KRATOS GAS & POWER

ph:1-800-296-2203 email: hello@kratosgp.com
225 Union Blvd Ste 200 Lakewood, CO 80288

FILE

January 23, 2019

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43215-3792

RE: Case No. 11-0027-GA-CRS
Renewal Certification Application

Docketing Clerk:

Enclosed please find an original and three (3) copies of the Renewal Certification Application as a Competitive Natural Gas Supplier of United Energy Trading, LLC d/b/a Kratos Gas & Power to be filed in the above-referenced docket number. As noted in the Renewal Application, certain of the attachments to the filed Exhibits contain confidential information that will be filed under seal via a second, separate letter.

If you have any questions or concerns, please feel free to give me a call at (303) 634-7410.

Sincerely,

Matthew J. Lindsay
Associate General Counsel

RECEIVED-DOCKETING DIV
2019 JAN 24 AM 11:26
PUCO

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Ohio | Public Utilities Commission

PUCO USE ONLY - Version 1.08 May 2016		
Date Received	Renewal Certification Number	ORIGINAL CRS Case Number
		11 -0027 - GA-CRS

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** ☑ **Retail Natural Gas Marketer**

A-2 Applicant information:

Legal Name: United Energy Trading, LLC

Address: 225 Union Boulevard, Ste. 200, Lakewood, CO 80228

Telephone No. 303-991-0984 Web site Address www.unitedenergytrading.com

Current PUCO Certificate No. 11-208G(4) Effective Dates February 27, 2017 through February 27, 2019

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

Name: Kratos Gas & Power

Address: 8044 Montgomery Road, Ste. 700, Cincinnati, OH 45236

Web site Address www.kratosgp.com Telephone No. 1-800-296-2203

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

United Energy Trading, LLC; UET Mexico Holdings, LLC Kratos Gas & Power

United Energy Trading Canada, ULC; UET Midstream, LLC Vecter Fuels

Blue Spruce Energy Services; UET Mexico, S. de R.L. de C.V. Callective

A-5 Contact person for regulatory or emergency matters:

Name Kenneth Thomson Title VP Operations and General Counsel

Business Address 225 Union Boulevard, Ste. 200, Lakewood, CO

Telephone No. 303-991-0984 Fax No. 303-991-0988 Email Address kthomson@uetllc.com

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

Name Stephen Shortell Title Customer Service Representative

Business address 225 Union Boulevard, Ste. 200, Lakewood, CO 80228

Telephone No. 720-897-4758 Fax No. 303-991-0988 Email Address sshortell@uetllc.com

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

Customer service address 225 Union Boulevard, Ste. 200, Lakewood, CO 80228

Toll-Free Telephone No. 1-800-296-2203 Fax No. 303-991-0988 Email Address hello@kratosgp.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 Serafin Barayazarra Title Gas Marketing Representative

Business address 8044 Montgomery Road, Ste. 700, Cincinnati, OH 45236

Telephone No. 1-800-296-2203 Fax No. 303-991-0988 Email Address sbarayazarra@uetllc.com

A-9 Applicant's federal employer identification number 31-1439798

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.)

✔ 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.

✔ Columbia Gas of Ohio

✔ Residential	Beginning Date of Service	April 1, 2017	End Date
✔ Small Commercial	Beginning Date of Service	April 1, 2017	End Date
✔ Large Commercial	Beginning Date of Service	April 1, 2017	End Date
✔ Industrial	Beginning Date of Service	April 1, 2017	End Date

✔ Dominion East Ohio

✔ Residential	Beginning Date of Service	April 1, 2011	End Date
✔ Small Commercial	Beginning Date of Service	April 1, 2011	End Date
✔ Large Commercial	Beginning Date of Service	April 1, 2011	End Date
✔ Industrial	Beginning Date of Service	April 1, 2011	End Date

☐ Duke Energy Ohio

☐ Residential	Beginning Date of Service	End Date
☐ Small Commercial	Beginning Date of Service	End Date
☐ Large Commercial	Beginning Date of Service	End Date
☐ Industrial	Beginning Date of Service	End Date

☐ Vectren Energy Delivery of Ohio

☐ Residential	Beginning Date of Service	End Date
☐ Small Commercial	Beginning Date of Service	End Date
☐ Large Commercial	Beginning Date of Service	End Date
☐ 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:

☐	Columbia Gas of Ohio	Intended Start Date	
☐	Dominion East Ohio	Intended Start Date	
☐	Duke Energy Ohio	Intended Start Date	
✔	Vectren Energy Delivery of Ohio	Intended Start Date	April 1, 2020

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**, 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 **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 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.

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 since applicant last filed for certification.

☑ **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 since applicant last filed for certification.

☑ **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, Fitch IBCA, Moody's Investors Service, Standard & Poor's, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or an affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. If an applicant or its parent does not have such a credit rating, enter "N/A" in Exhibit C-6.

C-7 **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's 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 within the two most recent years preceding the application.

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 Michael Huggins, Managing Director

Sworn and subscribed before me this 23rd **day of** January **Month** 2019 **Year**

Heather R. Kinghorn

Signature of official administering oath

Heather Kinghorn, Notary Public

Print Name and Title

My commission expires on April 22, 2021

HEATHER R KINGHORN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024010707
MY COMMISSION EXPIRES APRIL 22, 2021

The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service
Affidavit Form
(Version 1.07)

In the Matter of the Application of)
United Energy Trading, LLC d/b/a Kratos Gas & Power)
for a Certificate or Renewal Certificate to Provide)
Competitive Retail Natural Gas Service in Ohio.)

Case No. 11 - 0027 **-GA-CRS**

County of Jefferson
State of Colorado

Mike Huggins [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 Mike Huggins, Managing Director

Sworn and subscribed before me this 23rd **day of** January **Month** 2019 **Year**

Heather R. Kinghorn

Signature of Official Administering Oath

Heather Kinghorn, Notary Public

Print Name and Title

HEATHER R KINGHORN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024010707
MY COMMISSION EXPIRES APRIL 22, 2021

My commission expires on April 22, 2021

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

Exhibit A-14 Principal Officers, Directors & Partners

Loren Kopseng	Chief Executive Officer	919 South 7th Street, Ste. 405 Bismarck, ND 58504	701-225-7970
Ryan Kopseng	Secretary	919 South 7th Street, Ste. 405 Bismarck, ND 58504	701-225-7970
Thomas Williams	President	225 Union Boulevard, Ste. 200 Lakewood, CO 80228	303-991-0026
Matthew Hurley	Executive Vice President	20405 State Hwy 249, Ste. 850 Houston, TX 77070	281-655-8989
Scott Russell	Director	919 South 7th Street, Ste. 405 Bismarck, ND 58504	701-225-7970
Jason Hill	Chief Credit Officer	6405 Metcalf Avenue, Ste. 306 Overland Park, KS 66202	913-236-6182
Mike Huggins	Managing Director	225 Union Boulevard, Ste. 200 Lakewood, CO 80228	720-897-4746
Ken Thomson	VP Operations and General Counsel	225 Union Boulevard, Ste. 200 Lakewood, CO 80228	303-991-0984
Kristi Birdsall	Chief Risk Officer	225 Union Boulevard, Ste. 200 Lakewood, CO 80228	303-991-3302
Tim Penney	Director	225 Union Boulevard, Ste. 200 Lakewood, CO 80228	203-200-0009
Seth Alward	Director	Ste. 1800-144-4th Ave SW Calgary, AB T2P 3N4	403-710-2241
KJ Coghlan	Director	919 South 7th Street, Ste. 405 Bismarck, ND 58504	701-222-2290

Exhibit A-15 Company History

Founded in 1984, United Energy Corporation (UEC) is a privately-owned corporation actively engaged in the acquiring, drilling, producing and the reworking of oil and natural gas properties primarily located in the Williston Basin region of North Dakota and Montana. With an exceptional record of safe and environmentally responsible operations, UEC has ownership in over 3,700 gross oil and natural gas wells and had net production of 5,182 BOEPD (barrel oil equivalent per day) as of June 1, 2018.

United Energy Trading, LLC (UET), a subsidiary of UEC, is a fully integrated energy marketing and logistics organization. We are active in the marketing of natural gas and crude oil, as well as related transportation and transmission services throughout the U.S. and Canada. This positioning allows UET to generate value for customers with teams of professionals that focus on providing intelligent solutions for energy logistics, energy marketing, optimization, asset management and risk management needs. UET supplies natural gas to retail customers in the State of California under the trade name "Blue Spruce Energy Services" and the States of Ohio, Michigan and Georgia under the trade name "Kratos Gas & Power."

Exhibit A-16 Articles of Incorporation and Bylaws

These documents have not changed since the initial application.

Exhibit A-17 Secretary of State

Please see the attached certificates issued by Ohio Secretary of State.

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

I, Frank LaRose, 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 KRATOS GAS & POWER, LLC (UNITED ENERGY TRADING, LLC), a North Dakota For Profit Limited Liability Company, Registration Number 1979328, filed on November 24, 2010, 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 17th day of January, A.D. 2019.

Ohio Secretary of State

Validation Number: 201901700654

DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
11/30/2010	201033300811	REG. OF FOR. PROFIT LIM. LIAB. CO. (LFP)	125.00	.00		.00	.00

Receipt

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

UNITED ENERGY TRADING LLC
919 S 7TH ST STE 405
BISMARCK, ND 58504

STATE OF OHIO
CERTIFICATE
Ohio Secretary of State, Jennifer Brunner

1979328

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

KRATOS GAS & POWER, LLC (UNITED ENERGY TRADING, LLC)

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

Document(s)	Document No(s):
REG. OF FOR. PROFIT LIM. LIAB. CO.	**201033300811**

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 24th day of November, A.D. 2010.

Ohio Secretary of State

Prescribed by:
The Ohio Secretary of State
Central Ohio: (614) 466-3910
Toll Free: 1-877-SOS-FILE (1-877-767-3453)

www.sos.state.oh.us
e-mail: busserv@sos.state.oh.us

Expedite this Form: (Select One)	
Mail Form to one of the following:	
○ Expedite	PO Box 1390 Columbus, OH 43216
*** Requires an additional fee of $100***	
◉ Non Expedite	PO Box 670 Columbus, OH 43216

REGISTRATION OF A FOREIGN LIMITED LIABILITY COMPANY

Filing Fee $125.00

2010 NOV 24 AM 11:04

THE UNDERSIGNED DESIRING TO FILE A:

(CHECK ONLY ONE (1) BOX)

(1) ☑ Registration of a Foreign For-Profit Limited Liability Company (106-LFA) ORC 1705	(2) ☐ Registration of a Foreign Nonprofit Limited Liability Company (106-LFA) ORC 1705
State of Organization: North Dakota	State of Organization:
Date of Formation: December 22nd, 2002	Date of Formation:

Name of limited liability company in its state of organization: United Energy Trading, LLC

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its home-state name) is:

Kratos Gas & Power, LLC

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "ltd.," or "ltd"

☐ ***Check here if additional provisions are attached***

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

Name: Sander Kopseng

Street Address / P.O. Box Address: 919 S 7th st unit 405

City: Bismarck | State: ND | Zip code: 58504

The limited liability company hereby appoints the following as its agent upon whom process against the limited liability company may be served in the state of Ohio. The name and complete address of the agent is:

Brian Herbeth (Attorney)
Name

4905 Lake Ave, 4 floor
Mailing Address

Cleveland	Ohio	44102
City	State	Zip Code

☐ **If the agent is an individual and using a P.O. Box, check this box to certify the agent is a resident of the state of Ohio.**

The limited liability company irrevocably consents to service of process on the agent listed above as long as the authority of the agent continues, and to service of process upon the OHIO SECRETARY OF STATE if:

a. an agent is not appointed, or
b. an agent is appointed but the authority of that agent has been revoked, or
c. the agent cannot be found or served after the exercise of reasonable diligence.

REQUIRED
Articles and original appointment of agent must be **(signed)** by a member, manager or other representative.

Signature — November 18th, 2010 Date

Sander Kopseng (UET ATTORNEY)
Print Name

Signature — Date

Print Name

Signature — Date

Print Name

Exhibit B-1 Jurisdictions of Operation

United Energy Trading, LLC (Kratos Gas & Power) is currently providing retail natural gas in California, Oregon, Washington, Texas, Oklahoma, Michigan, Missouri, Kansas, Georgia and Colorado.

Exhibit B-2 Experience and Plans

Kratos Gas & Power has experience with contacting customers, providing contracted services, providing billing statements, and responding to customer inquiries and complaints, as exemplified by the success of its retail operations in California, Ohio, Michigan and Georgia.

Kratos plans on employing a variety of methods to reach customers including call centers, internet marketing and traditional marketing methods.

United Energy Trading has expertise in the full spectrum of natural gas marketing including processing, producer services, end-use markets, storage management, and wholesale marketing. The company will be able to fulfill any requirements in Ohio.

We have a robust billing system in place that we are currently using in California, Ohio, Michigan and Georgia that is fully capable of continuing to meet the needs of our Ohio business.

Kratos Gas & Power has two full-time employees dedicated to proactively and effectively handling customer inquiries and complaints.

Additionally, United Energy Trading has put in place a compliance program that includes:

- A regular review of sales calls and third-party verification calls used to enroll customers and ensure compliance with Ohio Adm.Code 4901:1-29-03 through 4901:1-29-06;
- An audit program for reviewing randomly selected enrollments for compliance when using a third-party contractor;
- Identification of company employee(s) who will be responsible for oversight of this plan; and
- A review schedule that includes a list of any concerns or patterns identified during the reviews.

Exhibit B-3 Summary of Experience

Kratos Gas & Power has been successfully providing retail natural gas on the Dominion East Ohio System for the past six years. Kratos actively participates in the auctions DEO SSO/SCO Auction and was one of the three winning participants in 2018. In addition, Kratos supplies natural gas directly to approximately 175,000 customers (163,000 auction customers) on the Dominion East Ohio System, supplying approximately 42,000 dekatherms/day (annual average).

In California, UET (operating as Blue Spruce Energy) services approximately 29,000 customers on the PG&E system, supplying an average of 7,700 dekatherms/day.

In the latter half of 2012, Kratos expanded operations into the State of Georgia, receiving certification from the Georgia Public Service Commission. Kratos' operations are developing and expanding; but at this time, Kratos services approximately 650 customers, supplying approximately 65 dekatherms/day.

In 2015, Kratos expanded operations into the State of Michigan, receiving certification from the Michigan Public Service Commission. Kratos' operations are developing and expanding; but at this time, Kratos services approximately 2,000 customers, supplying approximately 900 dekatherms/day.

United Energy Trading also services over a hundred large commercial/industrial customers in Missouri, Kansas, Washington and Texas.

Our experience in wholesale marketing will allow us to supply sales in Ohio. We currently move approximately 1.3 bcf/day on over 60 pipelines.

Exhibit B-4 Disclosure of Liabilities and Investigations

On November 9, 2018, UET received correspondence from the Ohio Public Utilities Commission regarding a staff investigation. UET responded to this inquiry on December 3, 2018.

Exhibit C-1 Annual Reports

Annual Reports for fiscal years 2017 and 2018 are filed under seal contemporaneously herewith. The Annual Reports are filed under seal because they contain confidential financial statements and financial arrangements of UET.

Exhibit C-2 SEC Filing

UET is not a public company and therefore is not required to file reports with the Securities and Exchange Commission.

Exhibit C-3 Financial Statements

These are included in our Annual Reports (See Exhibit C-1) and are confidential and, therefore, filed under seal contemporaneously herewith.

Exhibit C-4 Financial Arrangements

UET's financial arrangements are detailed in its Annual Reports (See Exhibit C-1) and are confidential and, therefore, filed under seal contemporaneously herewith. The parental guaranty previously issued by United Energy Corporation and filed with UET's original application remains in place.

Exhibit C-5 Forecasted Financial Statements

Forecasted financial statements for Fiscal Years 2019 and 2020 are filed under seal contemporaneously herewith. They were prepared by Dave Sandy, Financial Controller, 919 South 7th Street, Ste. 405, Bismarck, ND 58504, dsandy@uetllc.com, (701) 214-6458.

UET does not maintain forecasted financial statements in the normal course of business. The forecasted financials are based on a number of factors, including commodity prices, transportation costs, storage costs, weather, etc., which are both unpredictable and out of UET's control. As such, these forecasted financials are illustrative only and not intended to be relied upon by third parties for any purposes whatsoever.

Exhibit C-6 Credit Rating

UET is not rated by S&P or Moody's debt rating services as it has no long-term debt and is a privately held company.

Exhibit C-7 Credit Report

United Energy Trading, LLC's Credit Report from Equifax is attached.

EQUIFAX®

Small Business Credit Report

January 22, 2019

Best Match For Inquiry

Company Profile:

UNITED ENERGY TRADING, LLC
225 UNION BLVD STE 200
LAKEWOOD, CO 80228-1861
(620) 330 - 3991
(720) 897 - 4749

EFX ID®: 737424310

Registered Site

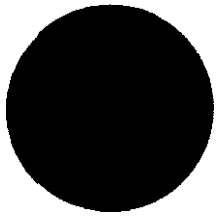
Company Profile:

UNITED ENERGY TRADING, LLC.
919 S 7TH ST STE 300
BISMARCK, ND 58504-5835
(701) 255 - 7970
(303) 991 - 0988
(701) 250 - 9367

EFX ID®: 737424113

Credit Utilization

Total Credit Limit of $4,000 (financial accounts only)



Available Credit $0.00 (0%) • Credit Line Utilized $4,000.00 (100%)

Days Beyond Terms

Average days beyond terms by date reported (non-financial accounts only)

Credit Risk Score

597

101 992

Key Factor(s)

- Available Credit Limit on Revolving Trades Suggest Higher Risk
- Available Credit Limit on Installment Trades Suggest Higher Risk
- Evidence of Non Financial Trades Ever Cycle 2+ Delinquent or Charge-Off
- 67 Percent of Business Leases to Total Financial Trades

Payment Index

75

0 100

Industry Median: 88

Payment Index	Days Past Due
90+	Paid As Agreed
80-89	1-30 Days Past Due
60-79	31-60 Days Past Due
40-59	61-90 Days Past Due
20-39	91-120 Days Past Due
1-19	120+ Days Past due

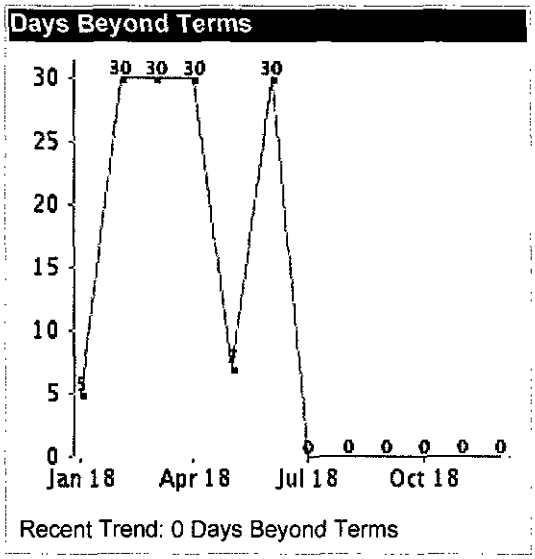
Business Failure Score

1,301

1,000 1,880

Key Factor(s)

- Firm's Payment Pattern Compared to Industry Average Suggests Higher Risk
- Payment Index Suggests Higher Risk
- High Average Revolving Utilization Rate
- Available Credit Limit on Revolving Trades Suggest Higher Risk


Days Beyond Terms
30
25
20
15
10
5
0
30 30 30
30
5
0 0 0 0 0 0
Jan 18
Apr 18
Jul 18
Oct 18
Recent Trend: 0 Days Beyond Terms

EQUIFAX®

Small Business Credit Report January 22, 2019

Bureau Summary Data

	Financial	Non-Financial
Number of accounts	1	15
Credit Active Since	12/20/2001	01/30/1995
Number of Charge-Offs	0	0
Total Past Due	$0	$227,789
Most Severe Status in 24 Months	Current	Slow up to 90
Single Highest Credit Extended	$4,000	$226,623
Total Current Credit Exposure	$4,000	$231,740
Median Balance	NR	$169
Average Open Balance	NR	$15,449
Recent Activity **(Since 10/01/2018)**		
Number of Accounts Delinquent	0	1
New Accounts Opened	0	0
Inquiries	0	0
Accounts Updated	0	10

NR = None Reported

Inquiries

08/13/2018 - Non-Financial
04/13/2018 - Non-Financial
01/14/2016 - Non-Financial

Bureau Messages

1. Legal entity has more than one site
2. This business or one of its sites is in an area that may have been impacted by a natural disaster or other catastrophic event
3. Additional information was limited to inquired and headquarters site aliases/akas and corresponding ID information.

EQUIFAX®

Small Business Credit Report — January 22, 2019

Public Records

Summary

Type Status	Number	Dollar	Most Recent Date Filed
Bankruptcies	0	$0	None Reported
Judgments	0	$0	None Reported
Satisfied	0	$0	
Liens	0	$0	None Reported
Filed and Open	0	$0	
Released	0	$0	

NR = None Reported

Details

Business Registration

Registered Name	RAINBOW ENERGY MARKETING CORPORATION
Filing Date	10/14/2014
Incorporation Date	06/15/1993
Incorporation State	ND
Status	ACTIVE
Registry Number	9825200

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Additional Information

Alternate Company Names and DBA's

No Alternate Company Information available.

Owners and Guarantor Names

No Owner and Guarantor Names available.

Business and Credit Grantor Comments

No comments available.

Report Details

Report Generated on 01/22/2019

EQUIFAX®

Location(s)

Best Match for Inquiry

Provides the business name and address on the file which most closely matches your inquiry information.

Registered Site

If present, this is the site registered with the Secretary of State.

Scores

Credit Risk Score

The Small Business Credit Risk Score™for Financial Services is designed to assist credit grantors in improving risk assessment throughout a small business's account like cycle, reducing delinquency rates and improving profitability. The score utilizes unique bank loan, credit card, and lease information, as well as supplier, telco and utility credit history, public records, and firmographic data from the Equifax Commercial database.

The score predicts the likelihood of a small business incurring greater than 90 days severe delinquency or charge-off over the next 12 months.

Score range is 101 - 992, with the lower score indicating higher risk. A score equal to 0 indicates a bankruptcy on file. Up to four reason codes may be returned which indicate the top factors influencing the score.

Payment Index

A dollar-weighted indicator of a business's past and current payment performance based on the total number of financial and non-financial payment experiences in the Equifax Commercial database. The median Payment Index for the inquired business's industry is also shown for benchmark purposes, provided there is enough information in the Equifax Commercial database on that particular industry to ensure a statistically valid value. The chart shown provides a suggested interpretation of the Payment Index value.

Business Failure Score

The Business Failure Risk Score™ is designed to predict the likelihood of a business failure through either formal or informal bankruptcy within a 12-month period.

Score range is 1,000 - 1,880, with the lower score indicating higher risk. A score equal to 0 indicates a bankruptcy on file. Up to four reason codes may be returned which indicate the top factors influencing the score.

Bureau Data

Credit Utilization

Illustrates available credit line dollars which could be used for meeting other financial obligations. Credit line dollars based on revolving financial accounts; excludes term loans, leases, and charged-off accounts; includes open, revolving accounts and closed accounts still owing a balance.

Days Beyond Terms

Displays the dollar-weighted average days beyond terms on non-financial accounts within the last 12 months from the date of the inquiry. If no information was reported for a given month within the 12-month period, no line will appear in the graph for that month.

The 'Recent Trend' is the Average Days Beyond Terms calculated within the last 120 to 150 days from the date of inquiry.

Inquiries

Shows recent inquires on the company.

Bureau Messages

Messages regarding the credit report or on events that may warrant additional attention.

Bureau Summary Data

Summarizes credit data into financial and non-financial segments and allows you to quickly assess the risk level of the business by providing key summary attributes. The 'Recent Activity' section highlights recent key activities that have occurred on the file within the last 120 to 150 days from the date of the inquiry.

Public Record Information

Summary and detailed information for any bankruptcies, judgments or liens on file for the business; also includes business registration information obtained from Secretary of State Office or other trusted sources.

Additional Information

Alternate company information including DBA names, addresses, phone numbers and, if applicable, the parent company; includes owner/guarantor information and comments from business owners or credit grantors.

EQUIFAX®

Dispute Information

THANK YOU FOR PURCHASING YOUR EQUIFAX SMALL BUSINESS CREDIT REPORT.

The business report contains financial and non-financial information reported by third parties relating to your business. Equifax has taken great care to report this information correctly. The business report is designed to capture the complete history of the business including payment performance and public record information. A change of ownership, a change of legal entity type (for example, sole proprietor to LLC), a change of location, an expansion to additional locations, or other common business events do not eliminate historical data regarding the business.

Equifax provides your business with a dispute process to address any perceived inaccuracies on the report. Only the business owner or registered corporate officers of the company may dispute a report on their company. If you are not the owner / officer or the business report in question is not your business then you cannot file a dispute.

The dispute process is not intended to provide the business an opportunity to dispute and request the removal of accurate historical information (positive or negative) about the business. Additionally, only that information contained in the Public Records and Bureau Data sections of the report may be changed as a result of a dispute. However, your business does have the opportunity to provide a statement of explanation that can be added as a comment to other sections of the report. The comment may be reviewed and/or used by recipients of a business report to help understand your business's past history. Depending on the nature of the statement, Equifax may require supporting documentation.

If you believe there is any inaccuracy with the report's information, please email us at customerservice@equifaxsmallbusiness.com . We will work with you to determine the details of the dispute and supply you with a Research Request form. Once you know the details of your dispute you will need to complete the Research Request Form and send it to us. Upon receipt of the completed Research Request Form, Equifax will forward a request for verification to the reporting entity. After completion of the verification process, Equifax will notify you in writing of the results.

Please refer to the Equifax Small Business web site for additional details on how your business information is gathered and reported by Equifax. If you have any further questions about your Equifax Small Business Report, feel free to contact the Customer Service department.

Thank you for the opportunity to serve you.
EQUIFAX SMALL BUSINESS TEAM

This information is provided in confidence for your exclusive use for legitimate business purposes. This information shall not be reproduced. Equifax and its sources do not warrant this information and shall not be liable for your use or dependence upon it.

Exhibit C-8 Bankruptcy Information

UET has never filed for bankruptcy or reorganization in its history, nor has its parent, United Energy Corporation, its affiliates, or its subsidiaries.

Exhibit C-9 Merger Information

Neither UET, nor its parent, affiliates or subsidiaries, has ever been dissolved, merged or been acquired since UET last filed for certification.

Exhibit C-10 Corporate Structure

See attached organization chart. The following affiliates and/or subsidiaries supply retail or wholesale natural gas or electricity: Rainbow Gas Company, Rainbow Energy Marketing Corporation, United Energy Trading, LLC and United Energy Trading Canada, ULC.

UET Ownership and Organization Chart

Rev. May 2018

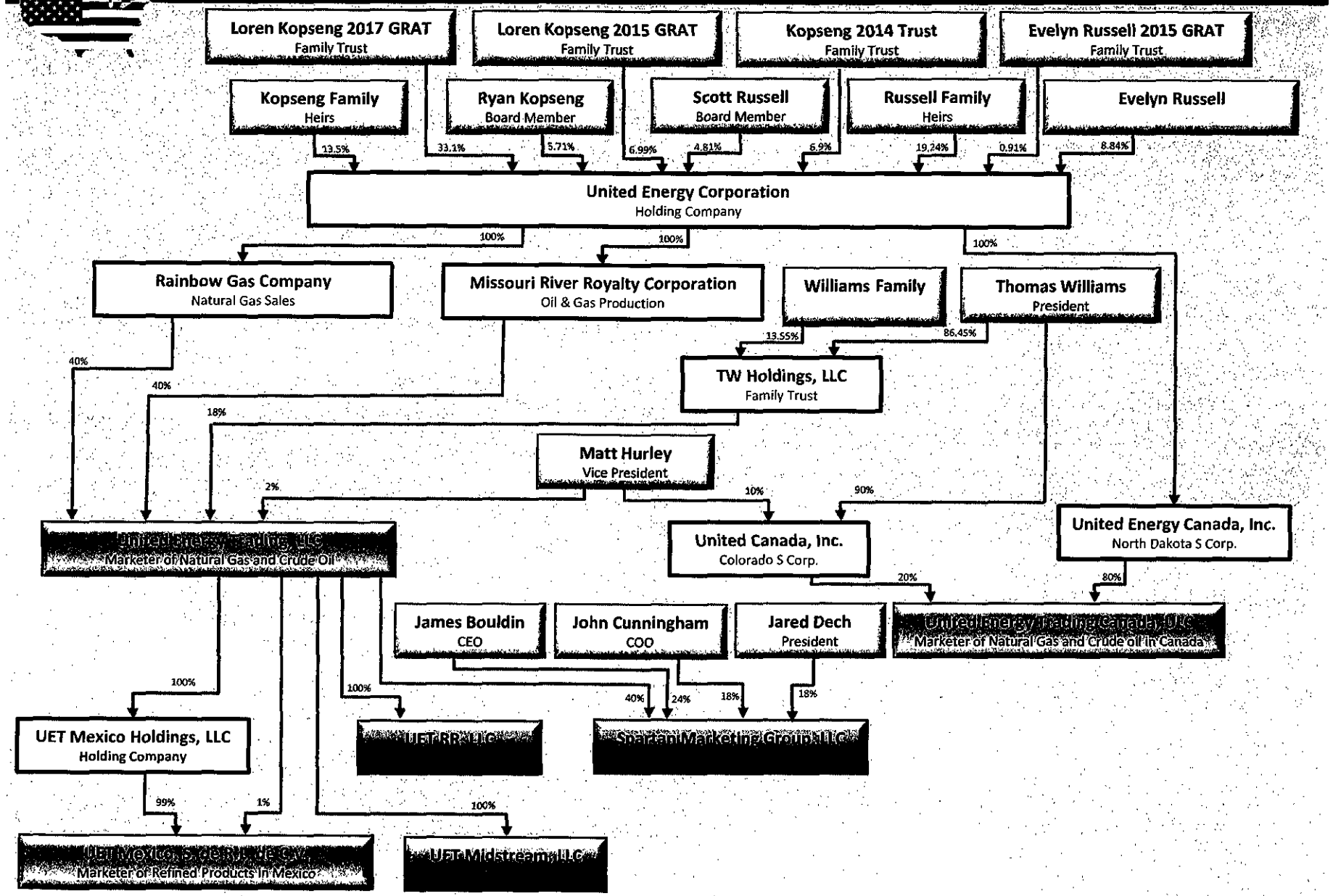

Exhibit D-1 Operations

UET's operations include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas city gate for retail customers.

Exhibit D-2 Operations Expertise

As evidenced by its success over the past six years, Kratos is fully capable of providing retail natural gas service in Ohio. UET has extensive experience in the Ohio area and currently services approximately 75,500 retail customers in Ohio. UET's scheduling group has extensive experience in Ohio and currently nominates all gas supplied to Kratos' customers. Our accountants and back office have experience in both wholesale and retail natural gas transactions.

Exhibit D-3 Key Technical Personnel

Thomas Williams
President
225 Union Boulevard, Ste. 200
Lakewood, CO 80228
twilliams@uetllc.com
(303) 991-0026

Tom Williams is the President at United Energy Trading. Tom took on scheduling and trading duties at Kinder Morgan where he was responsible for all sales and purchases on the Kansas/Nebraska system. Continuing at Wildhorse Energy Partners, Tom held the role of Director of Marketing and was responsible for all aspects of its gas trading business. Joining Tom Brown, Inc., Tom continued working as the Director of Marketing, responsible for managing Tom Brown's production, transport, storage, and marketing. Before founding United Energy Trading, Tom managed a proprietary book of business based in the Rockies, at first Millennium Gas Marketing, then Tegra Energy Services. As president of UET, Tom is responsible for all aspects of UET's trading and marketing activities including the growth and operations for 10 offices and roughly 70 employees.

Michael Huggins
Managing Director
225 Union Boulevard, Ste. 200
Lakewood, CO 80228
mhuggins@uetllc.com
(720) 897-4746

Mike Huggins is the Managing Director at United Energy Trading. Mike joined UET in March 2009. His main focus is managing UET's Retail Marketing Book. Mike is also part of a group whose focus is wholesale gas marketing in the Rockies West region. Mike graduated from the University of Illinois with a degree in statistics. Mike started his career in 1995 at Western Gas Resources as a Financial Analyst. Two years later, Mike began trading derivatives at Western. He became WGR's lead financial trader shortly thereafter, trading Nymex, Basis, and Options, with a focus on the Rockies. In 2007, Mike was hired by High Sierra Energy as their risk officer. He went on to help create and manage High Sierra's wholesale gas marketing group.

Serafin Barayazarra
Gas Marketing Representative
225 Union Boulevard, Ste. 200
Lakewood, CO 80228
sbarayazarra@uetllc.com
(720) 897-4745

Serafin started his career in the natural gas business in 1999 as a financial staff accountant with Western Gas Resources, Inc. where he was responsible for preparing the monthly financial reports for eight natural gas and liquid plants. In 2000, Serafin made the move from accounting to marketing as a financial analyst, where he was responsible for tracking the daily futures and derivative trading activities for WGR's corporate financial trading desk. In 2001, he made the move from the financial side of the business to the physical side as an Associate Gas Marketing Representative. His duties included providing analytical support to the physical gas marketing team. In 2005, Serafin joined WGR's gas marketing team where he was responsible for maximizing sales revenue for WGR's Rockies production, as well as monetizing storage and transportation contracts in the Rockies region and in Canada. In 2007, Serafin left WGR/Anadarko to join High Sierra Energy, LLC in their efforts to start up a wholesale natural gas group. In the spring of 2009, Serafin left High Sierra Energy to join United Energy Trading, LLC where he trades in the West Coast and Rockies regions and helps optimize Canadian storage contracts.

Brian Potts
Gas Marketing Representative
225 Union Boulevard, Ste. 200
Lakewood, CO 80228
bpotts@uetllc.com
(303) 991-1740

Brian Potts started his career in the energy industry in 2001 with Aquila Merchant Services in Kansas City, MO as a Gas Scheduler, and moved to Gas Trading within the year. He then joined Southwest Gas Corp in Las Vegas, NV as a Specialist in the Gas Purchases and Transportation division. In 2006, Brian joined United Energy Trading, LLC as a Natural Gas Marketer in the Rockies. Brian has scheduling and trading experience on gas pipelines and hubs throughout the Rockies, Pacific Northwest, Southwest, California, and AECO areas. Brian is a graduate of the University of Kansas, with a Bachelor of Arts degree in Psychology.

Dean Tran
Scheduler
225 Union Boulevard, Ste. 200
Lakewood, CO 80228
dtran@uetllc.com
(303) 615-7391

Dean Tran is a Natural Gas Scheduler at United Energy Trading with a focus on Northeast, Rockies, West and Gulf interstate and intrastate natural gas pipeline systems. Dean has been in the Finance Industry for almost 20 years in various roles primarily within the Portfolio Management and Private Wealth Industry. Dean transitioned into the Commodities Industry in 2009 to focus on the growing Natural Gas Industry. Dean graduated from the Hankamer School of Business at Baylor University. He has a Bachelor of Business Administration with an emphasis in Information Systems and Marketing.

Stephen Shortell
Manager – Natural Gas Operations
225 Union Boulevard, Ste. 200
Lakewood, CO 80228
sshortell@uetllc.com
(720) 897-4758

Steve found his way to the oil and gas industry after spending over 10 years in financial services where he focused on serving the needs of individual customers. In 2011, he joined United Energy's risk group where he was responsible for ensuring accuracy in United Energy's accounts payable. As a dedicated Customer Service Representative, Steve is responsible for servicing the needs of United Energy's retail natural gas customers. Steve is committed to delivering the highest level of customer service to each and every retail natural gas customer and ensuring their questions and concerns are addressed timely, professionally and to the customer's satisfaction. In addition to providing service to customers, he is the point man for all contact between the PUC and United Energy in several states. He has an integral role in managing the relationships with third parties United Energy does business with. Steve holds a Bachelor of Science in Business Administration degree with a concentration in Finance from the University of Northern Colorado.

Dave Sandy
Financial Controller
919 South 7th Street, Ste. 405
Bismarck, ND 58504
dsandy@uetllc.com
(701) 214-6458

Dave Sandy is the Manager of Accounting for United Energy Trading. Dave oversees a staff of nine that handles volume actualizing, invoicing, settlements, cash management, foreign exchange, imports, gross production taxes and sales tax reporting. Dave came to UET in August 2006 after a six year stint working for the State of North Dakota. Dave received his bachelor's degree in accounting from the University of North Dakota. The UET accounting office is headquartered in Bismarck, ND with its parent company, United Energy Corporation.