

**DIS Case Number: 08-0601-GA-CRS**

## Section A: Application Information

### A-1. Provider type:

☐ Retail Natural Gas  
Broker

☒ Retail Natural Gas  
Aggregator

☒ Retail Natural Gas  
Marketer

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

**Legal Name:** U.S. Gas & Electric Inc  
**Phone:** 12148124600 **Extension (if applicable):**  
**Website (if any):** www.usgande.com

**Country:** United States  
**Street:** 6555 Sierra Drive  
**City:** Irving **Province/State:** TX  
**Postal Code:** 75039

### 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
Ohio Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	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
Ohio Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
Illinois Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File



## Public Utilities Commission

Indiana Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
Kentucky Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
Maryland Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
Michigan Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
New Jersey Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
New York Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
Pennsylvania Gas & Electric	DBA	6555 Sierra Drive Irving, TX 75039	Yes	File
U.S. Gas & Electric Inc.	Official Name	6555 Sierra Drive Irving, TX 75039	Yes	File

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

David Ricketts  
1005 Congress Avenue, Suite 750  
Austin, TX 78701  
US  
david.ricketts@vistraenergy.com  
5123496441

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

Jim Vermeulen  
6555 Sierra Drive  
Irving, TX 75039  
US  
jim.vermeulen@vistraenergy.com  
9728683945

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

**Phone:** 866-706-7360

**Extension (if applicable):**

**Country:** United States

**Fax:** 888-829-5797

**Extension (if applicable):**

**Street:** 6555 Sierra Drive

**Email:** customerservice@ohgande.com

**City:** Irving

**Province/State:** TX

**Postal Code:** 75039

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

58-2502341

**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**

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: 09-30-2008

**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
Yuki Whitmire	yuki.whitmore@vistracorp.com	Vice President, Associate General Counsel, Corporate Secretary	6555 Sierra Drive Irving, TX 75039 US



## Public Utilities Commission

Daniel Kelly	daniel.kelly@vistracorp.com	Vice President, Associate General Counsel	6555 Sierra Drive Irving, TX 75039 US
Kristopher Moldovan	kristopher.moldovan@vistra corp.com	Senior Vice President, Treasurer	6555 Sierra Drive Irving, TX 75039 US
Sydney Seiger	sydney.seiger@vistracorp.co m	Senior Vice President	6555 Sierra Drive Irving, TX 75039 US
Stephen Muscato	stephen.muscato@vistracor p.com	Executive Vice President, Chief Commercial Officer	6555 Sierra Drive Irving, TX 75039 US
Christy Dobry	christy.dobry@vistracorp.co m	Vice President, Controller	6555 Sierra Drive Irving, TX 75039 US
Tom Farrah	tom.farrah@vistracorp.com	Senior Vice President, Chief Information Officer	6555 Sierra Drive Irving, TX 75039 US
Gabriel Castro	gabriel.castro@vistracorp.co m	Senior Vice President	6555 Sierra Drive Irving, TX 75039 US
Samudra Sen	samudra.sen@vistracorp.co m	Vice President	6555 Sierra Drive Irving, TX 75039 US
Claudia Morrow	claudia.morrow@vistracorp. com	Senior Vice President	6555 Sierra Drive Irving, TX 75039 US
Max Chen	max.chen@vistracorp.com	Assistant Treasurer	6555 Sierra Drive Irving, TX 75039 US
Seth Rasmussen	seth.rasmussen@vistracorp. com	Assistant Secretary	6555 Sierra Drive Irving, TX 75039 US
Carrie Kirby	carrie.kirby@vistracorp.com	Executive Vice President, Chief Administrative Officer	6555 Sierra Drive Irving, TX 75039 US
Stephanie Zapata Moore	stephanie.moore@vistracor p.com	Executive Vice President, General Counsel, Chief Compliance Officer	6555 Sierra Drive Irving, TX 75039 US
Paul Reyes	paul.reyes@vistracorp.com	Vice President	6555 Sierra Drive Irving, TX 75039 US
John Duessel	john.duessel@vistracorp.co m	Senior Vice President	6555 Sierra Drive Irving, TX 75039 US



## Public Utilities Commission

Carla Howard	carla.howard@vistracorp.com	Senior Vice President, General Tax Counsel	6555 Sierra Drive Irving, TX 75039 US
Darshan Bhate	darshan.bhate@vistracorp.com	Senior Vice President	6555 Sierra Drive Irving, TX 75039 US
David Campbell	david.campbell@vistracorp.com	Executive Vice President, Chief Financial Officer	6555 Sierra Drive Irving, TX 75039 US
Scott Hudson	scott.hudson@vistracorp.com	President, Vistra Retail	6555 Sierra Drive Irving, TX 75039 US
James Burke	jim.burke@vistracorp.com	Director	6555 Sierra Drive Irving, TX 75039 US
Curtis Morgan	curtis.morgan@vistracorp.com	Director & CEO	6555 Sierra Drive Irving, TX 75039 US
Gabe Vazquez	gabe.vazquez@vistracorp.com	Vice President, Associate General Counsel	6555 Sierra Drive Irving, TX 75039 US

### A-13. Company history

Effective July 15, 2019, U.S. Gas & Electric, Inc. had an indirect change in ownership when Vistra Corp. acquired its upstream parent company Crius Energy Corp. and thus became its new ultimate parent company.

### A-14. Secretary of State

Secretary of State Link:

### A-15. Proof of Ohio Employee and Office

Provide proof of an Ohio Office and Employee in accordance with Section 4929.22 of the Ohio Revised Code. List the designated Ohio employee's name, Ohio office address, telephone number and web site address

**Employee Name:** Katie Kiefer  
312 Walnut Street  
Cincinnati, OH 45202  
US



## 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..

File Attached

### **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.

Financial Reports Link(s): <https://investor.vistracorp.com/investor-relations/financial-information/SEC-Filings/default.aspx>

#### **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.

Links to Financial Statement(s): <https://investor.vistracorp.com/investor-relations/financial-information/SEC-Filings/default.aspx>

### **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.

This does not apply.

#### 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: Effective July 15, 2019, Ohio Gas & Electric, Inc. had an indirect change in ownership when Vistra Corp. acquired its upstream parent company Crius Energy Corp. and thus became its new parent company.

#### 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 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**



Gas Marketers: Describe the operational nature of the applicant's business, specifying whether operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and/or 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.

File(s) attached

**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.

File(s) attached



Public Utilities  
Commission

# Application Attachments

**Exhibit 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 the filing of this application.

<b>State</b>	<b>Legal Entity</b>	<b>Commodity</b>
<b>California</b>	Ambit California, LLC	Gas
<b>California</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>California</b>	Viridian Energy PA, LLC	Gas
<b>Canada</b>	Ambit Energy Canada, ULC	Gas
<b>Canada</b>	Ambit Energy Canada, ULC	Electric
<b>Connecticut</b>	Ambit Northeast, LLC	Electric
<b>Connecticut</b>	Connecticut Gas & Electric, Inc.	Electric
<b>Connecticut</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>Connecticut</b>	Public Power, LLC	Electric
<b>Connecticut</b>	Viridian Energy, LLC	Electric
<b>D.C.</b>	Ambit Northeast, LLC	Electric
<b>D.C.</b>	Ambit Northeast, LLC	Gas
<b>D.C.</b>	Energy Service Providers, Inc.	Electric
<b>D.C.</b>	Everyday Energy, LLC	Electric
<b>D.C.</b>	Everyday Energy, LLC	Gas
<b>D.C.</b>	Public Power, LLC	Electric
<b>D.C.</b>	Viridian Energy PA LLC	Electric
<b>D.C.</b>	Viridian Energy PA LLC	Gas
<b>D.C.</b>	Viridian Network, LLC	Electric
<b>D.C.</b>	Viridian Network, LLC	Gas
<b>Delaware</b>	Ambit Northeast, LLC	Electric
<b>Delaware</b>	Everyday Energy, LLC	Electric
<b>Delaware</b>	Viridian Energy PA, LLC	Electric
<b>Delaware</b>	Viridian Network, LLC	Electric
<b>Illinois</b>	Ambit Illinois, LLC	Gas
<b>Illinois</b>	Ambit Northeast, LLC	Electric
<b>Illinois</b>	Dynegy Energy Services, LLC	Electric
<b>Illinois</b>	Energy Service Providers, Inc.	Electric
<b>Illinois</b>	Everyday Energy, LLC	Electric
<b>Illinois</b>	Everyday Energy, LLC	Electric
<b>Illinois</b>	Everyday Energy, LLC	Gas
<b>Illinois</b>	Illinois Power Marketing Company	Electric

<b>Illinois</b>	Public Power, LLC	Electric
<b>Illinois</b>	TriEagle Energy, LP	Electric
<b>Illinois</b>	U.S. Gas & Electric, Inc.	Gas
<b>Illinois</b>	Viridian Energy PA LLC	Electric
<b>Illinois</b>	Viridian Energy PA LLC	Gas
<b>Indiana</b>	Ambit Midwest, LLC	Gas
<b>Indiana</b>	Everyday Energy, LLC	Gas
<b>Indiana</b>	U.S. Gas & Electric, Inc.	Gas
<b>Indiana</b>	Viridian Energy PA, LLC	Gas
<b>Kentucky</b>	U.S. Gas & Electric, Inc.	Gas
<b>Maine</b>	Ambit Northeast, LLC	Electric
<b>Maine</b>	Dynegy Marketing and Trade	Electric
<b>Maine</b>	Energy Rewards, LLC	Electric
<b>Maine</b>	Massachusetts Gas & Electric, Inc.	Electric
<b>Maryland</b>	Ambit Northeast, LLC	Electric
<b>Maryland</b>	Ambit Northeast, LLC	Gas
<b>Maryland</b>	Energy Service Providers, Inc.	Electric
<b>Maryland</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>Maryland</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>Maryland</b>	Public Power & Utility of Maryland, LLC	Electric
<b>Maryland</b>	TriEagle Energy, LP	Electric
<b>Maryland</b>	U.S. Gas & Electric, Inc.	Gas
<b>Maryland</b>	Viridian Energy PA, LLC	Electric
<b>Maryland</b>	Viridian Energy PA, LLC	Gas
<b>Massachusetts</b>	Ambit Northeast, LLC	Gas
<b>Massachusetts</b>	Ambit Northeast, LLC	Electric
<b>Massachusetts</b>	Dynegy Energy Services (East), LLC	Electric
<b>Massachusetts</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>Massachusetts</b>	Massachusetts Gas & Electric, Inc.	Electric
<b>Massachusetts</b>	Public Power, LLC	Electric
<b>Massachusetts</b>	Viridian Energy PA, LLC	Gas
<b>Massachusetts</b>	Viridian Energy, LLC	Electric
<b>Michigan</b>	Ambit Midwest, LLC	Gas
<b>Michigan</b>	Energy Service Providers, Inc.	Electric
<b>Michigan</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>Michigan</b>	U.S. Gas & Electric, Inc.	Gas
<b>Michigan</b>	Viridian Energy PA, LLC	Gas
<b>Montana</b>	Big Sky Gas, LLC	Gas
<b>New Hampshire</b>	Ambit Northeast, LLC	Electric
<b>New Hampshire</b>	Energy Rewards, LLC	Electric
<b>New Hampshire</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>New Hampshire</b>	Viridian Energy, LLC	Electric

<b>New Jersey</b>	Ambit Northeast, LLC	Gas
<b>New Jersey</b>	Ambit Northeast, LLC	Electric
<b>New Jersey</b>	Energy Service Providers, Inc.	Electric
<b>New Jersey</b>	Everyday Energy NJ, LLC	Electric
<b>New Jersey</b>	Everyday Energy NJ, LLC	Gas
<b>New Jersey</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>New Jersey</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>New Jersey</b>	TriEagle Energy, LP	Electric
<b>New Jersey</b>	U.S. Gas & Electric, Inc.	Gas
<b>New Jersey</b>	Viridian Energy PA, LLC	Electric
<b>New Jersey</b>	Viridian Energy PA, LLC	Gas
<b>New York</b>	Ambit New York, LLC	Electric
<b>New York</b>	Energy Service Providers, Inc.	Electric
<b>New York</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>New York</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>New York</b>	Public Power, LLC	Electric
<b>New York</b>	Public Power, LLC	Gas
<b>New York</b>	U.S. Gas & Electric, Inc.	Gas
<b>New York</b>	Viridian Energy NY, LLC	Electric
<b>New York</b>	Viridian Energy PA, LLC	Gas
<b>Ohio</b>	Ambit Northeast, LLC	Gas
<b>Ohio</b>	Ambit Northeast, LLC	Electric
<b>Ohio</b>	Cincinnati Bell Energy, LLC	Electric
<b>Ohio</b>	Cincinnati Bell Energy, LLC	Gas
<b>Ohio</b>	Dynegy Energy Services (East), LLC	Electric
<b>Ohio</b>	Energy Service Providers, Inc.	Electric
<b>Ohio</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>Ohio</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>Ohio</b>	Public Power, LLC	Electric
<b>Ohio</b>	TriEagle Energy, LP	Electric
<b>Ohio</b>	U.S. Gas & Electric, Inc.	Gas
<b>Ohio</b>	Viridian Energy PA, LLC	Electric
<b>Ohio</b>	Viridian Energy PA, LLC	Gas
<b>Pennsylvania</b>	Ambit Northeast, LLC	Electric
<b>Pennsylvania</b>	Ambit Northeast, LLC	Gas
<b>Pennsylvania</b>	Dynegy Energy Services (East), LLC	Electric
<b>Pennsylvania</b>	Energy Service Providers, Inc.	Electric
<b>Pennsylvania</b>	Everyday Energy, LLC d/b/a Energy Rewards	Electric
<b>Pennsylvania</b>	Everyday Energy, LLC d/b/a Energy Rewards	Gas
<b>Pennsylvania</b>	Public Power, LLC	Electric
<b>Pennsylvania</b>	TriEagle Energy, LP	Electric
<b>Pennsylvania</b>	U.S. Gas & Electric, Inc.	Gas
<b>Pennsylvania</b>	Viridian Energy PA, LLC	Electric

U.S. Gas & Electric, Inc.

<b>Pennsylvania</b>	Viridian Energy PA, LLC	Gas
<b>Rhode Island</b>	Ambit Northeast, LLC	Electric
<b>Rhode Island</b>	Public Power, LLC	Electric
<b>Rhode Island</b>	Viridian Energy, LLC	Electric
<b>Texas</b>	Ambit Texas, LLC	Electric
<b>Texas</b>	TriEagle Energy, LP	Electric
<b>Texas</b>	TXU Energy Retail Company LLC	Electric
<b>Texas</b>	Value Based Brands LLC	Electric
<b>Virginia</b>	Ambit Northeast, LLC	Gas
<b>Virginia</b>	Viridian Energy PA, LLC	Gas





Close

## Business Details

1758193

U.S. GAS & ELECTRIC, INC.

FOREIGN CORPORATION

Active

02/07/2008

DELAWARE

## AGENT/REGISTRANT INFORMATION

CAPITOL CORPORATE SERVICES, INC.  
4568 MAYFIELD RD STE 204  
CLEVELAND OH 44121  
07/16/2019  
Active

Entity#

LS

LS

Last

**Exhibit D-1**

**Operations**

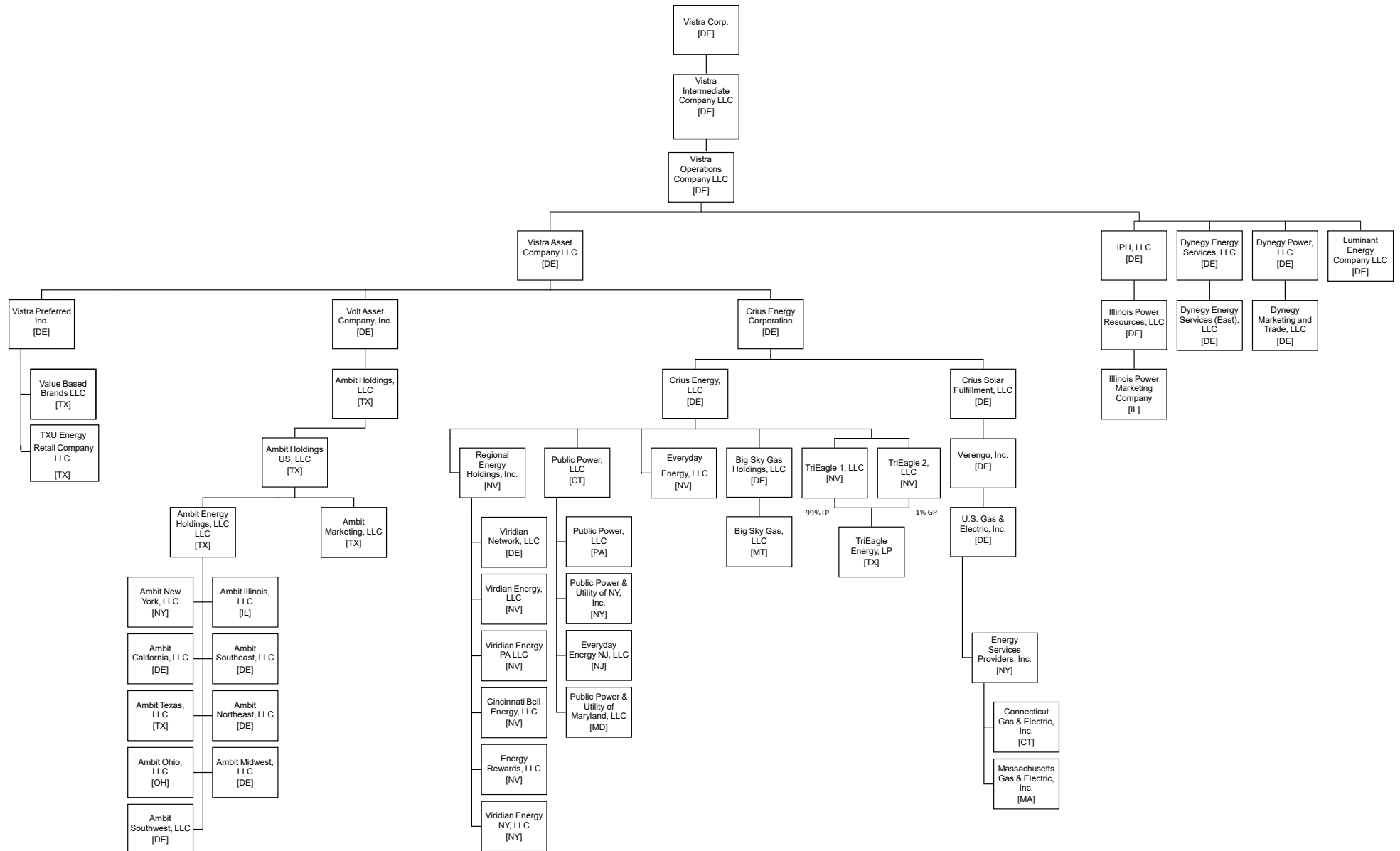
Describe the operational nature of the applicant's business, specifying whether operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and/or the provision of retail ancillary services, as well as other services used to supply natural gas to the natural gas company city gate for retail customers.

U.S. Gas & Electric, Inc. will market electricity as a licensed competitive retail electricity services supplier in Ohio to residential, commercial, and industrial customers.

U.S. Gas & Electric, Inc. does not currently own or operate, nor does it intend to own or operate any generation, transmission, or distribution facilities. U.S. Gas & Electric, Inc. does not currently, nor does it intend to be involved in the provision of retail ancillary services.

# Vistra Corp. Organizational Structure U. S. Retail Entity Excerpt

\*\*All ownership interest 100% unless otherwise indicated.



**Claudia J. Morrow**  
Vistra Corp.  
Senior Vice President, Origination & Pricing

Claudia J. Morrow is Vice President, Origination & Pricing for Vistra Corp. (Vistra). Claudia is responsible for commodity cost forecasting and portfolio management of the commodity price risk associated with Vistra's subsidiaries' retail electricity sales through procurement of power and power related products. The portfolio value is in the range of \$3 billion dollars. She also leads a retail gas sales team with large industrial and commercial customers across the state of Texas.

Claudia joined Vistra's predecessor (TXU Corp.) in July of 2001 with multiple years of experience in commodities markets at JP Morgan Chase and Morgan Stanley.

Claudia has a bachelor's degree from Texas A&M University.

**Margaret Pirtle**  
Vistra Corp.  
Director, Customer Advocacy Services

Margaret Pirtle is the Director of Customer Advocacy Services for Vistra Corp. (Vistra). Margaret joined Vistra's predecessor (TXU Corp.) in April 2007 and has over 12 years of experience in the competitive electricity industry. When she joined the company, Margaret was responsible for establishing the operations policy and procedures team, which implemented and ensured compliance with operational policies. In her current role, she is responsible for driving improved customer experiences by managing all lines of customer escalations including those to the state commissions, Attorney General's office, and the Better Business Bureau. She also oversees the Energy Assistance program that provides financial support to customers in need. Additionally, Margaret is responsible for managing the relationships with the Transmission and Distribution Utilities, ERCOT, and the state commissions to ensure operational readiness.

Margaret has a bachelor's degree in business administration from Texas Tech University  
– Rawls College of Business.

**John Duessel**  
Vistra Corp.  
Senior Vice President, Chief Customer Officer

John Duessel is a Vice President and the Chief Customer Officer for Vistra and has over 9 years of experience in the competitive electricity industry. John joined Vistra's predecessor (Energy Future Holdings Corp. (EFH)) in April 2010 and has been the Chief Customer Officer for Vistra since October 2016. In his current role, John leads the customer experience services organizations that are responsible for delivering exceptional experiences to customers for Vistra's subsidiary, TXU Energy Retail Company LLC.

Prior to his role as the Chief Customer Officer, John was a Senior Director and then a Vice President of the revenue operations division, and, in those roles, he led teams dedicated to delivering seamless customer experiences across all core revenue cycle management functions. John began at the company as a Director

in the credit, collections, and bad debt management department, where he was responsible for credit assessment / credit management and collections functions across all lines of the business.

John received a master's in business administration in finance degree from Southern Methodist University – Cox School of Business and has a juris doctor degree from Columbus School of Law.

**Jeff Ellis**

Vistra Corp.

Director, Customer Operations & Support Services

Jeff Ellis is the Director of Customer Operations & Support Services at Vistra and has 20 years of experience in the competitive electricity industry. In his current role with Vistra, Jeff oversees contact center operations, including customer experience execution as well as contact center support functions such as process optimization, learning and development, quality insights, and compliance. Jeff will perform a similar role for Ambit.

Jeff began his career with Vistra's predecessor (TXU Corp.) in 1999, supporting customer system enhancements that prepared TXU Corp. to transition into the Texas competitive retail electric market. Jeff subsequently worked for a consulting firm that managed customer operations for several other Texas retail electric providers, before returning to Vistra's predecessor (then EFH) in 2009.

Jeff has a degree in management information systems and business management from University of Oklahoma – Price College of Business

**Eric Wurzbach**

Vistra Corp.

Senior Director of Natural Gas

Eric Wurzbach is the Senior Director of Natural Gas at Vistra and has over 20 years of experience in the natural gas industry having worked in the areas risk analyst, gas scheduling, and gas trading.

Eric has a B.B.A., Economics, International Business, and Business from Baylor University – Hankamer School of Business, and an MBA from University of Houston, C.T. Bauer College of Business, Certificates of Energy Risk Management, Energy Investment Analysis, and Energy Accounting & Finance.

**Exhibit 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.

**Ambit Northeast, LLC**

Public Utilities Commission of Ohio – The Public Utilities Commission of Ohio (“PUCO”) sent a Notice of Probable Non-Compliance to Ambit Northeast regarding alleged invalid enrollments by Ambit Independent Consultants on October 19, 2018. All the corrective actions proposed by the PUCO were implemented, and Ambit agreed to a forfeiture of \$21,000. The settlement was approved and filed on March 11, 2019.

**Ambit New York, LLC**

New York Department of Public Service – On May 21, 2015, the New York Department of Public Service (“NYDPS”) formally opened an investigation due to a spike in complaints received against Ambit New York, LLC. This issue was officially closed with the NYDPS on January 20, 2016 with a voluntary payment to New York customers by Ambit of \$1.2 million.

New York Attorney General - On March 25, 2015, the New York Attorney General issued a subpoena duces tecum regarding its investigation into the practices of Ambit New York, LLC which was related to the same issues and complaints raised by the NYDPS’s Investigation. A settlement was reached December 20, 2018, and Ambit New York, LLC was required to pay a penalty in the amount of \$1.5 million dollars.

**Ambit Texas, LLC**

Texas Public Utility Commission - The Texas Public Utility Commission (“PUCT”) opened an investigation into Ambit Texas, LLC regarding Ambit’s Standard Plan product. Ambit voluntarily terminated the Ambit Standard Plan effective December 21, 2017. A settlement was reached and approved on November 18, 2018 which required Ambit to pay a penalty of \$160,000.

**Public Power & Utility of New Jersey, LLC, TriEagle Energy LP and Viridian Energy PA LLC**

New Jersey Board of Public Utilities – Public Power & Utility of New Jersey, LLC, TriEagle Energy LP and Viridian Energy PA, LLC (collectively the “NJ Suppliers”) submitted its annual RPS compliance report on October 31, 2016 using data that reflected its actual retail electricity sales in New Jersey, instead of the electricity sales data listed in PJM-Environmental Management System Generator Attribute Tracking System (“GATS”). The New Jersey Board of Public Utilities (the “Board”) allows suppliers to use actual retail electricity sales figures but a new process introduced in 2016 required that suppliers explain the discrepancy between the GATS data and its actual retail sales prior to filing the RPS compliance report. Due to a miscommunication, the NJ Suppliers were unaware of this instruction, but communicated with the Board over the next several months to come to an amicable resolution. In an order dated April 21, 2017, the Board directed the NJ Suppliers to pay an Alternative Compliance Payment (“ACP”) in lieu of retiring Renewable Energy Credits (“RECs”). In June 2017, the NJ Suppliers filed a Motion for Reconsideration with the Board requesting that the Board allow the NJ Suppliers to retire RECs to cover its 2016 RPS requirements rather than paying the ACP. NJ Suppliers reached a settlement with Staff that was approved by the Board on October 29, 2018 that allowed the NJ Suppliers to retire the additional RECs and also assessed a \$25,000 administrative penalty against each supplier.

**U.S. Gas & Electric, Inc., Energy Services Providers, Inc.**

Office of the New York State Attorney General – Prior to U.S. Gas & Electric Inc. and Energy Services Providers, Inc. (collectively, the “Company”) becoming affiliated with Crius Energy, the Office of the New York State Attorney General (the “NYAG”) requested information related to marketing efforts in New York State, and information related to customer complaints and pricing. The Company has fully cooperated with the requests and is currently in communication with the NYAG concerning a fair and equitable resolution of the matter.

**U.S. Gas & Electric, Inc., Energy Services Providers, Inc.**

New Jersey Attorney General – Prior to U.S. Gas & Electric Inc. and Energy Services Providers, Inc. (collectively, the “Company”) becoming affiliated with Crius Energy, the Office of the New Jersey Attorney General (the “NJAG”) requested information from the Company regarding customer agreements, pricing and complaints in New Jersey. The Company has fully cooperated with the requests and is awaiting feedback from the NJAG.

**U.S. Gas & Electric, Inc., Energy Services Providers, Inc.**

Maryland Public Service Commission – On May 15, 2019, the Technical Staff of the Maryland Public Service Commission (“PSC”) filed a complaint against Energy Services Providers, Inc. d/b/a Maryland Gas & Electric and U.S. Gas & Electric, Inc. d/b/a Maryland Gas & Electric (collectively, the “Company”) alleging that the Company had violated Maryland law governing retail suppliers’ activities, and specifically citing 33 consumer complaints received in 2018. On June 18, 2019, Company filed an answer and response with the PSC and on July 12, 2019, the PSC delegated the matter to the Public Utility Law Judge for review.

## **Exhibit 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 ruled adopted pursuant to Sections 4928.10 and/or 4929.22 of the Ohio Revised Code.

#### **Experience**

The Vistra Corp family of brands connects with energy customers through an innovative family of brands, strategy, and multi-channel marketing approach. This unique combination creates multiple access points to a broad suite of energy products and services that make it easier for consumers to make informed decisions about their energy needs. Vistra Corp. brands market energy products in 19 states and the District of Columbia with plans to continue expanding its geographic reach.

The applicant has the necessary operational and managerial capabilities to serve all customer classes, including residential, commercial and industrial customers. The Vistra Corp. management team is comprised of individuals with significant experience in wholesale and retail energy supply.

#### **Contracting with Customers**

Applicant markets its products through the traditional channels of digital advertising, telemarketing, and in-person marketing.

Enrollment: There are five ways a potential customer could be enrolled:

1. *Paper Enrollment.* Potential customers can use a paper enrollment form that they fill out and it is faxed into Applicant's headquarters after which customer receives a welcome package with copies of all the forms.
2. *Web Enrollment.* Potential customers can visit <http://www.usgande.com> enroll online. From the website, potential customers may print forms and information. Upon receipt of the enrollment at U.S. Gas & Electric Inc.'s headquarters, the customer receives a welcome package with all copies of the forms.
3. *Telephonic Enrollment.* Potential commercial customers may be solicited over the phone by U.S. vendors and may decide to sign up over the telephone and complete a third-party verification confirming the decision to enroll.



U.S. Gas & Electric Inc.

4. *Customer Care Center.* Potential customers can call U.S. Gas & Electric Inc. Customer Care Center. A call center representative will enroll the customer and a third-party verification will be taken after such enrollment and a welcome package will be sent.
5. *Retention Center.* U.S. Gas & Electric Inc. makes outbound telemarketing calls to existing or former customers only for renewal or re-enrollment purposes.

### **Providing Contracted Services**

U.S. Gas & Electric Inc. currently provides customers with affordable electricity in Ohio.

### **Providing Billing Statements**

U.S. Gas & Electric Inc. does not provide its own billing statements. It will provide consolidated billing with the utility.

### **Responding to Customer Inquiries and Complaints**

U.S. Gas & Electric Inc. operates an in-house telephone customer care center to answer any questions that customers may have. When a customer calls in with a question or complaint, the customer service representative will work with them to address any issue or problem. If the customer asks to have their enrollment cancelled, the customer service representative processes it immediately.

Applicant operates a telephone customer care center to answer any questions that customers may have. When a customer calls in with a question or complaint, the customer service representative will work with them to address any issue or problem. If the customer asks to have their enrollment cancelled, the Customer Care Representative processes it immediately. Any complaints or questions that are not resolved by the Customer Care Representatives may be escalated to the Customer Advocacy Department, who will work directly with the customer to investigate and address the issue with the goal of achieving customer satisfaction.

# Competitive Retail Natural Gas Service Affidavit

County of Dallas :

State of Texas :

Gabe Vazquez, Affiant, being duly sworn/affirmed, hereby states that:

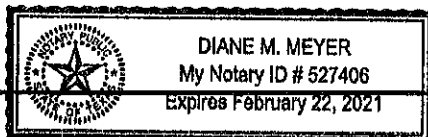
1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information 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 sa~~y~~eth naught.

Gabe Vazquez  
Signature of Affiant & Title

Sworn and subscribed before me this 31 day of August, 2020  
Month Year

Diane M. Meyer  
Signature of official administering oath

Diane Meyer, Sr. Admin Assistant  
Print Name and Title



My commission expires on February 22, 2021

- 1. 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.
- 2. 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.
- 3. 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).

## **D. Technical Capability**

Provide an attachment for each of the sections below.

### **D-1. Operations.**

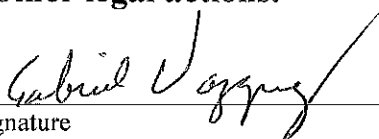
Retail natural gas brokers/aggregators: Include details of the applicant's business operations and plans for arranging and/or aggregating for the supply of natural gas to retail customers.

Gas Marketers: Describe the operational nature of the applicant's business, specifying whether operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and/or 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. Operations expertise and key technical personnel.**

Provide evidence of the applicant's experience and technical expertise in performing the operations described in this application. Include the names, titles, e-mail addresses, telephone numbers and background of key personnel involved in the operational aspects of the applicant's business.

**As authorized representative for the above company/organization, I certify that all the information contained in this application is true, accurate and complete. I also understand that failure to report completely and accurately may result in penalties or other legal actions.**

  
 \_\_\_\_\_  
 Signature

8/31/2020

\_\_\_\_\_  
 Date

VP& Associate General Counsel

\_\_\_\_\_  
 Title

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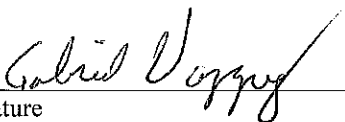
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8/31/2020

\_\_\_\_\_  
 Date

VP & Associate General Counsel

\_\_\_\_\_  
 Title

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

**Commission of Ohio Docketing Information System on**

**9/24/2020 7:44:12 PM**

**in**

**Case No(s). 08-0601-GA-CRS**

**Summary: In the Matter of the Application of US Gas & Electric Inc**