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Public Utilities Commission

Original AGG Case Number	Version
17-1539-EL-AGG	May 2016

RENEWAL APPLICATION FOR ELECTRIC AGGREGATORS/POWER BROKERS

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit C-10 Corporate Structure). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division; 180 East Broad Street, Columbus, Ohio 43215-3793.

This PDF form is designed so that you may input information directly onto the form. You may also download the form, by saving it to your local disk, for later use.

A. RENEWAL INFORMATION

A-1 Applicant intends to be certified as: (check all that apply)

☒ Power Broker ☐ Aggregator

A-2 Applicant's legal name, address, telephone number, PUCO certificate number, and web site address

Legal Name Emuna Energy, LLC
 Address 629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114
 PUCO Certificate # and Date Certified 17-1259E (1) Effective as of 9/8/2017
 Telephone # (216) 464-2860 Web site address (if any) N/A

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

Legal Name Emuna Energy, LLC
 Address 629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114
 Telephone # (216) 464-2860 Web site address (if any) N/A

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

Emuna Energy, LLC

A-5 Contact person for regulatory or emergency matters

Name Ezra Stark
 Title Manager
 Business address 629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114
 Telephone # (216) 464-2860 Fax # (216) 464-1458
 E-mail address legal@starkenterprises.com

PUCO

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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 A Date Processed 7/31/19

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

Name Sarah Ryzner
Title General Counsel
Business address 629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114
Telephone # (216) 464-2860 Fax # (216) 464-1458
E-mail address legal@starkenterprises.com

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

Customer Service address 629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114
Toll-free Telephone # (216) 464-2860 Fax # (216) 464-1458
E-mail address legal@starkenterprises.com

A-8 Applicant's federal employer identification number # 26454370

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 checked="" type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Other _____ |

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

B. APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

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

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

☒ No ☐ Yes

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

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

☐ No ☒ Yes

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

C. FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

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

C-2 **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If the applicant does not have such filings, it may submit those of its parent company. An applicant may submit a current link to the filings or provide them in paper form. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 that the applicant is not required to file with the SEC and why.

C-3 Exhibit C-3 “Financial Statements,” provide copies of the applicant’s two most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. If the applicant does not have a balance sheet, income statement, and cash flow statement, the applicant may provide a copy of its two most recent years of tax returns (with social security numbers and account numbers redacted).

C-4 Exhibit C-4 “Financial Arrangements,” provide copies of the applicant's financial arrangements to conduct CRES as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.).

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

First time applicants or applicants whose certificate has expired as well as renewal applicants can meet the requirement by one of the following methods:

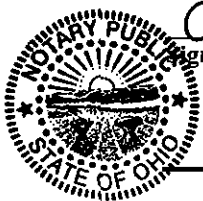
1. The applicant itself stating that it is investment grade rated by Moody’s, Standard & Poor’s or Fitch and provide evidence of rating from the rating agencies.
2. Have a parent company or third party that is investment grade rated by Moody’s, Standard & Poor’s or Fitch guarantee the financial obligations of the applicant to the LDU(s).
3. Have a parent company or third party that is not investment grade rated by Moody’s, Standard & Poor’s or Fitch but has substantial financial wherewithal in the opinion of the Staff reviewer to guarantee the financial obligations of the applicant to the LDU(s). The guarantor company’s financials must be included in the application if the applicant is relying on this option.
4. Posting a Letter of Credit with the LDU(s) as the beneficiary.


If the applicant is not taking title to the electricity or natural gas, enter "N/A" in Exhibit C-4. An N/A response is only applicable for applicants seeking to be certified as an aggregator or broker.

- C-5 **Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted income statements for the applicant's **ELECTRIC related business activities in the state of Ohio Only**, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecasts should be in an annualized format for the two years succeeding the Application year.
- C-6 **Exhibit C-6 "Credit Rating,"** provide a statement disclosing the applicant's credit rating as reported by two of the following organizations: Duff & Phelps, Fitch IBCA, Moody's Investors Service, Standard & Poor's, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or an affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. If an applicant or its parent does not have such a credit rating, enter "N/A" in Exhibit C-6.
- C-7 **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from 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.

 **President**
Signature of Applicant & Title

Sworn and subscribed before me this 18 day of July, 2019
Month Year




Audrey Oswick
Notary Public - State of Ohio
My Commission Expires
January 31, 2022

Audrey Oswick, Notary
Print Name and Title

My commission expires on 1/31/2022

AFFIDAVIT

State of OHIO :

Cleveland ss.
(Town)

County of CUNAHOGA :

Ezra F. Stark, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/She is the President (Office of Affiant) of Emuha Energy, LLC (Name of Applicant);

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


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

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

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


Signature of Affiant & Title

Sworn and subscribed before me this 18 day of July, 2019
Month Year


Signature of official administering oath

Audrey Oswick, Notary
Print Name and Title



AUDREY OSWICK
Notary Public - State of Ohio
My Commission Expires
January 31, 2022

My commission expires on 1/31/22

Emuna Energy, LLC

EXHIBIT A-10 "Principal Officers, Directors, & Partners"

Names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials:

- 1) Ezra Stark, Manager and Member;
629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114.
(216) 464 – 2860
- 2) David Stark, Member
629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114.
(216) 464 – 2860
- 3) Talia Stark, Member
629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114.
(216) 464 – 2860
- 4) Jacob Samuel Stark, Trustee of the Jacob Samuel Stark Revocable Separate Property
Trust, Member
629 Euclid Avenue, Suite 1300, Cleveland, Ohio 44114.
(216) 464 – 2860

Officers:

- 1) Ezra F. Stark – President
- 2) Raymond J. Weiss, Jr. – Treasurer and Secretary

Emuna Energy, LLC

EXHIBIT B-1 “Jurisdictions of Operation”

In addition to being licensed in Ohio, Emuna Energy, LLC is currently licensed as a Public Utility – Agents, Brokers and Consultants (“ABC”) in the state of Illinois.

Emuna Energy, LLC

EXHIBIT B-2 "Experience & Plans"

Emuna Energy is a recognized channel partner of Energy Market Exchange and Dynegy Energy Services and will act as the non-exclusive agent of business customers to price out the customer's electricity usage. Emuna Energy also seeks to become channel partners with other certified electric generators so that the customer has numerous pricing proposals to consider. All billing is done by the certified electric generator, as with all collection. In some limited circumstances, Emuna Energy will be the exclusive agent of the business customer for purposes of pricing their electricity usage. Contracts with other customers will delineate whether Emuna Energy is their exclusive agent or whether it is acting on a non-exclusive basis. Emuna Energy will respond to any customer inquiries or complaints in accordance with the Commission's rules.

Emuna Energy, LLC

EXHIBIT B-3 "Disclosure of Liabilities and Investigations"

There are no known existing, pending or past rulings, judgements, 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 seeks to be certified to provide.

Emuna Energy, LLC

EXHIBIT B-5 “Disclosure of Certification Denial, Curtailment, Suspension or Revocation”

Due to miscommunication and failure to timely file a renewal certification application in 2017, the certification previously granted to Emuna Energy, LLC was cancelled. The cancellation was only due to mistakenly failing to file the renewal application in 2017, and for no other cause or misconduct on behalf of Emuna Energy, LLC.

Emuna Energy, LLC

EXHIBIT C-1 “Annual Reports”

Applicant does not prepare any annual reports for its members.

Emuna Energy, LLC

EXHIBIT C-2 “SEC Filings”

Applicant is a closely and privately-owned family company and does not prepare filings for the SEC.

Emuna Energy, LLC

EXHIBIT C-3 "Financial Statements"

Filed under seal.

Emuna Energy, LLC

EXHIBIT C-4 “Financial Arrangements”

Emuna Energy, LLC does not currently have any financial arrangements. However, in this regard, Emuna Energy's intention is not to purchase electricity, but rather to act on behalf of the business customer to obtain pricing proposals from Energy Market Exchange and Dynegy Energy Services (and eventually, additional certified electric generators). If a pricing proposal is accepted by the business customer, they will be contracting directly with the electric generator for the service, not with Emuna Energy.

Emuna Energy, LLC

EXHIBIT C-5 “Forecasted Financial Statements”

Filed under seal.

Emuna Energy, LLC

EXHIBIT C-6 "Credit Rating"

Given that Emuna Energy, LLC does not have any financial obligations at this time, it does not currently have any reported credit ratings. However, in this regard, Emuna Energy' s intention is not to purchase electricity, but rather to act on behalf of the business customer to obtain pricing proposals from Energy Market Exchange and Dynegy Energy Services (and eventually, additional certified electric generators). If a pricing proposal is accepted by the business customer, they will be contracting directly with the electric generator for the service, not with Emuna Energy.

Emuna Energy, LLC

EXHIBIT C-7 "Credit Report"



EXHIBIT C-7 "CREDIT REPORT"

CreditScoreSM Report

as of: 07/30/19 10:21 ET

Emuna Energy, LLC

Address: 629 Euclid Ave Ste 1300
Cleveland, OH 44114-3003
United States

Website: emunaenergy.com

Experian BIN: 907944087

Agent: C T Corporation System

Agent Address: 208 So Lasalle ST Suite 814
Chicago, IL

Also is (or has been) operating as:

Emuna Energy LLC

Family Linkage:

Ultimate Parent: Emuna Energy, LLC
629 Euclid Ave Ste 1300
Cleveland, OH

Branches / Alternative Locations: Emuna Energy, LLC
1350 W 3rd St
Cleveland, OH United States

Key Personnel:

SIC Code: 1711-Plumbing, Heating & A/C
Contractors

NAICS Code:

1382-Oil & Gas Exploration Services
238220-Plumbing, Heating, And Air-
Conditioning Contractors
213112-Support Activities For Oil And
Gas Operations

Business Type:

Corporation

Experian File Established:

April 2009

Experian Years on File:

10 Years

Years in Business:

More than 10 Years

Total Employees:

5

Sales:

\$744,000

Filing Data Provided by:

Ohio

Date of Incorporation:

07/24/2013

Experian Business Credit Score

23

Business Credit Score



Medium-High Risk

The objective of the Experian Business Credit Score is to predict payment behavior. High Risk means that there is a significant probability of delinquent payment. Low Risk means that there is a good probability of on-time payment.

Key Score Factors:

- Risk associated with the company's industry.
- Company's business type.
- Number of employees.

Business Credit Scores range from a low of 1 to high of 100 with this company receiving a score of 23. Higher scores indicate lower risk. This score predicts the likelihood of serious credit delinquencies within the next 12 months. This score uses tradeline and collections information, public filings as well as other variables to predict future risk.

Experian Financial Stability Risk Rating

4

**Financial Stability Risk
Rating**



Medium-High Risk

**A Financial Stability Risk Rating of 4 indicates a
10% potential risk of severe financial distress
within the next 12 months.**

Key Rating Factors:

- Lack of active trades.
- Risk associated with the business type.
- Employee size of business.
- Risk associated with the company's industry sector.

Financial Stability Risk Ratings range from a low of 1 to high of 5 with this company receiving a rating of 4. Lower ratings indicate lower risk. Experian categorizes all businesses to fit within one of the five risk segments. This rating predicts the likelihood of payment default and/or bankruptcy within the next 12 months. This rating uses tradeline and collections information, public filings as well as other variables to predict future risk.

Credit Summary

This location does not yet have an estimated Days Beyond Terms (DBT), or a Payment Trend Indicator. This is often the result of too few active Payment Tradelines.

Please refer to Experian's www.BusinessCreditFacts.com website for more information on establishing Payment Tradelines.

Payment Tradelines / Commercial accounts: 0
UCC Filings: 0

✗ Businesses Scoring Worse: 22%
✓ Bankruptcies: 0
✓ Liens: 0
✓ Judgments Filed: 0
✓ Collections: 0

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Emuna Energy, LLC

EXHIBIT C-8 "Bankruptcy Information"

No bankruptcies or other type of reorganization has taken place for Emuna Energy, LLC or any affiliated organization.

Emuna Energy, LLC

EXHIBIT C-9 “Merger Information”

No dissolution, merger or acquisition has taken place involving Emuna Energy, LLC.

Emuna Energy, LLC

EXHIBIT C-10 "Corporate Structure"

Emuna Energy, LLC is managed by its Manager, currently, Ezra Stark. Subject to any limitations set forth in the Ohio Revised Code, the Manager has the has all power and authority to manage, and, direct the management of, the business and affairs of the company.

Corporate Structure:

