

## 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:** Sunwave USA Holdings Inc.  
d/b/a Sunwave Gas & Power Ohio Inc.

**Country:** United States

**Phone:** 416-992-0700  
**Extension (if applicable):**

**Street:** 100 Cambridge St. 14th Floor

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

**City:** Boston

**Province/State:** MA

**Postal Code:** 02114

### 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
Sunwave Gas & Power Ohio Inc	DBA	100 Cambridge St. 14th Floor Boston, MA 02114	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
Sunwave Gas & Power Ohio Inc	DBA	100 Cambridge St. 14th Floor Boston, MA 02114	Yes	File

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



## Public Utilities Commission

Laura Jurasek  
155 Gordon Baker Road, Suite 301  
toronto, ON M2H 3N5  
CA  
ljurasek@gosunwave.com  
4169920700

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

Laura Jurasek  
155 Gordon Baker Road, Suite 301  
toronto, ON M2H 3N5  
CA  
ljurasek@gosunwave.com  
4169920700

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

<b>Phone:</b> 1-855-478-6928	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b> 888-979-8410	<b>Extension (if applicable):</b>	<b>Street:</b> 100 Cambridge St. 14th Floor
<b>Email:</b> customercare@gosunwave.com	<b>City:</b> Boston	<b>Province/State:</b> MA
	<b>Postal Code:</b> 02114	

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

46-5151768

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

**Form of ownership:** Corporation

### 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

AEP Ohio

DP&L

Duke Energy Ohio

FirstEnergy - Cleveland Electric Illuminating

FirstEnergy - Ohio Edison

FirstEnergy - Toledo Edison

### **Class of customer selection**

Commercial

Industrial

Mercantile

Residential

### **A-11. Start date**

Indicate the approximate start date the applicant began/will begin offering services: 07-01-2020

### **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
Steve Laker	laker@gosunwave.com	CEO	100 Cambridge St. 14th Floor Boston, MA 02114 US
Mike Olowin	molowin@gosunwave.com	CFO	100 Cambridge St. 14th Floor Boston, MA 02114 US

### **A-13. Company history**

Sunwave USA Holdings Inc. was formed in Delaware in January of 2012 for the purpose of supplying energy to commercial and industrial entities and residences located in certain jurisdictions of the continental United States. Sunwave is a wholly-owned subsidiary of C Wave Power & Gas Inc. (C Wave). The operations and related assets and liabilities were acquired by C Wave on Marc 4, 2019. Sunwave Gas & Power Ohio licence was re-issued 2019-03-13.

### **A-14. Secretary of State**

Secretary of State Link:

## 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..

File Attached

### **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.

File(s) attached

### **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: Non payment of MA RPS Obligations - 2017-Informal Review by MA Dept. of Public Utilities: Prior to the March 2019 sale of the Applicant to its current owners, a direct subsidiary of the Applicant, Sunwave Gas & Power Massachusetts Inc., experienced financial difficulty leading it to default on certain payment obligations related to the Massachusetts Renewable Portfolio Standards. As a result, Sunwave Gas & Power Massachusetts Inc. entered into an informal remedial plan with the Commonwealth of Massachusetts, Department of Public Utilities on March 4, 2019 (the date on which the acquisition of the applicant and its subsidiaries closed), and immediately paid all amounts due in accordance with the plan. Sunwave Gas & Power Massachusetts Inc. has met all of its obligations under the informal remedial plan and is currently operating without restriction in Massachusetts. This was an informal review process that led to an informal remedial plan. This did not result in any criminal or civil conviction, or any agreement to pay any penalty. Sunwave USA Holdings Inc. is disclosing this matter out of an abundance of caution.

### **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**

**B-6. Environmental disclosures**

Provide a detailed description of how the applicant intends to determine its generation resource mix and environmental characteristics, including air emissions and radioactive waste. Include the annual projection methodology and the proposed approach to compiling the quarterly actual environmental disclosure data. See 4901:1-21-09 of the Ohio Administrative Code for additional details of this requirement.

**PJM disclosure option chosen**

## **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 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?

Merger Information: The operations and related assets and Liabilities of Sunwave were acquired by C Wave Power and Gas Inc. on March 4, 2019.

### 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.

File(s) attached

### C-9. Financial arrangements

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





## Public Utilities Commission

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).

File(s) attached

### Section D: Applicant Technical Capacity

#### D-1. Operations

Power Marketers/Generators: Describe the operational nature of the applicant's business, specifying whether operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail ancillary services, as well as other services used to arrange for the purchase and delivery of electricity to retail customers.



Operations Description: Sunwave USA Holdings Inc. (Sunwave or the company) was formed in Delaware in January, 2012 for the purpose of supplying energy to commercial and industrial entities and residences located in certain jurisdictions of the Continental United States. Sunwave is a wholly-owned subsidiary of C Wave Power & Gas Inc. Sunwave purchases electricity that is sold to its customers at various times, quantities and prices, exposing the Company to market fluctuations in the price of these commodities. A control environment has been established which includes policies and procedures for risk assessment and the approval, reporting and monitoring of derivative instruments and hedging activities. The Company closely monitors the potential impacts of commodity price risk, to protect future margins. The Company enters into derivative instruments such as options contracts to hedge against unfavorable fluctuations in market prices of electricity resulting primarily from a climatic variable. The options contracts are not exchange traded.

**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: Steve Laker CEO Sunwave Gas & Power Inc. 100 Cambridge St. 14th floor, Boston MA 02114 laker@gosunwave.com 617-420-4181 Steve Laker is the Chief Executive Officer at Sunwave USA Holdings Inc. Mr. Laker has high business acumen with an eye for detail and is a vibrant leader with strong management, interpersonal and communication skills. Prior to joining Sunwave Mr. Laker held CEO and COO positions at Agera Energy LLC. Prior to Agera, Mr. Laker spent 9 years as the Chief Financial Officer of Steelways Inc. and its subsidiary Star Energy LLC where he managed the finances, accounting and treasury for up to 200 employees and worked closely with the ethanol and bio-diesel transloading segment. Before Steelways/Star Energy, Steve worked with New Windsor Energy and Opbl in CFO and Controller capacities supervising all back-office functions of the energy derivative trading systems. Prior to entering the energy sector Mr. Laker worked as the Controller of Response Personnel, Inc. a company with 800 full/part time employees as well as Meridian Global Services, serving 15,000 multinational clients.

Michael Olowin - CFO, 100 Cambridge St. 14th floor, Boston MA 02114 molowin@gosunwave.com, 617-420-4184, Michael has over 25 years experience across both



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public and corporate accounting, including over 18 years of experience managing the finances and accounting of energy companies. He has worked with companies such as Florida Light and Power, NextEra Energy Resources and Agera Energy. He is a registered CPA highly qualified in reporting finances, tax compliance, process management and managing finance teams.

Andrew Luszcz-Portfolio Manager, 100 Cambridge St. 14th Floor, Boston MA 02114, 340-690-0661: Andrew holds an honors Economic BA from Yale University. He has over 10 years of

experience in retail power having served as VP of Electric Supply for several mid-sized load serving entities for 9 years. In that role he has overseen all aspects of wholesale procurement in ISONE, NYISO, PJM, ERCOT, & CAISO. This includes ISO scheduling & settlement review, energy & capacity hedging, ARR optimization and RPS compliance. Additionally, he has co-led wholesale market entry into 16 states in all above the above listed ISO's/RTO's, providing forecasting, billing and pricing review to fellow department and collaborated on numerous wholesale supply agreements and headed FERC reporting. Prior to time in power, Andrew worked in hedge fund and retail industries.

Phil Spillane, 100 Cambridge St. 14th floor, Boston MA 02114, pspillane@gosunwave.com, 617-420-4183: Phil has 12 years of experience in retail energy, commodity procurement, hedging strategy, risk management, customer analytics and forecasting. Currently Phil is responsible for Sunwave's settlements and ISO interface. Previously Phil was at a major retailer, holding various positions.

Shuja Qamar, Operations, 100 Cambridge St. 14th Floor, Boston MA 02114, sqamar@gosunwave.com, 845.240.5988: Shuja started in the Energy Sector in 2013 with Crius Energy as the Business/Operations analyst. He was with Just Energy as a Manager for Operations in Suffern New York. His duties covered business analytics and customer billing solutions. Since 2019 Shuja has worked with Sunwave as Manager of Operations.

Laura Jurasek, Regulatory Compliance, 100 Cambridge St. 14th floor, Boston MA 02114, ljurasek@gosunwave.com, 416-992-0700: Laura has over 40 years in the Electricity, Solar and Natural Gas markets in both Canada and the United States. She has led several companies through the startup, turnaround and growth modes. After 35 years with Hydro One in several Management positions, Laura led Ontario Hydro Energy into the market during the Ontario deregulation phase which led, after her retirement from Hydro One to Vice President of Regulatory Compliance and Operations at Sunwave Gas & Power. As a consultant, Laura has several clients in the Retail and Utility markets.

Sariah Pena - Gas Supply, 100 Cambridge St. 14th Floor, Boston MA 02114, spena@gosunwave.com, 845.240.5988: Sariah has 16 years experience in retail energy, gas procurement, pricing, hedge strategy and scheduling. Sariah has worked for UGI Energy Services, MS Energy, US Gas & Electric and Agera Energy. As Vice President of Gas Supply at Agera Energy, she managed a team of schedulers responsible for delivering gas to over 30 utilities across 17 pipelines. During her time at US Gas & Electric, she helped the company expand into 5 new states and enter into 10 Markets.



Public Utilities  
Commission

# Application Attachments



139 East Fourth  
EM740  
Cincinnati, Ohio 45202

July 23, 2020

Sunwave Gas and Power has the following amount held with Duke Energy for Collateral as of July 23, 2020..

Electric Energy Collateral = \$13,500

Sunwave Gas and Power has met the Collateral obligations for Duke Energy Corporation.

***Donna Burns***

Duke Energy Corp  
Certified Supplier Business Center  
[Donna.Burns@Duke-Energy.com](mailto:Donna.Burns@Duke-Energy.com)



July 23, 2020

Sunwave USA Holdings Inc.  
Attn: Shuja Qamar  
100 Cambridge Street 14<sup>th</sup> Floor  
Boston, MA 02114

Re: Sunwave USA Holdings Inc. ("CRES Supplier") / CRES Supplier Contact: Shuja Qamar.  
CRES Supplier posted cash as collateral as of May 6, 2020.

To CRES Supplier:

In reference to the following specific provisions of AEP Ohio's Distribution Tariffs filed pursuant to Order dated January 30, 2013 in Case Nos. 11-346-EL-SSO and 11-348-EL-SSO, namely Paragraph 31, Section: *Supplier Terms and Conditions of Service*, Paragraph 10, Section: *CRES Provider Credit Requirements* (See 2<sup>nd</sup> Revised Sheets Nos. 103-33D and 34D of PUCO No. 20 Terms and Conditions of Open Access Distribution Service) and CRES Supplier's available load data through July 22, 2020. AEP Ohio has undertaken a limited review of posted collateral through this date, subject to the limitations set forth below, and AEP Ohio believes that the CRES Supplier is current with the specifically identified collateral requirements.

Please note AEP Ohio is not undertaking a separate review of CRES Supplier's financial wherewithal, the status of pending invoices or invoices for amounts that are yet to be billed or due, nor are we evaluating or taking a position as to whether the CRES Supplier will, on a prospective basis, remain in compliance with the identified collateral requirements or other Tariff requirements. This review was limited to the specific collateral requirements identified above, and does not include a review of whether the CRES Supplier is in compliance with any other Tariff requirements or PUCO rules and regulations binding upon CRES suppliers, and further, does not account for any PJM rebillings or settlements that may occur at a later time.

This letter is effective only as of the date hereof, and we are not assuming any responsibility for updating this letter, nor is AEP Ohio waiving any rights or remedies it may be entitled to under Ohio law, its Tariff or any CRES Supplier agreements. This letter is intended solely for the benefit of the addressees and may not be relied upon by such addressees or any other person or entity for any other purpose.

Sincerely,



Colin Brubaker  
Credit Risk Analyst

Entity Name	Jurisdiction	License No.
Sunwave USA Holdings Inc	Maryland (Power & Gas)	IR4273
	New Jersey (Power & Gas)	ESL-0240
	Rhode Island (Power)	D-96-6 T9
	New Hampshire (Power)	DM 19-188
	Ohio (Power)	14-849E(3)
	Illinois	20-0181
	Virginia	PUR-2020-00027
	Michigan	U-20796
Sunwave Gas & Power Connecticut Inc.	Connecticut (Power)	2013-09-06
Sunwave Gas & Power Pennsylvania Inc	Pennsylvania (Power)	A-2013-2395993
Sunwave West Gas Inc.		
Sunwave Gas & Power Massachusetts Inc.	Massachusetts (Gas & Power)	CS-113
Sunwave Gas & Power New York Inc.	New York	ER14-2361-001

# Sunwave USA Holdings Inc., dba Sunwave Gas & Power Ohio Inc.

## Renewal Application for Retail Generation Providers and Power Marketers

Since its inception in 2012, Sunwave Gas & Power has serviced over 27,000 residential, Commercial and Industrial customers. The company purchases electricity that is sold to its customers at various times, quantities and prices, exposing the Company to market fluctuations in the price of these commodities. A Control environment has been established which includes policies and procedures for risk assessment and the approval, reporting and monitoring of derivative instruments and hedging activities. The Company closely monitors the potential impacts of commodity price changes and, where appropriate enters into derivative contracts to hedge its commodity price risk, to protect future margins.

The company enters into derivative instruments such as options contracts to hedge against unfavorable fluctuations in market prices of electricity resulting primarily from a climatic variable. The options contracts are not exchange traded. The company has capitalized the premiums aggregating \$124,000 as of December 31, 2019.

Sunwave USA Holdings Inc., dba Sunwave Gas & Power Ohio Inc., will abide by all codes as set out in the Commission rules adopted pursuant to Section 4928.10 and 4929.22 of the Revised Code.

Entity Name	Jurisdiction	License No.	No Of Customers	
			Gas	Electric
Sunwave USA Holdings Inc	Maryland (Power & Gas)	IR4273		2
	New Jersey (Power & Gas)	ESL-0240		
	Rhode Island (Power)	D-96-6 T9		10
	New Hampshire (Power)	DM 19-188		20
	Ohio (Power)	14-849E(3)		38
	Illinois	20-0181		
	Virginia	PUR-2020-00027		
	Michigan	U-20796		
Sunwave Gas & Power Connecticut Inc.	Connecticut (Power)	2013-09-06		4,584
Sunwave Gas & Power Pennsylvania Inc	Pennsylvania (Power)	A-2013-2395993		529
Sunwave West Gas Inc.				
Sunwave Gas & Power Massachusetts Inc.	Massachusetts (Gas & Power)	CS-113		1,582
Sunwave Gas & Power New York Inc.	New York	ER14-2361-001		29

Sunwave Gas & Power Utilizes a third party to complete all EDI transactions with the utilities in which we do business with. Internally we manage the day to day processing of our daily transactions as it relates to enrollments, rejections, cancellations/ drops, renewals, rate changes, etc..

Customers may reach Sunwave Gas & Power's customer service representatives by calling (855) 478-6925 during regular business hours or customers are more than welcome to contact us via e-mail at [customercare@gosunwave.com](mailto:customercare@gosunwave.com). Customers that do not reach a representative directly are asked to leave a phone number and time during regular business hours when it is convenient for the customer to be contacted. Sunwave Gas & Power will make commercially reasonable efforts to contact the customer at the time requested or to set up another time to discuss the customer's issue.



# Sunwave USA Holdings Inc., dba Sunwave Gas & Power Ohio Inc.

## Renewal Application for Retail Generation Providers and Power Marketers

Sunwave's customer service group is able to resolve many customer issues at the point of initial contact. Occasionally though the customer service group will need additional resources to resolve the issue, either through escalation of the issue to a senior manager or through resources from other departments or external parties. The customer service representative clearly defines the issue for the customer and forward the issue to the appropriate manager or department for timely resolution. The manager or department assigned the issue targets to a 24-hour turn around and will forward the response back to the customer service representative who will then contact the customer.

If the issue cannot be resolved, the customer will be informed of its rights under the contract. If the customer chooses to terminate and is on a fixed price product, the customer will be informed of the early termination charge, if any. Once the customer's utility processes the termination, the Customer will be returned to utility supply service unless Customer elects to receive service from another electric supplier.

(A) Contract disclosure. The rules shall include requirements that an electric utility, electric services company, electric cooperative, or governmental aggregator subject to certification under section [4928.08](#) of the Revised Code do both of the following:

- (1) Provide consumers with adequate, accurate, and understandable pricing and terms and conditions of service, including any switching fees, and with a document containing the terms and conditions of pricing and service before the consumer enters into the contract for service;
- (2) Disclose the conditions under which a customer may rescind a contract without penalty.

(B) Service termination. The rules shall include disclosure of the terms identifying how customers may switch or terminate service, including any required notice and any penalties.

(C) Minimum content of customer bills. The rules shall include all of the following requirements, which shall be standardized:

- (1) Price disclosure and disclosures of total billing units for the billing period and historical annual usage;
- (2) To the maximum extent practicable, separate listing of each service component to enable a customer to recalculate its bill for accuracy;
- (3) Identification of the supplier of each service;
- (4) Statement of where and how payment may be made and provision of a toll-free or local customer assistance and complaint number for the electric utility, electric services company, electric cooperative, or governmental aggregator, as well as a consumer assistance telephone number or numbers for state agencies, such as the commission, the office of the consumers' counsel, and the attorney general's office, with the available hours noted;

# Sunwave USA Holdings Inc., dba Sunwave Gas & Power Ohio Inc.

## Renewal Application for Retail Generation Providers and Power Marketers

(5) Other than for the first billing after the starting date of competitive retail electric service, highlighting and clear explanation on each customer bill, for two consecutive billing periods, of any changes in the rates, terms, and conditions of service.

(D) Disconnection and service termination, including requirements with respect to master-metered buildings. The rules shall include policies and procedures that are consistent with sections [4933.121](#) and [4933.122](#) of the Revised Code and the commission's rules adopted under those sections, and that provide for all of the following:

(1) Coordination between suppliers for the purpose of maintaining service;

(2) The allocation of partial payments between suppliers when service components are jointly billed;

(3) A prohibition against blocking, or authorizing the blocking of, customer access to a noncompetitive retail electric service when a customer is delinquent in payments to the electric utility or electric services company for a competitive retail electric service;

(4) A prohibition against switching, or authorizing the switching of, a customer's supplier of competitive retail electric service without the prior consent of the customer in accordance with appropriate confirmation practices, which may include independent, third-party verification procedures.

(5) A requirement of disclosure of the conditions under which a customer may rescind a decision to switch its supplier without penalty;

(6) Specification of any required notice and any penalty for early termination of contract.

(E) Minimum service quality, safety, and reliability. However, service quality, safety, and reliability requirements for electric generation service shall be determined primarily through market expectations and contractual relationships.

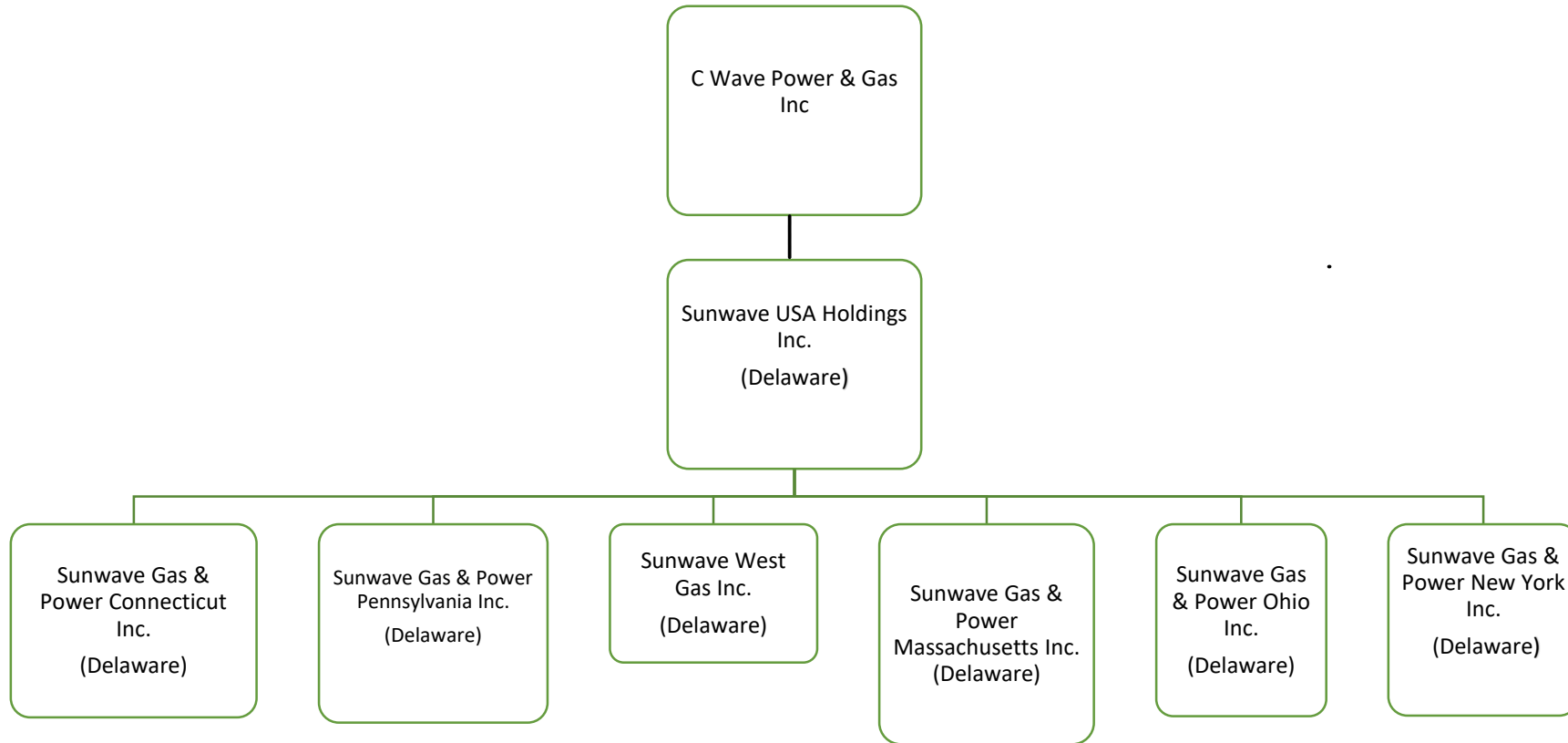
(F) Generation resource mix and environmental characteristics of power supplies. The rules shall include requirements for determination of the approximate generation resource mix and environmental characteristics of the power supplies and disclosure to the customer prior to the customer entering into a contract to purchase and four times per year under the contract. The rules also shall require that the electric utility, electric services company, electric cooperative, or governmental aggregator provide, or cause its billing and collection agent to provide, a customer with standardized information comparing the projected, with the actual and verifiable, resource mix and environmental characteristics. This disclosure shall occur not less than annually or not less than once during the contract period if the contract period is less than one year, and prior to any renewal of a contract.

# Sunwave USA Holdings Inc., dba Sunwave Gas & Power Ohio Inc.

## Renewal Application for Retail Generation Providers and Power Marketers

(G) Customer information. The rules shall include requirements that the electric utility, electric services company, electric cooperative, or governmental aggregator make generic customer load pattern information available to other electric light companies on a comparable and nondiscriminatory basis, and make customer-specific information available to other electric light companies on a comparable and nondiscriminatory basis unless, as to customer-specific information, the customer objects. The rules shall ensure that each such utility, company, cooperative, or aggregator provide clear and frequent notice to its customers of the right to object and of applicable procedures. The rules shall establish the exact language that shall be used in all such notices.

# 2020 Organization Chart



# Competitive Retail Electric Service Affidavit

County of DUTCHESS :

State of NEW YORK :

Steven C. Laker, 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, gross earnings, and sales of kilowatt-hours of electricity pursuant to Sections 4905.10(A), 4911.18(A), and 4928.06(F), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10, 4911.18, and 4928.06(F), Ohio Revised Code.
4. The 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. The 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. The applicant will fully comply with Section 4928.09, Ohio Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The applicant will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The applicant 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, 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.
11. The 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.

12. 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.

13. Affiant further sayeth naught.

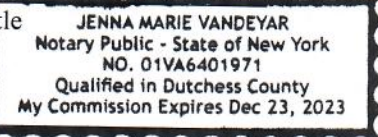
Stacy L. Coo  
Signature of Affiant & Title

Sworn and subscribed before me this 11<sup>th</sup> day of August, 2020  
Month Year

Jenna Marie Vandeyar  
Signature of official administering oath

Jenna Marie Vandeyar, Notary Public

Print Name and Title



My commission expires on \_\_\_\_\_

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

*I, Frank LaRose, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show SUNWAVE USA HOLDINGS INC., a Delaware corporation, having qualified to do business within the State of Ohio on February 24, 2016 under License No. 3869989 is currently in GOOD STANDING upon the records of this office.*



*Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 3rd day of August, A.D. 2020.*

A handwritten signature in blue ink, appearing to read "Frank LaRose".

**Ohio Secretary of State**

**Validation Number: 202021605478**



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

**Commission of Ohio Docketing Information System on**

**8/13/2020 7:19:13 AM**

**in**

**Case No(s). 14-1118-EL-CRS**

Summary: In the Matter of the Application of Sunwave USA Holdings Inc