

PUCO USI	E ONLY – Version 1.08	May 2016
Date Received	Renewal Certification	ORIGINAL CRS
	Number	Case Number
		11 - 4795 - 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

\-1	Applicant i	ntends t	o renew i	ts certificat	e as: (chec	k all that	apply)		
	Retail Na	tural Ga	s Aggregat	tor 🔲 Re	etail Natura	ıl Gas Bro	ker	☑ Re	tail Natural Gas Marketer
-2	Applicant i	nformat	ion:						
	Legal Name Address		M Energy O Market St. S	hio, LLC Suite 1000, Ph	niladelphia, P	A 19104			
	Telephone No.	(888)	(888) 997-8979			Web site	Address	www.	xoomenergy.com
	Current PUCO	Certifica	te No.	11-223G(4)	Effec	tive Dates	1/5/18	-1/5/20	
-3	Applicant in	nformat	ion under	which app	olicant wil	do busin	ess in O	hio:	
	Name	XOC	M Energy O	hio, LLC					
	Address	3711	3711 Market St. Suite 1000, Philadelphia, I			A 19104			
	Web site Addr	ess w	www.xoomenergy.com		Telephone No. ((888) 9	97-8979	
-4	List all names under which the applicant does business in North America:								
	XOOM Energy (Ohio, LLC							
-5	Contact per	rson for	regulator	y or emerg	ency matt	ers:			
	Name Lin	dsay Cerv	enak			Title Regulate		gulatory Compliance Manager	
	Business Addr	ess	3711 Mark	cet St. Suite 10	000, Philadel	phia, PA 19	104		
	Telephone No.	267-2	95-5843	Fax No.			Email Ad	ldress	lindsay.cervenak@nrg.com

A-6	Contact	person f	for C	ommissi	on Staff	use in i	investiga	gating customer complaints:				
	Name Patricia Kulesa					Titl			Complian	nce Man	ager	
	Business address 11208 Statesville Rd. Suite 200, Hunters				ntersville,	NC 2807	8					
	Telephone	No. 704-	274-30	000	Fax No				Email Add	ress	consumeraffairs@	xoomenergy.
A-7	Applica	nt's addı	ress a	nd toll-f	ree nun	iber for	custom	er serv	ice and co	omplai	ints	
	Customer	service ado	dress	11208 S	Statesville	Rd. Suite	200, Hun	tersville, I	NC 28078			
	Toll-Free	Telephone	No. 8	888-997-89	79	Fax No.			Email	Addres	s customercare@)xoomenergy.
A-8		Code, b	y listi	ing name		-	•				on 4929.22 of Web site add	
	Name	Joseph Fe	etzer					Title	Sales Qu	uality and	d Training	
	Business address 4802 Brixston Drive, Hillard, OH 43026											
	Telephon	e No. 614	-582-7	508	Fax No.			Ema	il Address	joseph	.fetzer@nrg.com	
				_				45 10	285939			
A-9	Applica	nt's fede	ral er	mployer	identific	cation n	umber	45-12	.00909			
A-10	Applica	nt's forn	n of o	wnershi	p: (Che	ck one)						
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	Limi	ted Liabi	lity P	artnershi	p (LLP)		~	Limited	d Liability	Comp	any (LLC)	
	☐ Corp	oration						Other				
A-11	currentle class the commercian Section than 500,0 residential	y provident the approved the approved the approved to the appr	ling s pplica //or la L)(1) o feet of art of a	ervice or ant is cu rge common f the Ohio natural ga n undertak	r intend arrently mercial/ Revised s per year ing havin	s to pro serving industric Code, me r at a sing g more th	yide ser g or int ial (merc ans a cus gle location an three le	ends to eantile) tomer that in within ocations v	cluding idea of serve, for customer at consumes the state of within or out	dentification or exacts. (A mass, other consumutside of	which the a cation of each mple: resident than for residentines natural gas, of this state. In according customer than the customer than the category of the category of the customer than the category of t	at customer atial, small er, as defined al use, more other than for cordance with

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.)

	✓ C	olumbia Gas of Ohio		Re	sidential	~	Small Commercia	al / Larg	e Commercial / Industria
	D	ominion East Ohio		✓ Re	sidential	~	Small Commercia	al 🗸 Larg	e Commercial / Industria
	✓ D	uke Energy Ohio		✓ Re:	sidential	~	Small Commercia	l Larg	e Commercial / Industria
	v	ectren Energy Delivery	of Ohio	✓ Re	sidential	~	Small Commercia	al 🗸 Larg	e Commercial / Industria
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	Coran	Residential	Raginnia	ng Dat	e of Servi	ica	4/2012	End Date	
	\[\bullet \]	Small Commercial	- C	Ü	e of Servi			End Date	
	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Large Commercial			e of Servi			End Date	
		Industrial			e of Servi		11/2012	End Date	
			2 ·g	-g 2				2114 2 414	
	Domi	nion East Ohio							
	_	Residential	Beginnii	ng Dat	e of Servi	ice	2/2013	End Date	
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	~	Large Commercial	Beginnii	ng Dat	e of Servi	ice	11/2012	End Date	
		Industrial	Beginnin	ng Dat	e of Servi	ice		End Date	
~	Duke	Energy Ohio							
	~	Residential	Beginnin	ng Dat	e of Servi	ice	4/2012	End Date	
	~	Small Commercial	Beginnin	ng Dat	e of Servi	ice	4/2012	End Date	
	~	Large Commercial	Beginnin	ng Dat	e of Servi	ice	3/2013	End Date	
		Industrial	Beginnin	ng Dat	e of Servi	ice		End Date	
~	Vectr	en Energy Delivery o	f Ohio						
	~	Residential	Beginnin	ng Dat	e of Servi	ice	7/2012	End Date	
	~	Small Commercial	Beginnin	ng Dat	e of Servi	ice	7/2012	End Date	
	~	Large Commercial	Beginnin	ng Dat	e of Servi	ice	8/2015	End Date	
		Industrial	Doginal	a Det	o of Com			End Data	

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	

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.

	1	No	☐ Yes
ı		110	

If Yes, provide a separate attachment labeled as <u>Exhibit B-5 "Disclosure of Consumer Protection Violations,"</u> 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
. ■	110	

If Yes, provide a separate attachment, labeled as <u>Exhibit B-6 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation,"</u> 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 <u>Exhibit C-3 "Financial Statements,"</u> 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 <u>Exhibit C-4 "Financial Arrangements,"</u> 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 <u>Exhibit C-5 "Forecasted Financial Statements</u>," provide two years of forecasted income statements for the applicant's **NATURAL GAS related business activities in the state of Ohio Only**, along with a list of assumptions, and the name, address, email address, and telephone number of the preparer. The forecasts should be in an annualized format for the two years succeeding the Application year.
- C-6 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 <u>Exhibit C-7 "Credit Report,"</u> provide a copy of the applicant's current credit report from Experion, Dun and Bradstreet, or a similar organization. An applicant that provides an investment grade credit rating for Exhibit C-6 may enter "N/A" for Exhibit C-7.
- C-8 <u>Exhibit C-8 "Bankruptcy Information,"</u> 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 <u>Exhibit C-9 "Merger Information,"</u> 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 <u>Exhibit D-1 "Operations</u>," 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 <u>Exhibit D-2 "Operations Expertise</u>," 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 <u>Exhibit D-3 "Key Technical Personnel,"</u> 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	Mea San	— Use	e PresiLut		
Sworn and subscribed before me this 20	nd day of	December	Mont	h 2019	Year
LindbayCen	K	indsay Cerve	nak, Notary Public		
Signature of official administering oath		Print Name	and Title		CHILD CONTROL CHIPSELE
COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Lindsay Marie Cervenak. Notary Public City of Philadelphia, Philadelphia County	My commission of	expires on	10/24/2020		
My Commission Expires Oct. 24, 2020 NEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES					



The Public Utilities Commission of Ohio

Competitive Retail Natural Gas Service **Affidavit Form**

11	(Version 1.07)
In	the Matter of the Application of
хо	OM Energy Ohio, LLC) Case No. 11 _4795 -GA-CRS
	a Certificate or Renewal Certificate to Provide
Co	mpetitive Retail Natural Gas Service in Ohio.
	te of Pennsylvania
	Mike Starck [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
	Sworn and subscribed before me this 2nd day of December Month 2019 Year
	Lindsay Cervenak, Notary Public
	Signature of Official Administering thath COMMONWEALTH OF PENNS TWO thath NOTARIAL SEAL Lindsay Marie Cervenak, Notary Public Lindsay Marie Cervenak, Notary Public County Appliedelphia, 2020 My commission expires on 10/24/2020
	Lindsay Marie Cervenak, Notary County City of Philadelphia, Philadelphia County 'Ay Commission Expires Oct. 24, 2020 'Ay Commission Expires Oct. 24, 2020 (CRNGS Supplier Renewal) - Version 1.08 Page 8 of 8
	(CRNGS Supplier Renewal) - Version 1.08 Page 8 of 8

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.

Response:

Name	Title	Address	Telephone
Elizabeth Killinger	President	910 Louisiana St	609-524-4500
Elizabetti Killiligei	President	Houston, TX 77002	
David Callen	Vice President	804 Carnegie Center	609-524-4500
David Callell	vice President	Princeton, NJ 08540	
Leonard Gardner	Vice President	910 Louisiana St	609-524-4500
Leonard Gardner	vice Fresident	Houston, TX 77002	
Edward Krupa	Vice President	804 Carnegie Center	609-524-4500
Euwaru Krupa	vice President	Princeton, NJ 08540	
Clan Mackey	Vice President	804 Carnegie Center	609-524-4500
Glen Mackey	vice President	Princeton, NJ 08540	
		3711 Market St. Suite	609-524-4500
Mike Starck	Vice President	1000	
		Philadelphia, PA 19104	
	Vice President &	1005 Congress, Suite	609-524-4500
Meigs Jones		950	
	Secretary	Austin, TX 78701	
Gaetan Frotte	Treasurer	804 Carnegie Center	609-524-4500
Gaetan Flotte	rreasurer	Princeton, NJ 08540	
Mark Parsons	Vice President	910 Louisiana St	609-524-4500
IVIAIR PAISOIIS	vice President	Houston, TX 77002	
Doborah Env	Assistant Couraters	804 Carnegie Center	609-524-4500
Deborah Fry	Assistant Secretary	Princeton, NJ 08540	
Judith Tompkins	Assistant Secretary	804 Carnegie Center	609-524-4500
Juditii Tollipkiiis	Assistant Secretary	Princeton, NJ 08540	

A-15 Exhibit A-15 "Company History," provide a concise description of the applicant's company history and principal business interests.

XOOM Energy Ohio, LLC was formed on March 24, 2011 for the purpose of providing retail energy services in Ohio. Effective June 1, 2018, NRG Retail LLC ("NRG") acquired 100% of the membership interest in XOOM Energy Global Holdings, LLC ("Global Holdings"). Global Holdings holds 100% membership interest in XOOM Energy, LLC which holds 100% membership interest in XOOM Energy Ohio, LLC ("XOOM Energy"). XOOM Energy Ohio, LLC is currently licensed to serve natural gas to residential customers, small-to-medium sized businesses and small-to-medium sized commercial and industrial ("C&I") customers in Ohio. XOOM Energy Ohio, LLC offers a variety of service plans, including:

- 1. Mass market retail sales (residential & small-to-medium sized business customers), which will include month-to-month variable price plans, term variable price plans and term fixed price plans; and
- 2. 2. C&I structured products based on end-user load profiles.

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.

There has been no change to what XOOM Energy Ohio, LLC has previously filed.

Exhibit A-17 "Secretary of State," provide evidence that the applicant is still currently registered with the Ohio Secretary of State.

Response:

See Articles of Organization from the Ohio Secretary of State in Exhibit A-17.

CORPORATION SERVICE COMPANY

www.cscglobal.com

Project Id:

CSC- Wilmington

Suite 400

2711 Centerville Road Wilmington, DE 19808 800-927-9800 302-636-5454 (Fax)

Matter# XOOM ENERGY STATE Order# 719200-30

FILINGS

Order Date 03/23/2011

Entity Name: XOOM ENERGY OHIO, LLC

Jurisdiction: OH - Secretary of State

Request for: Incorporation/Formation Filing

 File#:
 2008069

 File Date:
 03/24/2011

 Result:
 Filed

Ordered by CHERYL ANN HANSEN at K & L GATES

Thank you for using CSC. For real-time 24 hour access to the status of any order placed with CSC, access our website at www.cscglobal.com.

If you have any questions concerning this order or CSCGlobal, please feel free to contact us.

Sonya Cordell scordell@cscinfo.com

The responsibility for verification of the files and determination of the information therein lies with the filing officer; we accept no liability for errors or omissions.



Form 533A Prescribed by the: Ohio Secretary of State

Central Ohio: (614) 466-3910 Toll Free: (877) SOS-FILE (767-3453)

www.sos.state.oh.us Busserv@sos.state.oh.us Expedite this form: (select one) Mail form to one of the following:

O Expedite

PO Box 1390

Columbus, OH 43216

*** Requires an additional fee of \$100 ***

Non Expedite

PO Box 670

Columbus, OH 43216

ARTICLES OF ORGANIZATION FOR A DOMESTIC LIMITED LIABILITY COMPANY

Filing Fee: \$125.00

(CHECK ONLY ONE (1)	BOX)							
(1) 🖸 Articles of Organi	zation for Dor	mestic	(2)	Articles	of Organization	on for Dome	stic	
For-Profit Limited	Liability Com	pany ·		Nonprof	it Limited Lia	bility Compa	any	
(115-LCA)				(115-LCA))			1
ORC 1705				ORC 1705				
							2	2
Name of limited liability co	ompany				¥			
Xoom Energy Ohio, LI	CC		*				CO LII	PO .
Name must include one of the f		r abbreviations: "li	mited liability	company,"	"Ilmited," "LLC,"	"L.L.C.," "Itd., '		
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Last Revised: 8/21/08

OR	IGINAL APPOINTMENT	OF AGENT	
The undersigned authoriz	ed member(s), manager(s) or repr	esentative(s) of	
Xoom Energy Ohio, LI	C		
Adom Energy Offic, LL	Name of Limited Liability	/ Company	
	(tallio of Elifinous Eliability		
, , , , , , , , , , , , , , , , , , ,			
hereby appoint the follow or permitted by statute to address of the agent is	ng to be Statutory Agent upon who be served upon the limited liability	om any process, notice or decompany may be served. T	he name and
			•
CSC Lawyers Incorpor	ating Service (Corporation Serv	ice Company)	
Name of Agent			
50 West Broad Street S	uite 1800		
Mailing Address			
,		•	,
Columbus	Ohio	43215	
City	State	Zip Code	
•	•		
	lual and using a P.O. Box, check	this box to certify the age	ent is an
Ohio resident.	•	<u> </u>	!
	ACCEPTANCE OF APPOIN	TMENT	
The undersigned, named	herein as the statutory agent for		•
Xoom Energy Ohio, LI			
	Name of Limited Liability	/ Company	
hereby acknowledges an	d accepts the appointment of agen	t for said limited liability com	pany
ع	Elippe Ma. m	Sh	
	Agent's Signatu	Elizabeth Sr Assistant Vice Pi	

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document on behalf of the limited liability company identified above.

REQUIRED Articles and original	Michelle W. Mardia	03/21/2011
appointment of agent must be authenticated (signed)	Signature	Date
by a member, manager or	Michelle W. Harding, Authorized Representative	
other representative.	Print Name	
	Signature	Date
	Print Name	
	Signature	Date
•	Signature	Date
	Print Name	

(See Instructions Below)

201108700944

DATE: 03/29/2011 201108700944

DOCUMENT ID DESCRIPTION ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO. (LCP)

FILING 125.00

EXPED

PENALTY

CERT

COPY

Receipt

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

CORPORATION SERVICE COMPANY ATTN: LISA VAIDO 887 SOUTH HIGH STREET COLUMBUS, OH 43206

STATE OF OHIO CERTIFICATE

Ohio Secretary of State, Jon Husted

2008069

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

XOOM ENERGY OHIO, LLC

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

Document(s)

Document No(s):

ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO.

201108700944



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 March, A.D. 2011.

Ohio Secretary of State

NRG Retail Affiliates

Exhibit B-1 "Jurisdictions of Operation," provide a list of all jurisdictions in which the applicant or any affiliated intenst of the applicant is, at the date of filing the application, certified, licensed, negistered, or otherwise authorized to provide retail or wholesale electric services.

d/b/a Cirro Energy 3711 Market Street, Suite 1000 37 Philadelphia, PA 19104	Energy Plus Natural Gas LLC 3711 Market Street, Suite 1000 Philadelphia, PA 19104	d/b/a NRG Home/NRG Business 3711 Market Street, Suite 1000 Philadelphia, PA 19104	Green Mountain Energy Company 3711 Market Street, Suite 1000 Philadelphia, PA 19104	XOOM Energy [State], LLC 11208 Statesville Road Suite 200 Huntersville, NC 28078	Stream Energy [State], LLC TBD	Reliant Energy Retail Services LLC 910 Louisiana St Houston, TX 77002	US Retailers LLC 910 Louisiana St Houston, TX 77002	Everything Energy LLC 910 Louisiana St Houston, TX 77002
				No licensing requirement				
		Electric: Docket 11-05-20	Electric: Docket 13-01-18	Electric: 11-06-05				
		Electric: Docket No. 10-404 Order Nos. 7894 (C&I) & 8035 (Res)	Electric: Docket No. 11-313 Order No. 8036	Electric: Docket No. 12-563 Order No. 8318	Electric: Docket No. 17-0340 Order No. 9137			
		Electric: EA 10-15	Electric: EA 11-16	Electric: EA 2013-28	Electric: EA 11-11-8 Natural Gas: GA 2013-07-6			
				Natural Gas: GM-45	Natural Gas: GM-38			
		Electric: Docket #11-0504 Natural Gas: Docket #15-0179	Electric: Docket No. 12-0477 & 11-0326 Natural Gas: Docket No. 16-0354	Electric: Docket No. 11-0705 Natural Gas: Docket No. 11-0724	Electric: 17-0045 Natural Gas: 17-0033			
				No licensing requirement				
				No licensing requirement				
		Electric: Docket 2015-00224		Electric: Docket # 2012-00596				
ż	Natural Gas: IR-2216	Electric: IR-2058 Natural Gas: IR-3480	Electric: IR-2790 & IR-2345 Natural Gas: IR-3752	Electric: IR-2445 Natural Gas: IR-2446	Electric: IR-2742 Natural Gas: IR-2072			
		Electric: CS-081	Electric: CS-083	Electric: CS-088				
		Natural Gas: KA-154		Natural Gas: U-16802				
		Electric: DM 15-287		Electric: DM 13-185				
~	Natural Gas: GSL-0100	Electric: ESL-0093 Natural Gas: GSL-0176	Electric: ESL-0098	Electric: ESL-0115 Natural Gas: GSL-0112	Electric: ESL-0109 Natural Gas: GSL-0120			
tural	Natural Gas: Licensed - no license # given (ESCO Code EPGS)	Licensed - no license # given (ESCO Code RELI) ESCO eligibility letter dated	Electric & Natural Gas: Licensed - no license # given	Electric & Natural Gas: Licensed - no license # given ESCO Code: XOOM	Electric/Natural Gas:			
920	GSCO eligibility letter dated 7/31/08	8/26/11 NGSCO eligibility letter dated 2/17/15	ESCO eligibility letters dated 4/8/2009 and 8/3/2011	ESCO/NGSCO eligibility letter dated: 5/21/12	ESCO CODE: STRIM			
-	Natural Gas: 11-222G	Electric: 11-401E Natural Gas: 17-591G	Electric: 18-0483E	Electric: 13-716E Natural Gas: 11-223G	Electric: 17-1187E Natural Gas: 08-133G			
		Electric: A-2010-2192350	Electric: A-2011-2229050	Electric: A-2012-2283821	Electric: A-2010-2181867			
		Natural Gas: A-2015-2478293	Natural Gas: A-2017-2583732	Natural Gas: A-2012-2283967	Natural Gas: A-2012-2308991			
		Electric: Docket D-96-6(P7)		Electric: D-96-6(A6)				
			Electric:10009	Electric: 10203		Electric:10007	Electric:10177	Electric:10178
		Electric: E-32		Natural Gas: G-37				
				Electric: File No. 342997				
				Natural Gas: File No. 342996				
				Electric: EK-2016-0227 Natural Gas: GM-2016-0226				

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.

Response:

XOOM Energy Ohio, LLC ("XOOM") utilizes network marketing to reach potential customers and utilizes utility consolidated billing to provide billing statements to customers. XOOM has an in-house customer service team reachable via a toll free phone number to respond to customer inquiries and/or complaints. Services provided by the call center include handling calls regarding inquiries related to bills, awards, discretionary service orders, and other routine matters.

In addition, the team at XOOM has worked closely with the Public Service Commissions in each state to ensure both adherence to, and contribution toward, policies and regulations that will continue to promote the competitive landscape in the states of New York, California, Connecticut, Washington D.C., Delaware, Georgia, Indiana, Kentucky, Maine, Michigan, New Hampshire, Rhode Island, Virginia, Alberta, Ontario New Jersey, Pennsylvania, Maryland, Illinois, Ohio, and Massachusetts.

As customer service and satisfaction are core principles of XOOM's business model, XOOM takes the necessary actions to ensure that it is in compliance with all regulatory requirements. XOOM includes the following core principles into its business operations:

Call center management has the necessary skills and qualifications that meet XOOM's standards on customer service and support for both email and call-in inquiries. This entails having a hands-on management team that is focused on developing, implementing, and managing the appropriate processes to ensure delivery and compliance with all rules, including providing service to any qualified applicant without discrimination, delivering the appropriate documents to customers, and accurately communicating and adhering to customer rights policies.

Call center personnel receive appropriate training to ensure knowledge of, and compliance with, all rules. In addition to initial training, representatives will be provided with additional training as needed to maintain knowledge of current rules. Floor supervisors and managers are also available to respond to emails or assist customers who call in as necessary.

XOOM has designed and implemented specific processes supporting the collection, tracking, and resolution of customer's complaints in a timely manner. Additional processes have been developed to ensure compliance of the necessary policies and timeframes.

XOOM has made the Anti-Discrimination Rules easily accessible by the company's employees on a regular basis.

XOOM has made customers aware of the process to file a complaint with XOOM and how to contact the Public Utilities Commission of Ohio.

Exhibit B-3 "Summary of Experience," provide a concise and current summary of the applicant's experience in providing the service(s) for which it is seeking to be certified to provide (e.g., number and types of customers served, utility service areas, volume of gas supplied, etc.).

Response:

XOOM Energy Ohio, LLC currently serves both residential and small commercial retail natural gas and electric customers in Ohio.

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.

Response:

XOOM Energy Ohio, LLC does not have any existing, pending or past rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations, or any other matter that could adversely impact the XOOM Energy Ohio LLC's financial or operational status or ability to provide the services it is seeking to be certified to provide.

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.)

Response:

XOOM Energy Ohio, LLC does not prepare stand- alone audited financial statements, but is included in the financial statements of NRG Energy, Inc., its ultimate parent company.

NRG Energy, Inc.'s two most recent Annual Reports can be found at the following link: https://investors.nrg.com/financial-information/sec-filings

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.

Response:

XOOM Energy Ohio, LLC does not prepare stand- alone audited financial statements, but is included in the financial statements of NRG Energy, Inc., its ultimate parent company.

NRG Energy, Inc.'s most recent 10-K/8-K Filings can be found here: https://investors.nrg.com/financial-information/sec-filings

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).

Response:

XOOM Energy Ohio, LLC does not prepare stand- alone audited financial statements, but is included in the financial statements of NRG Energy, Inc., its ultimate parent company.

NRG Energy, Inc.'s two most recent audited financial statements are included in its 10Ks and can be found here: : https://investors.nrg.com/financial-information/sec-filings

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.

Response:

See letter from Duke Energy in Exhibit C-4.1.





November 27, 2019

Xoom Energy has met the Natural Gas Collateral obligations for Duke Energy Corporation as of November 27, 2019.

Tom Hunt

Duke Energy Corp Certified Supplier Business Center Tom.Hunt@Duke-Energy.com



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.

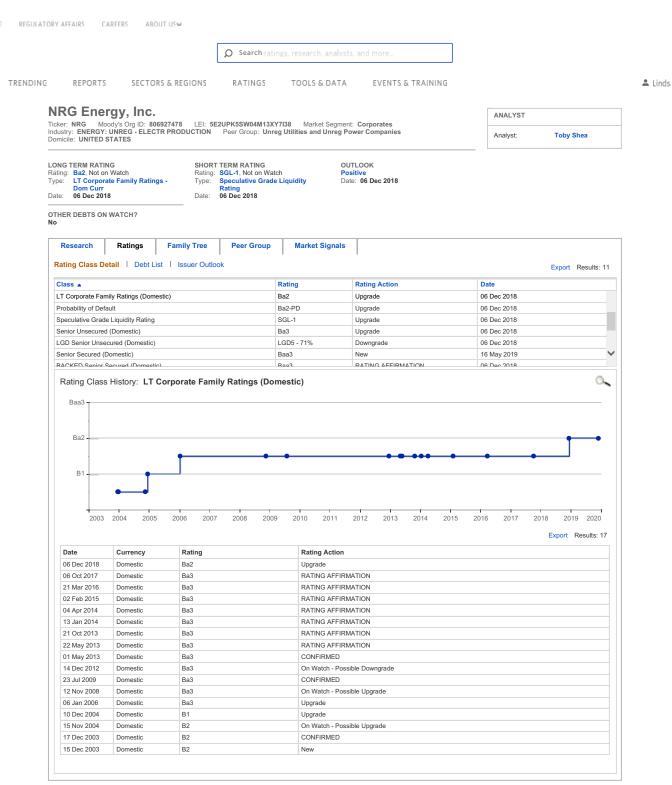
Response:

This exhibit contains confidential and proprietary information and has been submitted under seal.

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.

Response:

XOOM Energy Ohio, LLC does not have a credit rating, but its ultimate parent, NRG Energy, Inc.'s credit rating from Moody's and Standard & Poor's are attached, along with a statement by Mike Starck guaranteeing the obligations of XOOM Energy Ohio, LLC as **Exhibit C-6.1**.



For credit ratings that are derived exclusively from an existing credit rating of a program, series, category/class of debt, support provider or primary rated entity, or that replace a previously assigned provisional rating at the same rating level, Moody's publishes a rating announcement on that series, category/class of debt or program as a whole, on the support provider or primary rated entity, or on the provisional rating, but often does not publish a specific rating announcement on that series, category/class of debt or program as a whole, on the support provider or primary rated entity, or on the provisional rating, but often does not publish a specific rating announcement bond or note for which the credit rating is derived from the existing credit rating. Rating announcements are usually press releases classified as Rating Actions on www.moodys.com. Please refer to the Research tab on the issuer/rentity page for the rating announcement.

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NRG Energy Inc.

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Foreign Currency LT	BB Regulatory Disclosures	10-Sep-2018	04-Sep-2019	EE	Positive	04-Sep-2019
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11-Nov-2019 08:41 EST

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S&P Global Sharply Lowers Its Recovery Values For Coal-Fired Power Projects



NRG Retail Northeast 3711 Market Street, Suite 1000 Philadelphia, PA 19104

December 2, 2019

Re: NRG Energy, Inc.'s Guarantee of the Obligations of XOOM Energy Ohio, LLC

To Whom It May Concern:

XOOM Energy Ohio, LLC ("XOOM") is a wholly owned subsidiary of NRG Energy, Inc. I certify that NRG Energy, Inc. guarantees the obligations of XOOM.

Respectfully submitted,

Mike Starck

Vice President

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.

Response:

N/A - Please see **Exhibit C-6.1**.

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.

Response:

The predecessor of the current NRG was formed in 1989 as the non-utility subsidiary of Northern States Power Company. While owned by NSP and later by Xcel Energy, Inc. NRG pursued an aggressive high-growth strategy focused on power plant acquisition, high leverage and aggressive development, including site development and turbine orders. NRG and a number of its subsidiaries undertook a comprehensive reorganization and restructuring under chapter 11 of the United States Bankruptcy Code. As part of the reorganization, Xcel Energy relinquished its ownership interest in NRG, and NRG became an independent public company. NRG emerged from bankruptcy on December 5, 2003.

On April 1, 2014, XOOM Energy Ohio, LLC's parent, NRG Energy, Inc. acquired substantially all of the assets of Edison Mission Energy, which included all of Edison Mission Energy's direct and indirect subsidiaries. Prior to the acquisition, Edison Mission Energy and certain of its subsidiaries filed voluntary petitions for bankruptcy. Edison Mission Energy and the debtor subsidiaries emerged from bankruptcy upon completion of the acquisition by NRG.

On June 14, 2017, GenOn, then a subsidiary of XOOM Energy Ohio, LLC's ultimate parent company, NRG Energy, Inc., and certain of GenOn's subsidiaries (collectively, "GenOn") filed for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas (Houston Division) to restructure GenOn's balance sheet through a prearranged plan of reorganization. On December 14, 2018, GenOn's plan of reorganization became effective. Pursuant to that plan, NRG no longer owns GenOn or any of GenOn's subsidiaries.

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.

Response:

Effective June 1, 2018, NRG Retail LLC ("NRG") acquired 100% of the membership interest in XOOM Energy Global Holdings, LLC ("Global Holdings"). Global Holdings holds 100% membership interest in XOOM Energy, LLC which holds 100% membership interest in XOOM Energy Ohio, LLC ("XOOM Energy").

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.

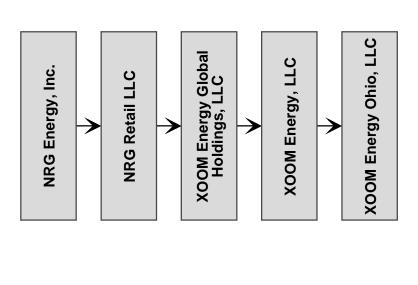


Exhibit D-1 "Operations," provide a current written description of the operational nature of the applicant's business. Please include whether the applicant's operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, 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.

Response:

XOOM Energy Ohio, LLC is supplying information on a key vendor relationship to emphasize and demonstrate the knowledge and experience that the company has agreed to leverage to ensure operational and technical success.

XOOM Energy Ohio, LLC has partnered with Energy Service Group (ESG), a well-known and highly regarded vendor in the retail energy space, to assist with its operations in Ohio. ESG performing all EDI transactions and is providing billing and CIS services.

Energy Services Group (ESG) was founded in 1997 and serves large and small retail energy suppliers as well as utilities to meet their transaction management (EDI), billing and CIS, and wholesale energy service's needs. ESG serves more than 90 retail energy suppliers and utilities in the US who in turn, market or deliver energy to over 4.6 million customers in 20 states.

XOOM relies on ESG to provide EDI and CIS support. ESG's services and systems address all of the retail energy business process needs that do not require end use customer interaction (ESG does not provide call center or bill print services). ESG's expertise in serving clients in retail markets allows XOOM to focus on the customer experience while knowing that a reliable and scalable back office system serves as the foundation for its business. In addition, on the electric side XOOM leverages ESG's Wholesale Energy Services (WES) group to manage the systems, business processes, interfaces, required data inputs and reporting necessary to forecast, schedule and settle loads in PJM.

XOOM has an in-house customer service team to respond to customer inquiries and complaints. Services provided by the call center include handling calls regarding inquiries related to bills, payment arrangements, and other routine matters.

Exhibit D-2 "Operations Expertise," given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations.

Response:

XOOM Energy Ohio, LLC has the necessary technical and managerial resources to comply with all scheduling, operating, planning, reliability, customer registration and settlement policies, rules, guidelines and procedures to operate as a retail electric and natural gas supplier. XOOM Energy Ohio, LLC has firsthand knowledge of the customer operations and utility business management and will leverage its technical and managerial expertise, in combination with its relationships with business partners described in Exhibit D-1 to successfully develop and implement the infrastructure, systems, and processes to reliably provide service to Ohio consumers. As described in the details provided in Exhibit D-3, XOOM Energy Ohio, LLC intends to also leverage key internal staff.

Exhibit D-3 "Key Technical Personnel," provide the names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business.

Response:

Key Operating Personnel:

Mike Starck, General Manager & VP, NRG Retail

3711 Market St. Suite 1000 Philadelphia, PA 19104

Phone: 267.295.5535 Mike.Starck@nrg.com

Mr. Starck is the General Manager of the NRG Retail East Region at NRG Energy. His primary responsibilities serving the NRG Retail business include advancing the growth of the brand as a market leader and managing sales and financial objectives in the Northeast Retail region, including operations in various states and service areas for both electricity and natural gas. Mr. Starck works with the NRG Retail team to bring innovative products to market for our residential customers while working to grow in both brand recognition and customer satisfaction. He has years of experience in the retail energy industry in various roles including IT, Daily Operations and Customer Service while helping establish market presence and business operations across numerous utility markets.

Barry Gessner, Director, East Retail Supply; Commercial Operations

804 Carnegie Center; Princeton, NJ 08540

Phone: 609.524.4516 barry.gessner@nrg.com

Barry Gessner joined NRG Energy through its acquisition of Energy Plus in 2011. He is responsible for scheduling electricity purchases in ISO-NE, MISO, NYISO, PJM, and Canada and natural gas purchases in 44 gas utilities across 14 states and provinces; hedging electricity and natural gas supply purchases to mitigate market cost volatility; meeting renewable portfolio standards and voluntary green power program requirements; and cost forecasting and market settlements. Prior to his roles at NRG, Mr. Gessner was responsible for custom pricing of large commercial and industrial customers at Liberty Power. Mr. Gessner holds an MBA from Villanova University, a BS Economics from Penn State, and is a GARP certified Energy Risk Professional.

Mark Keehne, Director, Retail IT

11208 Statesville Road, Suite 200, Huntersville, NC 28078

Phone: 1.704.274.3416

mkeehne@xoomenergy.com

Mark Keehne is responsible for IT support for the XOOM Energy brand, including application development and support for the XOOM Energy brand, as well as local IT infrastructure support for the XOOM brand locations in NC. Mark's team supports new development projects and enhancements, as well as day-to-day support for ongoing business operations for customer and channel partner transactions. Mark's background spans multiple IT disciplines. He has worked in the energy, retail, and aerospace industries, is a US Navy veteran, and has a BS degree from The Citadel.

Jordon McConnell, Senior Director, Sales Strategy

3711 Market St. Suite 1000 Philadelphia, PA 19104

Phone: 1.267.295.0625 Jordon.McConnell@nrg.com

Jordon McConnell leads sales strategy for NRG's retail business in the Northeast. Over the course of his career, Mr. McConnell has gained experience in a broad range of business functions including marketing, sales, product development, operations and financial analysis. Jordon has held leadership positions in a number of industries including energy, finance, professional services and business information with emphasis on consumer and small business segments. Prior to joining NRG Jordon led marketing strategy and helped launch the digital retail channel for D&B's small business segment. Previously Jordon held business development roles in the eBusiness segments of Prudential Securities and FirstUSA Bank. Jordon holds an MBA from the University of Delaware and a BA from Bucknell University.

Jackie Whitman, Director, Marketing

11208 Statesville Road, Suite 200, Huntersville, NC 28078

Phone: 1.704.274.1450

JackieWhitman@nrg.com

Jackie Whitman leads the marketing and sales strategy for NRG's retail business for the XOOM Energy brand in North America. Over the course of her career, Ms. Whitman has gained experience in a broad range of business functions including marketing, sales, product development, eCommerce and business development. Jackie has worked in a number of industries including energy, telecommunications and commercial construction. Jackie holds an MBA from the Queens University and a BA from the University of North Carolina at Chapel Hill.

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in

Case No(s). 11-4795-GA-CRS

Summary: Application Renewal Certification Application Competitive Retail Natural Gas Suppliers electronically filed by Mrs. Gretchen L. Petrucci on behalf of XOOM Energy Ohio, LLC