of customers served, utility service areas, amount of load, etc.).

B-4 **Exhibit B-4 "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-5 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-5 "Disclosure of Consumer Protection Violations"** detailing such violation(s) and providing all relevant documents.

B-6 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-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation"** detailing such action(s) and providing all relevant documents.

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 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 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 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, 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 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.

Peter C. Schmitt Vice President
Signature of Applicant & Title

Sworn and subscribed before me this 11TH day of December, 2018
Month Year

[Signature]
Signature of official administering oath

Print Name and Title



ERIN B. FROST
Notary Public
Commonwealth of Massachusetts
My Commission Expires July 26, 2024

My commission expires on _____

AFFIDAVIT

State of MASSACHUSETTS

SANDWICH ss.
(Town)

County of BARNSTABLE

PETER C SCHMITT, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the V.P. (Office of Affiant) of CRIMSON POWER SOLUTIONS (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 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 comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The Applicant herein, attests that it will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The Applicant herein, attests that it will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the Applicant will provide, the Applicant herein, attests that it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio. (Only applicable if pertains to the services the Applicant is offering)

11. The Applicant herein, attests that it will inform the Commission of any material change to the information supplied in the 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.

Peter C. Schmitt, Vice President
Signature of Affiant & Title

Sworn and subscribed before me this 11TH day of December, 2016
Month Year

[Signature]
Signature of official administering oath

Print Name and Title



ERIN B. FROST
Notary Public
Commonwealth of Massachusetts
My Commission Expires July 26, 2024

My commission expires on _____

Exhibit A-12

Principle Offices, Directors, Partners

Dr. Kevin Kelly – CEO/Founder of Crimson Power Solutions

20 Old Country Road
East Sandwich, MA 02537
(774)-836-0798

Exhibit A-13

Company History

Company History:

Crimson Power Solutions (CPS) was founded in 2018, by Dr. Kevin Kelly, as a start-up energy consultant.

Dr. Kelly holds a Master's Degree from Harvard University and a Doctorate from Northeastern University focused in Energy Policy. Along with his academic background, Kevin has twenty-one years of experience in the deregulated energy market.

Principle Business Interests:

Crimson Power will solicit business in the following areas of energy:

- Commodity Procurement & Consulting
- Lighting Efficiency Projects
- Solar Net-Metering & Consulting

Exhibit A-14

Articles of Incorporation and Bylaws

N/A – Crimson Power Solutions was formed as an LLC.

Exhibit A-15

Secretary of State



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	CERT	COPY
12/05/2018	201833803072	REGISTRATION OF FOREIGN FOR PROFIT LLC (LFP)	99.00	0.00	0.00	0.00

Receipt

This is not a bill. Please do not remit payment.

PETER SCHMITT
110 STATE ROAD
SAGAMORE BEACH, MA 02562

**STATE OF OHIO
CERTIFICATE**

**Ohio Secretary of State, Jon Husted
4262471**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
CRIMSON POWER SOLUTIONS, LLC (CRIMSON POWER SOLUTIONS)

and, that said business records show the filing and recording of:

Document(s)
REGISTRATION OF FOREIGN FOR PROFIT LLC
Effective Date: 12/04/2018

Document No(s):
201833803072



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio this
5th day of December, A.D. 2018.

Jon Husted
Ohio Secretary of State

Exhibit B-1

Jurisdictions of Operation

The following table is a list status list of states where Crimson Power Solutions is doing, or plans on doing business:

Electric

State	Status	License #
CT	Not Req	N/A
ME	Pending	
MA	Approved	EB-457
MI	Not Req	N/A
NH	Approved	DM 18-060
NY	Not Req	N/A
OH	Pending	
PA	Pending	
RI	Not Req	N/A
TX	Not Req	N/A

Exhibit B-2

Experience and Plans

Crimson Power Solutions' ownership and staff have a number of years of experience consulting with electric consumers in Ohio. Most of those customers are clients with accounts (locations) in multiple states. To provide for these clients, CPS will acquire licenses where required.

As a consultant, CPS will not directly contract or bill clients. However, Peter Schmitt (Vice President) will handle customer inquiries and complaints, and to the best of his abilities, act as an intermediary to ensure contractual obligations from the Energy Supply Companies (ESCOs), that its clients are on service with, are met according to industry and company rules, regulations and standards.

Exhibit B-3

Summary of Experience

N/A – CPS will not act as an aggregator.

Exhibit B-4

Disclosure of Liabilities and Investigations

None – there are no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact CPS’ financial or operations status or ability to provide the services it is seeking to be certified to provide.

Exhibit C-1

Annual Reports

N/A – CPS is not a publically traded company. Additionally as a startup, these reports will not be generated (if required) until the end of the first full official fiscal year is over (2019).

Exhibit C-2

SEC Filings

None – CPS is not required to file with the SEC as it is an LLC.

Exhibit C-3

Financial Statements

N/A – CPS is a startup and does not have any financial statements at this stage.

Exhibit C-4

Financial Arrangements

N/A – CPS is seeking to be certified as a broker.

Exhibit C-5

Forecasted Financial Statements

	Estimated Electric Revenue (OH)		
	Year 1	Year 2	Year 3
CPS Net Revenue (est.)	\$579,000	\$2,980,000	\$3,930,000
OH Net Revenue (est.)	\$13,028	\$67,050	\$88,425

*Numbers are based on very conservative, estimated numbers

Assumptions:

- Average commission of \$0.0025/kWh
- Based using a 12 month agreement term
- Estimate of 45% of CPS Total Revenue to be from electricity commodity sales
- Estimate of 5% of CPS electric commodity sales to be in state of Ohio

Prepared by:

PETER SCHMITT
Vice President

CRIMSON POWER Solutions

110 State Road, Suite 8
Sagamore Beach, MA 02562
c. 585.208.2448
o. 774.413.5334 Ext. 3
f. 774.413.9781
pschmitt@crimsonpowersolutions.com
www.crimsonpowersolutions.com

Exhibit C-6

Credit Rating

N/A – CPS credit rating does not exist at this stage of business (startup).

Exhibit C-7

Credit Report

N/A – CPS credit report does not exist at this stage of business (startup).

Exhibit C-8

Bankruptcy Information

None – there have never been any reorganizations, protection from creditors or any other form of bankruptcy filings made by CPS.

Exhibit C-9

Merger Information

None – CPS has never dissolved, merged or been acquired by another entity.

Exhibit C-10

Corporate Structure

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

Appendix I

Contractual Arrangements for Capability Standards Statement

The following is a list of the legal names of the parties that CPS has a valid broker contracts with:

- Constellation NewEnergy, Inc.
- Agera Holdings, LLC
- Direct Energy, LLC
- Engie North America
- BBPC LLC d/b/a Great Eastern Energy
- Interstate Gas Supply, Inc.
- Mega Energy Holdings, LLC
- Sprague Energy
- Hudson Energy Services, LLC

Summary of Services Provided:

The above list of Energy Supply Companies (ESCO's) primary function will be to supply electric commodity service to Ohio Commercial and Industrial consumers. Additionally, electric ESCO's will be able to offer Demand Response service as well.