

## Section A: Application Information

### A-1. Provider type:

☒ Power Broker
 ☐ Aggregator
 ☐ Retail Generation Provider
 ☐ Power Marketer

### A-2. Applicant's legal name and contact information.

**Legal Name:** Broker Online Exchange, LLC

**Country:** United States

**Phone:** 8454050700      **Extension (if applicable):** 205

**Street:** 1 Paragon Drive, Suite 255

**Website (if any):**  
www.brokeronlinexchange.com

**City:** Montvale

**Province/State:** NJ

**Postal Code:** 07645

### A-3. Names and contact information under which the applicant will do business in Ohio

Provide the names and contact information the business entity will use for business in Ohio. This does not have to be an Ohio address and may be the same contact information given in A-2.

| Name                       | Type          | Address   | Active? | Proof |
|----------------------------|---------------|---|---------|-------|
| Broker Online Exchange LLC | Official Name | 1 Paragon Drive Suite 255<br>Montvale, NJ 07645 | Yes     | File  |

### A-4. Names under which the applicant does business in North America

Provide all business names the applicant uses in North America, including the names provided in A-2 and A-3.

| Name | Type | Address | Active? | Proof |
|------|------|---------|---------|-------|
|------|------|---------|---------|-------|

### A-5. Contact person for regulatory matters

Arthur Gruen  
400 RELLA BOULEVARD SUITE 160  
SUFFERN, NY 10901



## Public Utilities Commission

US

arthur@brokeronlinexchange.com

8454050700

### A-6. Contact person for PUCO Staff use in investigating consumer complaints

Arthur Gruen

400 RELL A BOULEVARD SUITE 160

SUFFERN, NY 10901

US

arthur@brokeronlinexchange.com

8454050700

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

**Phone:** 8662693346

**Extension (if  
applicable):**

**Country:** United States

**Fax:**

16469435858

**Extension (if applicable):**

**Street:** 1 Paragon Drive, Suite 255

**Email:** arthur@brokeronlinexchange.com

**City:** Montvale

**Province/State:** NJ

**Postal Code:** 07645

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

46-4159414

### A-9. Applicant's form of ownership

**Form of ownership:** Limited Liability Company (LLC)

### A-10. Identify current or proposed service areas

Identify each service area in which the applicant is currently providing service or intends to provide service and identify each customer class that the applicant is currently serving or intends to serve.

#### Service area selection

Columbia Gas of Ohio

Dominion Energy Ohio

Duke Energy Ohio

Vectren Energy Delivery of Ohio

**Class of customer selection**

Industrial  
Residential  
Small Commercial  
Large Commercial

**A-11. Start date**

Indicate the approximate start date the applicant began/will begin offering services: 06-30-2020

**A-12. Principal officers, directors, and partners**

Please provide all contacts that should be listed as an officer, director or partner.

| Name          | Email                          | Title | Address  |
|---------------|--------------------------------|-------|--|
| Kelsea Reeves | kelsea@brokeronlinexchange.com |       | 532 Silicon Drive Suite 102<br>Southlake, TX 76092<br>US |

**A-13. Company history**

The Applicant has been in business since November 2013, based out of New Jersey. Its activities thus far have been in developing business processes and technology, and obtaining and providing independent price comparisons from a variety of suppliers and serve as a middle-man, assisting clients in procuring electricity and gas rates from energy wholesalers/suppliers utilizing industry intelligence and knowledge of current market conditions

**A-14. Secretary of State**

Secretary of State Link: <https://businesssearch.ohiosos.gov/?=businessDetails/2282940>

**Section B: Applicant Managerial Capability and Experience**



### **B-1. Jurisdiction of operations**

List all jurisdictions in which the applicant or any affiliated interest of the applicant is certified, licensed, registered or otherwise authorized to provide retail natural gas service or retail/wholesale electric service as of the date of filing the application..

Jurisdiction of Operation: The Applicant is licensed NJ, IL, MA, ME, PA, MD, VA, and NH.

### **B-2. Experience and plans**

Describe the applicant's experience in providing the service(s) for which it is applying (e.g., number and type of customers served, utility service areas, amount of load, etc.). Include the 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 Sections 4928.10 and/or 4929.22 of the Ohio Revised Code.

Application Experience and Plan Description: Mr. Arthur Gruen is the founder of Broker Online Exchange, LLC and has been responsible for all Managerial and Technical aspects of the Business since 2013. Mr. Gruen was the CFO / Controller, and a Member of Hudson Energy Services, LLC, from 7/2006 to 5/2010. Hudson Energy is a retail electricity and natural gas supplier, serving over 200,000 residential, commercial, and industrial customers across the US, Canada, and the United Kingdom with annual revenues of \$1B. Hudson Energy serves customers in the following US markets: Texas, Illinois, New York, New Jersey, Pennsylvania, Maryland, Ohio, and Massachusetts. In 5/2010 Hudson Energy was acquired by Just Energy, Inc., a publicly traded corporation (NYSE / TSE:JE) servicing approximately 2 million customers in deregulated energy markets across the globe. From 5/2010 until 6/2013 Mr. Gruen served as the Controller for the commercial division of Just Energy, instrumental in expanding its services in to the UK. Mr. Gruen also served as a Member of Senior Management, and of the Commercial Management Committee. Additionally, Mr. Gruen served as the Controller for Hudson Energy Solar, Inc. Just Energy's PV Solar Installation unit with installations of \$100M across the US. During his tenure at Hudson Energy and Just Energy, Mr. Gruen Held primary responsibility for all accounting and finance functions, as well as financial/ tax/ bank and regulatory audits and reporting.



Mr. Gruen and has also been intimately involved with all aspects of the deregulated energy business including: Business development, business registration, certification, and relocation. Supporting and coordinating computer, security, and network infrastructure installation Supporting supply functions. including hedging strategies and collateral posting. Supporting IT initiatives, including development of proprietary billing and customer service software, and recruiting Development managers. Recruiting Sales managers, and establishing commission structures. Establishing Customer Service protocols. Recruiting / Hiring Customer Service and Operations personnel. Performing Human resources functions including payroll, payroll taxes, workman's Compensation, and Insurance / employee benefit programs. The Applicant intends to perform broker services and will not have billing interactions with customers.

### **B-3. Disclosure of liabilities and investigations**

For the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant, describe all existing, pending or past rulings, judgments, findings, contingent liabilities, revocation of authority, regulatory investigations, judicial actions, or other formal or informal notices of violations, or any other matter related to competitive services in Ohio or equivalent services in another jurisdiction..

Liability and Investigations Disclosures: The Applicant has no 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. Disclosure of consumer protection violations**

Has the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years?

**No**



#### **B-5. Disclosure of certification, denial, curtailment, suspension or revocation**

Has the applicant, affiliate, or a predecessor of the applicant had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, revoked, or cancelled or been terminated or suspended from any of Ohio's Natural Gas or Electric Utility's Choice programs within the past two years?

**No**

### **Section C: Applicant Financial Capability and Experience**

#### **C-1. Financial reporting**

Provide a current link to the most recent Form 10-K filed with the Securities and Exchange Commission (SEC) or upload the form. If the applicant does not have a Form 10-K, submit the parent company's Form 10-K. If neither the applicant nor its parent is required to file Form 10-K, state that the applicant is not required to make such filings with the SEC and provide an explanation as to why it is not required.

Does not apply

#### **C-2. Financial statements**

Provide copies of the applicant's two most recent years of audited financial statements, including a 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, provide 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 bank account numbers redacted**.

If the applicant is unable to meet the requirement for two years of financial statements, the Staff reviewer may request additional financial information.

Preferred to file this information confidentially

### **C-3. Forecasted financial statements**

Provide two years of forecasted income statements **based solely on the applicant's anticipated business activities in the state of Ohio.**

Include the following information with the forecast: a list of assumptions used to generate the forecast; a statement indicating that the forecast is based solely on Ohio business activities only; and the name, address, email address, and telephone number of the preparer of the forecast.

The forecast may be in one of two acceptable formats: 1) an annual format that includes the current year and the two years succeeding the current year; or 2) a monthly format showing 24 consecutive months following the month of filing this application broken down into two 12-month periods with totals for revenues, expenses, and projected net incomes for both periods. Please show revenues, expenses, and net income (revenues minus total expenses) that is expected to be earned and incurred in **business activities only in the state of Ohio** for those periods.

If the applicant is filing for both an electric certificate and a natural gas certificate, please provide a separate and distinct forecast for revenues and expenses representing Ohio electric business activities in the application for the electric certificate and another forecast representing Ohio natural gas business activities in the application for the natural gas certificate.

Preferred to file confidentially

### **C-4. Credit rating**

Provide a credit opinion disclosing the applicant's credit rating as reported by at least one of the following ratings agencies: Moody's Investors Service, Standard & Poor's Financial Services, Fitch Ratings or the National Association of Insurance Commissioners. If the applicant does not have its own credit ratings, substitute the credit ratings of a parent or an affiliate organization and submit 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 'Not Rated'.

This does not apply

### **C-5. Credit report**

Provide a copy of the applicant's credit report from Experian, Equifax, TransUnion, Dun and Bradstreet or a similar credit reporting organization. If the applicant is a newly formed entity



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with no credit report, then provide a personal credit report for the principal owner of the entity seeking certification. At a minimum, the credit report must show summary information and an overall credit score. **Bank/credit account numbers and highly sensitive identification information must be redacted.** If the applicant provides an acceptable credit rating(s) in response to C-4, then the applicant may select 'This does not apply' and provide a response in the box below stating that a credit rating(s) was provided in response to C-4.

Preferred to file this information confidentially

### C-6. Bankruptcy information

Within the previous 24 months, have any of the following filed for reorganization, protection from creditors or any other form of bankruptcy?

- Applicant
- Parent company of the applicant
- Affiliate company that guarantees the financial obligations of the applicant
- Any owner or officer of the applicant

No

### C-7. Merger information

Is the applicant currently involved in any dissolution, merger or acquisition activity, or otherwise participated in such activities within the previous 24 months?

No

### C-8. Corporate structure

Provide a graphical depiction of the applicant's corporate structure. Do not provide an internal organizational chart. The graphical depiction should include all parent holding companies, subsidiaries and affiliates as well as 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 the applicant may respond by stating that it is a stand-alone entity with no affiliate or subsidiary companies.

Stand-alone entity with no affiliate or subsidiary companies

### C-9. Financial arrangements





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Provide copies of the applicant's financial arrangements to satisfy collateral requirements to conduct retail electric/natural gas business activities (e.g., parental guarantees, letters of credit, contractual arrangements, etc., as described below).

Renewal applicants may provide a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU's collateral requirements. The statement or letter must be on the utility's letterhead and dated within a 30-day period of the date the applicant files its renewal application.

First-time applicants or applicants whose certificate has expired must meet the requirements of C-9 in one of the following ways:

1. The applicant itself states that it is investment grade rated by Moody's Investors Service, Standard & Poor's Financial Services, or Fitch Ratings and provides evidence of rating from the rating agencies. If you provided a credit rating in C-4, reference the credit rating in the statement.
2. The applicant's parent company is investment grade rated (by Moody's, Standard & Poor's, or Fitch) and guarantees the financial obligations of the applicant to the LDU(s). Provide a copy of the most recent credit opinion from Moody's, Standard & Poor's or Fitch.
3. The applicant's parent company 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 parent company's financials and a copy of the parental guarantee must be included in the application if the applicant is relying on this option.
4. The applicant can provide evidence of posting a letter of credit with the LDU(s) listed as the beneficiary, in an amount sufficient to satisfy the collateral requirements of the LDU(s).

Preferred to file confidentially

## Section D: Applicant Technical Capacity

### D-1. Operations



Retail natural gas brokers/aggregators: Include details of the applicant's business operations and plans for arranging and/or aggregating for the supply of natural gas to retail customers.

Operations Description: The Applicant has been in business since November 2013, based out of New Jersey. Its activities thus far have been in developing business processes and technology, and obtaining and providing independent price comparisons from a variety of suppliers and serve as a middle-man, assisting clients in procuring electricity and gas rates from energy wholesalers/suppliers utilizing industry intelligence and knowledge of current market conditions. The Applicant intends to perform broker services and will not have billing interactions with

customers.

#### **D-2. Operations Expertise & Key Technical Personnel**

Given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations. Include the names, titles, e-mail addresses, and background of key personnel involved in the operations of the applicant's business.

Operations Expertise & Personnel Description: Mr. Arthur Gruen is the founder of Broker Online Exchange, LLC and has been responsible for all Managerial and Technical aspects of the Business since 2013. Mr. Gruen was the CFO / Controller, and a Member of Hudson Energy Services, LLC, from 7/2006 to 5/2010. Hudson Energy is a retail electricity and natural gas supplier, serving over 200,000 residential, commercial, and industrial customers across the US, Canada, and the United Kingdom with annual revenues of \$1B. Hudson Energy serves customers in the following US markets: Texas, Illinois, New York, New Jersey, Pennsylvania, Maryland, Ohio, and Massachusetts. In 5/2010 Hudson Energy was acquired by Just Energy, Inc., a publicly traded corporation (NYSE / TSE:JE) servicing approximately 2 million customers in deregulated energy markets across the globe. From 5/2010 until 6/2013 Mr. Gruen served as the Controller for the commercial division of Just Energy, instrumental in expanding its services in to the UK. Mr. Gruen also served as a Member of Senior



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Management, and of the Commercial Management Committee. Additionally, Mr. Gruen served as the Controller for Hudson Energy Solar, Inc. Just Energy's PV Solar Installation unit with installations of \$100M across the US. During his tenure at Hudson Energy and Just Energy, Mr. Gruen Held primary responsibility for all accounting and finance functions, as well as financial/ tax/ bank and regulatory audits and reporting. Mr. Gruen and has also been intimately involved with all aspects of the deregulated energy business including: Business development, business registration, certification, and relocation. Supporting and coordinating computer, security, and network infrastructure installation Supporting supply functions. including hedging strategies and collateral posting. Supporting IT initiatives, including development of proprietary billing and customer service software, and recruiting Development managers. Recruiting Sales managers, and establishing commission structures. Establishing Customer Service protocols. Recruiting / Hiring Customer Service and Operations personnel. Performing Human resources functions including payroll, payroll taxes, workman's Compensation, and Insurance / employee benefit programs.



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# Application Attachments



## Competitive Retail Natural Gas Service Affidavit

County of PAIM BEAN

State of FLORIDA:

Arthur Gou, 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, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
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 Sections 4905.10 and 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 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. 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 comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating consumer complaints.
9. The facts set forth above are true and accurate 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.

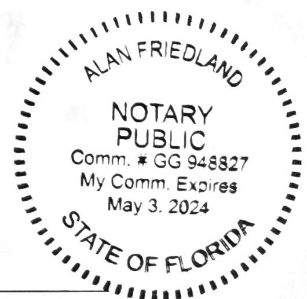
10. Affiant further sayeth naught.

Signature of Affiant & Title

Sworn and subscribed before me this 23<sup>rd</sup> day of June, 2020  
Month Year

Signature of official administering oath

Alan Friedland  
Print Name and Title



My commission expires on 5-3-24

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**6/23/2020 7:34:13 PM**

**in**

**Case No(s). 18-0981-GA-AGG**

Summary: In the Matter of the Application of Broker Online Exchange, LLC