



DIS Case Number: 16-2042-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: StateWise Energy Ohio LLC

Country: United States

Phone: 855-862-1185
Extension (if applicable):

Street: 600 Superior Avenue East, Suite 1300

Website (if any): www.statewiseenergy.com

City: Cleveland

Province/State: OH

Postal Code: 44114

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
StateWise	DBA	600 Superior Avenue Suite 1300 Cleveland, OH 44114	Yes	File
StateWise Energy	DBA	600 Superior Avenue Suite 1300 Cleveland, OH 44114	No	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
StateWise	DBA	600 Superior Avenue Suite 1300 Cleveland, OH 44114	Yes	File



Public Utilities Commission

StateWise Energy	DBA	600 Superior Avenue Suite 1300 Cleveland, OH 44114	No	File
StateWise Energy Ohio LLC	Official Name	600 Superior Avenue, Suite 1300 Cleveland, OH 44114	Yes	File

A-5. Contact person for regulatory matters

Jeff Donnelly
600 Superior Ave E, Ste 1300
Cleveland, OH 44114
US
jdonnelly@sfeenergy.com
8555006378

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

Elgin Tagle
Post Office Box 967
Buffalo, NY 14240-0967
US
etagle@sfeenergy.com
9053667006

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

Phone: 855-862-1185	Extension (if applicable):	Country: United States
Fax:	Extension (if applicable):	Street: 600 Superior Avenue East, Suite 1300
Email: compliance@statewiseenergy.com		City: Cleveland Province/State: OH
		Postal Code: 44114

A-8. Applicant's federal employer identification number

38-3988690

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: 01-25-2017

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
Shelley Lewis		Chief Financial Officer and Secretary	100 Milverton Drive, Suite 608 Mississauga, ON L5R 4H1 CA
David Easton		Board Member	100 Milverton Drive, Suite 608 Mississauga, ON L5R 4H1 CA
Michael Gerald Haggarty		President, CEO and Board Member	100 Milverton Drive, Suite 608 Mississauga, ON L5R 4H1 CA
Bill Siveter		Board Member	100 Milverton Drive, Suite 608 Mississauga, ON L5R 4H1 CA
Jeff Borg		Senior Vice President	100 Milverton Drive, Suite 608 Mississauga, ON L5R 4H1 CA



Public Utilities Commission

Samir Kareem		Chief Technology and Operations Officer	100 Milverton Drive, Suite 608 Mississauga, ON L5R 4H1 CA
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A-13. Company history

Ohio (Gas and Electricity). StateWise Energy Ohio LLC (SWE) received its license from the Public Utilities Commission of Ohio, to provide retail electric generation services to residential and commercial customers on January 27, 2017. SWE currently offers fixed term supply products to both residential and commercial customers.

SWE received its license from the Public Utilities Commission of Ohio, to provide retail Natural Gas supply to residential and commercial consumers on January 27, 2017. SWE currently offers fixed term supply products to both residential and commercial customers.

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: Jeff Donnelly
600 Superior Ave E, Ste 1300
Cleveland, OH 44114
US
jdonnelly@sfeenergy.com
8555006378

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.

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?

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.

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



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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 A-14

StateWise Energy Ohio LLC

Exhibit A-14 "Secretary of State," provide evidence that the applicant has registered with the Ohio Secretary of the State.

Response: Please see attached



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
01/22/2016	201602201426	REGISTRATION OF FOREIGN FOR PROFIT LLC (LFP)	99.00	0.00	0.00	0.00	0.00

Receipt

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

CORPORATION SERVICE COMPANY
DEANNE E. SCHAUSEIL
50 W. BROAD STREET
COLUMBUS, OH 43215

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jon Husted
3853330

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

STATEWISE ENERGY OHIO LLC

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

Document(s)

REGISTRATION OF FOREIGN FOR PROFIT LLC

Effective Date: 01/21/2016

Document No(s):

201602201426

United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio this
22nd day of January, A.D. 2016.

Ohio Secretary of State



Form 533B Prescribed by:

JON HUSTED
OHIO SECRETARY OF STATE

 Toll Free: (877) SOS-FILE (877-757-3453)
 Central Ohio: (614) 466-3910

www.OhioSecretaryofState.gov
business@OhioSecretaryofState.gov
File online or for more information: www.OHBUshoesCentral.com

Mail this form to one of the following:

 Regular Filing (non expedite)
 P.O. Box 170
 Columbus, OH 43216

 Expedite Filing (Two business day processing time.
 Requires an additional \$100.00)
 P.O. Box 170
 Columbus, OH 43216

Registration of a Foreign Limited Liability Company

Filing Fee: \$99
Form Must Be Typed

CHECK ONLY ONE (1) BOX

- (1) ☒ Registration of a Foreign For-Profit Limited Liability Company
 (106-LFA)
 ORC 1705

Jurisdiction of Formation Date of Formation

- (2) ☐ Registration of a Foreign Nonprofit Limited Liability Company
 (106-LFA)
 ORC 1705

Jurisdiction of Formation Date of Formation

Name of Limited Liability Company in its jurisdiction of formation

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its name in its jurisdiction of formation) is:

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd."

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

Name

Mailing Address

City

State

ZIP Code

The limited liability company hereby appoints the following as its agent upon whom process against the limited liability company may be served in the state of Ohio. The name and complete address of the agent is

CSC-Lawyers Incorporating Service (Corporation Service Company)

Name

50 West Broad Street, Suite 1800

Mailing Address

Columbus

City

Ohio

State

43215

ZIP Code

The limited liability company irrevocably consents to service of process on the agent listed above as long as the authority of the agent continues, and to service of process upon the Ohio Secretary of State if:

- a. an agent is not appointed, or
- b. an agent is appointed but the authority of that agent has been revoked, or
- c. the agent cannot be found or served after the exercise of reasonable diligence.

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required
Must be signed by an
authorized representative.

If authorized representative
is an individual, then they
must sign in the "signature"
box and print their name
in the "Print Name" box.

If authorized representative
is a business entity, not an
individual, then please print
the business name in the
"signature" box, an
authorized representative
of the business entity
must sign in the "By" box
and print their name in the
"Print Name" box.

SFE Energy, Inc.

Signature

By (if applicable)

Shelley Lewis, CFO

Print Name

Signature

By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

Exhibit B-1

StateWise Energy Ohio LLC

Exhibit B-1 “Jurisdictions of Operation,” provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail natural gas and electric services.

Response:

Applicant/Affiliate Company Name	Date of Issuance	Regulatory Agency
Summitt Energy BC LP (“Summitt Energy”)	19-Mar-08	British Columbia Utilities Commission
Summitt Energy Management Inc. (“Summitt Energy”)	22-Dec-08	Ontario Energy Board
Family Energy, Inc. (“Family Energy”)	22-Apr-13	New York Public Service Commission
SFE Energy Pennsylvania, Inc. (“SFE Energy”)	15-Aug-13	Pennsylvania Public Utilities Commission
SFE Energy Maryland, Inc. (“SFE Energy”)	18-Dec-13	Maryland Public Service Commission
SFE Energy NJ, Inc. (“SFE Energy”)	20-Aug-14	New Jersey Board of Public Utilities
SFE Energy Massachusetts, Inc. (“SFE Energy”)	12-Mar-15	Commonwealth of Massachusetts, Department of Public Utilities
SFE Energy California, Inc. (“SFE Energy”)	11-Feb-15	California public Utilities Commission
SFE Energy Ohio, Inc. (“SFE Energy”)	14-Feb-16	Public Utilities Commission of Ohio
SFE Energy Illinois, Inc. (“SFE Energy”)	25-Sep-18	Illinois Commerce Commission
SFE Energy Texas, Inc. (“SFE Energy”)	5-Jul-17	Public Utilities Commission of Texas
StateWise Energy Ohio LLC (“SWE”)	27-Jan-17	Public Utilities Commission of Ohio
StateWise Energy Maryland LLC (“SWE”)	31-Oct-18	Maryland Public Service Commission
StateWise Energy Pennsylvania LLC (“SWE”)	6-Dec-18	Pennsylvania Public Utilities Commission
StateWise Energy California LLC (“SWE”)	1-Nov-18	California Public Utilities Commission

Exhibit B-2

StateWise Energy Ohio LLC

Exhibit B-2 "Experience & 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 the Commission rules adopted pursuant to Sections 4928.10 and/or 4929.22 of the Ohio Revised Code.

Exhibit B-2 - EXPERIENCE AND PLANS

StateWise Energy Ohio LLC ("SWE") is applying to renew its Competitive Retail Natural Gas and Electric Retail Generation Supplier License in order to continue to provide competitive natural gas and electricity service to consumers in the State of Ohio.

SWE and its key operating personnel have extensive technical experience in the retail of electricity and natural gas supply to residential and commercial consumers in Canada, through its affiliates Summitt Energy Management Inc., Summitt Energy BC LP, Summitt Energy Quebec LP, ("Summitt"), in the State of New York (through Family Energy Inc. ("Family")) and in the States of Pennsylvania, Maryland, New Jersey, Ohio, Illinois, Massachusetts and Texas (through SFE Energy Inc. ("SFE")). SFE also operates in California (through SFE Energy California, Inc. ("SFE California")) as well as Maryland, California, Pennsylvania and Ohio (through StateWise Energy Maryland LLC, StateWise Energy California LLC, StateWise Energy Pennsylvania LLC and StateWise Energy Ohio LLC ("StateWise")).

MANAGEMENT AND TECHNICAL STAFF

SWE has qualified operating individuals with experience in the deregulated energy industry that have been hired to oversee its operations. The management and technical staff have successfully developed and maintained sophisticated operating and information technology systems, a responsive and dedicated sales force, and have an effective compliance regime. The current staffing structure of the company is organized under the following departments: Finance, Portfolio Management, Regulatory Affairs & Compliance, Information Technology, Sales, Marketing, Operations, and Customer Care. Each department is managed by a Director with a total staff count of approximately 175.

PROJECTED FRANCHISE AREAS

SWE markets natural gas and electricity supply services for fixed terms to residential and commercial consumers. SWE has no restrictions to the number or size of consumers it offers its services. SWE conducts the sales of its energy programs via an arm's length broker channel of whom we already contract within Pennsylvania, Maryland, New Jersey, Massachusetts, Ohio, California and Texas and Pennsylvania. SWE utilizes existing SWE compliance personnel in the state of Ohio.

CUSTOMER INFORMATION SYSTEMS (CIS)

SWE has a dedicated U.S. market customer information system which houses its customer profile information, manages transactions with all utilities, maintains portfolio management information, and stores complaint data used to generate compliance monitoring reports. This customer information system is custom-built and is flexible to respond to changing requirements and market environments.

UTILITY INTERFACE

SWE uses a service provider for interfacing with the utilities for the purposes of Electronic Data Interchange (EDI). SWE has undergone EDI testing to ensure all requirements are met to transact with all relevant utilities. Transactions between SWE and the utilities are managed by SWE's Operations Department (enrollments and billing) and Information Technology Department (information systems). The overall management of the transactions and interface are managed by the Chief Technology and Operations Officer.

Reporting to the Director of Operations is the Manager of U.S. Operations. These positions are responsible for the day to day dealings with transactions and communication with all utilities service providers. These responsibilities include, but are not limited to; customer enrollments, customer maintenance, billing and remittance.

The Director of Information Technology and staff are responsible for the administration and management of the Customer Information Systems. Reporting to the Director of Information Technology are the system administrator and business analysts. This department is responsible for the infrastructure and maintenance of CIS systems. These responsibilities include development and maintenance of CIS systems, EDI transport interfaces and billing systems.

SALES STRUCTURE

Sales Representatives are contracted by an existing arm's length Sales Agency to represent SWE's products. SWE holds an agreement with the Sales Representative, to follow the standards and guidelines outlined by SWE when selling its products, and an agreement with the Sales Agency, to whom they report and by whom they are paid. The Sales Agency is contracted with SWE to agree that their representatives will adhere to the rules and conduct set out by SWE.

COMPLIANCE REGIME

In order for SWE to address complaints regarding the conduct of Sales Representatives, SWE has developed a compliance monitoring program. This monitoring program tracks all complaint types, generates complaint reports, and assesses the Sales Representative's compliance standing. Remedial action is issued based upon the Sales Representative's compliance standing.

The sales-conduct oversight of the Sales Representatives will be based on the following elements:

- Sales Representative Certification Process
- A Point-of-Sale Third Party Verification Call
- Quality Assurance Call and Verification Call Audits
- Sales Compliance Monitoring Program

Exhibit B-3

StateWise Energy Ohio LLC

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 matter related to competitive services in Ohio or equivalent services in another jurisdiction.

Disclosure of Liabilities and Investigations

Applicant/Affiliate Company Name	Date of Issuance	Regulatory Agency	Docket Number	Action	Subject Description	Status (Open or Closed)
Summitt Energy BC LP ("Summitt Energy")	19-Mar- 08	British Columbia Utilities Commission ("BCUC")	G-48-08	BCUC rendered a decision and issued a \$1,000 fine against Summitt Energy related to the validity and compliance of one customer verification call.	A particular consumer logged a dispute with the BCUC for adjudication. Summitt Energy provided a verification call completed with the customer. Verification of contracts was not a regulatory requirement at the time the call was conducted. The BCUC determined that the call contained misleading information and was presented in a manner than may have caused confusion to the consumer.	Closed
Summitt Energy BC LP("Summitt Energy")	19-Mar- 08	British Columbia Utilities Commission ("BCUC")	G-49-08	The BCUC rendered a decision and issued a \$6,000 fine against Summitt Energy relating to contracts and verification calls for six enrolled customers. Two calls did not conform to the BCUC's script requirements, and four (4) customers were enrolled, but not received service from Summitt Energy, before the verification was completed by the customer.	As part of a random compliance inquiry, the BCUC requested six (6) verification calls conducted by Summitt Energy. BCUC and Summitt Energy reached an agreement on how to remedy the breach.	Closed
Summitt Energy Management Inc. ("Summitt Energy")	22-Dec- 08	Ontario Energy Board ("OEB")	EB-2009-0006	The OEB issued a Notice of Intention to Make an Order against Summitt Energy. The Order was for an Administrative Penalty against Summitt Energy in the amount of \$100,000, in relation to the OEB's review of recorded reaffirmation calls completed by Summitt Energy in 2008. Summitt Energy provided the OEB with a Voluntary Assurance of Compliance on January 20, 2009 and agreed to pay \$70,000 in settlement and without admission of liability. This was accepted by the OEB on January 30, 2009.	Summitt supplied seven (7) customers without a valid verification call. The OEB found that the seven verification calls did not meet industry standards.	Closed

Summitt Energy Management Inc. ("Summitt Energy")	10-Jun-10	Ontario Energy Board	EB-2010-0221	On November 18, 2010, the OEB issued a Decision and Order whereby Summitt Energy was ordered to pay an administrative penalty of \$234,000 and proceeding costs of \$65,000, complete a review and audit of Summitt Energy's sales practices, and cancel and reimburse the required customers. Summitt Energy appealed the OEB Decision of November 18, 2010. The Appeal, as well as Summitt Energy's Fresh Evidence Motion, was heard by the Divisional Court (Ontario) Supreme Court on December 11 th and 12 th , 2012. The Court denied the Appeal.	The OEB issued a Notice of Intention to Make an Order against Summitt Energy. The Order was for an Administrative Penalty in the amount of \$495,000 in relation to allegations that five of Summitt Energy's sales agents engaged in 28 incidents that violated the OEB's Code of Conduct.	Closed
Summitt Energy Management Inc. ("Summitt Energy")	25-Aug-11	Ontario Energy Board ("OEB")	EB-2011-0316	On August 25, 2011 the OEB issued a Notice of Intention to Make an Order against Summitt Energy. The Order against Summitt Energy was for an Administrative Penalty of \$15,000 in relation to (1) the OEB's view that Summitt Energy's contract failed to ensure that the person signing the contract on behalf of Summitt Energy did so before the acknowledgement that has to be signed and dated by the consumer which was contrary to Ontario Regulation 389/10 and the Energy Consumer Protection Act, 2010, and (2) that the consumer was give the wrong price comparison form by the Summitt Energy's sales representative. A Settlement Agreement was reached between Summitt Energy and the OEB on June 14, 2012 whereby Summitt Energy agreed to pay an administrative fee of \$10,000.	As part of an industry audit, the OEB found one contract that did not have the correct Price Comparison Form (i.e., Summit Energy's price on the Price Comparison Form did not correspond to the price selected by the customer on Summitt Energy's contract, and the acknowledgement statement line on the contract was not in the correct place as specified in the regulation.	Closed
Family Energy, Inc. ("Family Energy")	22-Apr-13	New York Public Service Commission ("NYPSC")	Case No. 13-M-0139	On April 22, 2013 the NYPSC issued an Order Instituting Proceeding and To Show Cause ("Show Cause Order"). Family responded to the Show Cause Order on April 29, 2013 and May 10, 2013 outlining enhanced marketing policies, compliance measures and procedural measures implemented by Family Energy.	The Show Cause Order issued by the NYPSC was as a result of consumer complaints about the marketing practices of Family Energy.	Closed

Summitt Energy Management Inc. ("Summitt Energy")	6-Dec-13	Ontario Energy Board ("OEB")	EB-2013-0386	On December 6, 2013 Summitt Energy entered into a Voluntary Assurance to make recommended changes by Board staff to it's various contracts, price comparisons and billing transactions to ensure compliance with section 12(1)(b) of the ECPA, section 8(3) of Ontario Regulation 389/10, and sections 4.6(a) and 4.7 of Part B of the Electricity Retailer Code of Conduct.	As part of an industry audit, the OEB found that an outdated version of a price comparison template was provided by Summitt Energy to 1 consumer at the time of sale. In 55 of 60 contracts tested, Summitt Energy did not disclose each element of the contract price separately on the price comparison template, namely breaking down the admin fee into separate components. In 4 of 60 contracts tested, the price information in the price comparison template provided to the consumer did not match the price and structure of the product selected by the consumer under the contract resulting in the customer paying a lower rate than what was listed in the price structure.	Closed
Summitt Energy Management Inc. ("Summitt Energy")	16-Oct-14	Ontario Energy Board ("OEB")	EB-2014-0308	On October 16, 2014 Summitt Energy entered into a Voluntary Assurance to make recommended changes by Board staff to it's various marketing and promotional materials in order to ensure compliance with various enforceable provisions of the ECPA, Ontario Regulation 389/10, and Retailer Code of Conduct for Gas marketers.	As part of an industry audit, the OEB found that some of Summitt's marketing materials were outdated or did not source the information provided which could be misleading to consumers. Summitt Energy did not disclose each element of the contract price separately on the contract even though it was disclosed on the price comparison template, namely the global adjustment.	Closed
Family Energy, Inc. ("Family Energy")	21-Jun-16	Division of Consumer Protection, Department of State New York	15-DNC-0149	Consent Order Entered into to resolve matter without any admission of guilt and to elevate both parties of the burden and expense of litigation pertaining to the Notice of Apparent Liability. Agreed monetary settlement of \$23,000.00.	Notice of Apparent Liability pertaining to violations of New York State Do Not Call Laws pertaining to Family Energy Inc. calling New York residents who were allegedly listed on the New York DNC registry.	Closed
SFE Energy Pennsylvania Inc. ("SFE Energy")	21-Jul-16	Bureau of Investigation and Enforcement Pennsylvania Public Utilities Commission	BP8#2546422	Settlement agreement entered into with a \$1,000.00 penalty.	Informal Investigation relating to sales agent certification and background check requirements in accordance with Chapters 52, and 54 of Title 52 of the Pennsylvania Code. Investigation determined that 1 background check for 1 sales agent was conducted in error resulting in a favorable background (SFE Staff data entry error). It was determined that it was an isolated incident and now further investigation was required.	Closed

SFE Energy Massachusetts Inc. ("SFE Energy")	7-May-19	Department of Public Utilities	N/A	N/A	DPU's informal review of SFE's business practices pursuant to the Order Establishing Final Interim Guidelines for Competitive Supply Investigations and Proceedings. D.P.U 16-156-A (issued July 6, 2017). This matter is not for the Applicant but rather an affiliate with no majority ownership.	Open
Family Energy, Inc. ("Family Energy")	N/A	N/A	N/A	N/A	The New York Attorney General is reviewing Family Energy, Inc. sales and marketing process and materials to determine if there is any violation of New York statutes. Management anticipates that the matter will be concluded with a formal settlement. This matter is not for the Applicant but rather an affiliate with no majority ownership.	Open
SFE Energy Ohio, Inc.	30-Jun-20	Public Utilities Commission of Ohio	20-1216-GE-COI	N/A	Staff of the Commission's Service Monitoring and Enforcement Department identified certain customer contacts and initiated an investigation into marketing, sales, and enrollment practices. SFE and Statewise have engaged in settlement negotiations and have reached a settlement with PUCO Staff and the Office of the Ohio Consumers' Counsel subject to Commission approval.	Open
StateWise Energy Ohio LLC	30-Jun-20	Public Utilities Commission of Ohio	20-1216-GE-COI	N/A	Staff of the Commission's Service Monitoring and Enforcement Department identified certain customer contacts and initiated an investigation into marketing, sales, and enrollment practices. SFE and Statewise have engaged in settlement negotiations and have reached a settlement with PUCO Staff and the Office of the Ohio Consumers' Counsel subject to Commission approval.	Open
SFE Energy Maryland LLC ("StateWise Energy")	10-Dec-20	Maryland Public Utilities Commission	No. 232904	N/A	PSC's informal review of StateWise Energy Maryland's complaints. Awaiting determination whether the matter will move forward as a formal complaint. This matter is not for the Applicant but rather an affiliate.	Open

Competitive Retail Natural Gas Service Affidavit

City
County of Mississippi:
Boomer
State of Ontario:

Michael Gerald Haggarty, 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]
Signature of Affiant & Title

Sworn and subscribed before me this 18 day of December, 2020
Month Year

[Signature]
Signature of official administering oath

[Signature]
Print Name and Title

My commission expires on

NA USUC P07465

Exhibit C-8

StateWise Energy Ohio LLC

Exhibit C-8 “Corporate Structure”

Summitt Energy Corporate Group
Corporate Organizational Chart
December 2020

All US corporations and LLCs are formed in Delaware with the exception of Family Energy Inc. (incorporated in NY)

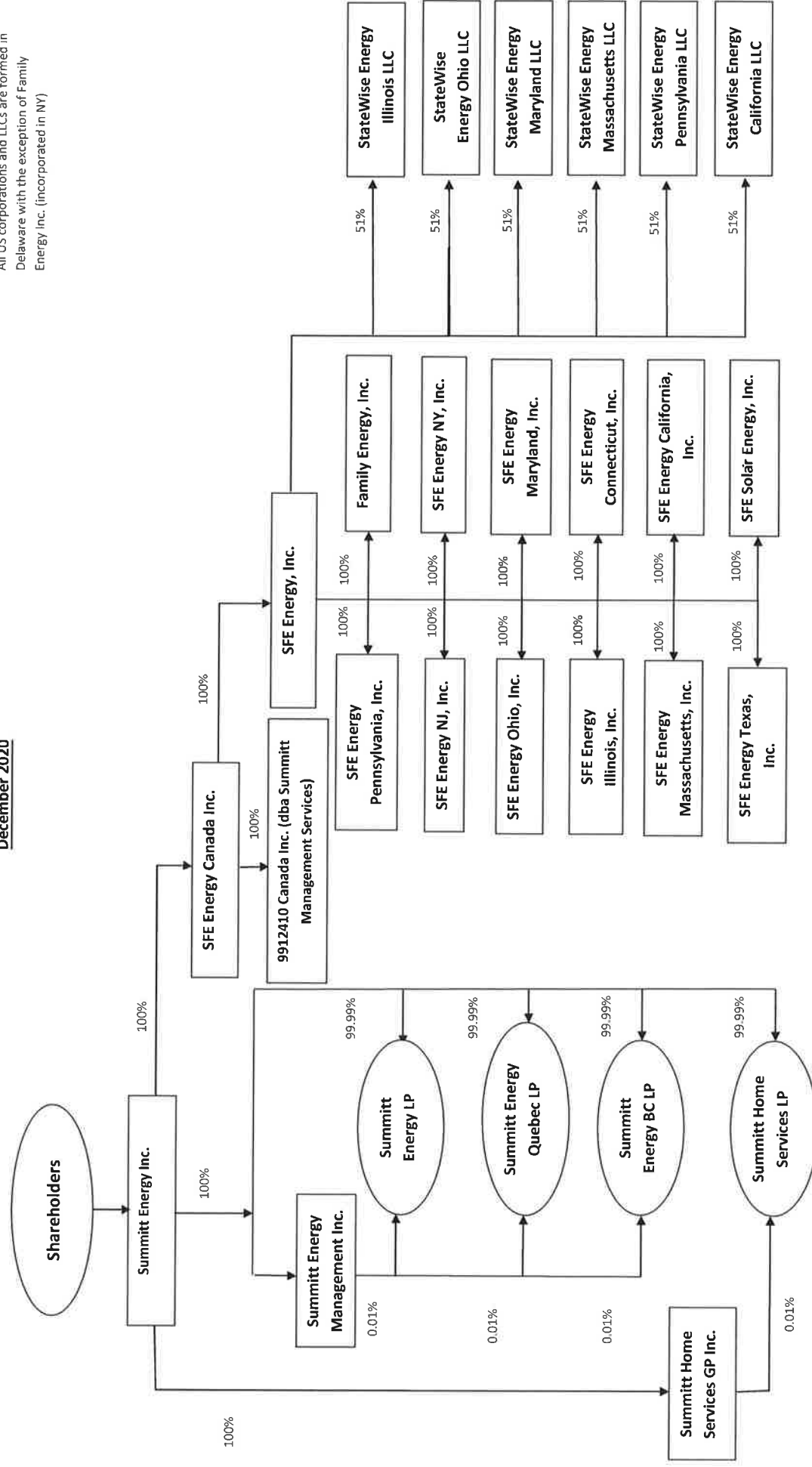


Exhibit D-1

StateWise Energy Ohio LLC

Exhibit D-1 "Operations"

StateWise Energy Ohio LLC will provide retail electricity services in all Ohio utility service territories as a licensed competitive retail electric supplier serving residential, commercial, and industrial customers. StateWise Energy Ohio LLC does not own or operate generation, transmission, or distribution assets, nor does it provide retail ancillary services. StateWise Energy Ohio LLC procures energy from a variety of sources and implements a hedging strategy to offer competitively-priced, customer-tailored commodity products to its diverse customer base, and schedules the transmission and delivery of retail power to Ohio retail customers. Please refer to Exhibit B-2 for further information regarding StateWise Energy Ohio LLC's business operations.

Exhibit D-2

StateWise Energy Ohio LLC

Exhibit D-2 “Operations Expertise”

Response: Please refer to the “Experience and Plans” document in Exhibit B-2

“Key Technical Personnel,” provide the names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business.

Michael Gerald Haggarty
President & CEO
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7017
ghaggarty@sfeenergy.com

Sally Legaspi
Director, Revenue Assurance
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7032
slegaspi@sfeenergy.com

Jeff Borg
Senior Vice President
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7036
jborg@sfeenergy.com

Martin Finnerty
Director, Sales
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7055
mfinnerty@sfeenergy.com

Shelley Lewis CPA, CA, MBA
Chief Financial Officer
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7004
slewis@sfeenergy.com

Samir Kareem
Chief Technology and Operations Officer
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7050
skareem@sfeenergy.com

Kris Plotzke
Director, Portfolio Management
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7007
kplotzke@sfeenergy.com

Tamara Sinson-Banton
Director, Customer Care
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7037
tsinson@sfeenergy.com

Adam Wallace
Director, Application Development
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-7023
awallace@sfeenergy.com

Jeff Donnelly, Licensed Paralegal
Director, Regulatory Affairs & Compliance
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
PH: 905-366-7020 | Fax: 905-366-7011
jdonnelly@sfeenergy.com

Kesh Nandlall
Corporate Controller
100 Milverton Drive, Suite 608
Mississauga, Ontario CANADA L5R 4H1
905-366-4452
knandlall@sfeenergy.com

Operations Expertise and Key Technical Personnel

Gerry Haggarty

Gerry Haggarty is the President/CEO of Summitt Energy's group of companies having founded the company in 2005. Mr. Haggarty is responsible for all aspects of the business with direct responsibility for the purchasing and portfolio management, and regulatory functions. During this time, he has overseen the development of an enterprise wide operating. Prior to establishing the Company, Mr. Haggarty worked in several executive positions within the deregulated gas and electricity markets within Canada and has over 30 years' experience in the deregulated natural gas and electricity industry. Mr. Haggarty holds a Bachelor Degree in Economics from McMaster University and has held several volunteer board positions within the deregulated natural gas and electricity industry, including his current role as Chair of the National Energy Marketers Association (NEM).

Jeff Borg

Jeff Borg is Senior Vice President and co-founder of Summitt Energy. Mr. Borg is responsible for all aspects of sales and marketing, and customer service for the group. Mr. Borg has over 30 years of experience in the deregulated energy industry having worked for various retail energy suppliers in executive positions, responsible for a variety of sales and marketing startups and building them into significant corporate portfolios. Initially, Mr. Borg's focus was on the commercial and industrial customer group however, he successfully led the development of a program to offer energy products to small commercial and residential customers. Mr. Borg holds a Master of Business Administration from Michigan State University and a Bachelor Degree in Business Administration Degree from Wilfred Laurier University.

Shelley Lewis

Shelley Lewis is the Chief Financial Officer of Summitt Energy and is responsible for all financial, administrative and human resources functions for the company. Ms. Lewis is an accomplished strategic senior executive with over 25 years' experience managing and leading multiple corporate-wide functions in the public and private sectors. Ms. Lewis has 20 years senior leadership experience within deregulated energy industries having held the position of CFO with Summitt Energy for a decade and previously was the Director of Customer Service and Regulatory Affairs with Oakville Hydro. Ms. Lewis holds a Master of Business Administration in Human Resources from Walden University and a Bachelor of Mathematics Degree from the University of Waterloo. Ms. Lewis is a Chartered Professional Accountant (CPA) and has held several volunteer board and committee positions in the regulated and deregulated energy industries throughout her extensive career.

Samir Kareem

Samir Kareem is the Chief Technology and Operations Officer for Summitt Energy, responsible for all corporate IT and operations. Mr. Kareem has over 20 years' experience in the regulated and deregulated energy industry having held various management positions in the areas of IT and operations. Mr. Kareem is the company's architect of its in-house enterprise wide system. His focus is wide ranging, ensuring corporate cyber security, system optimization, and application development to meet the company's needs now and into the future. He is a solutions-oriented IT professional in direct support of Summitt Energy's business objectives, bringing measurable cost reduction through long-range planning while maintaining a focus on risk mitigation. Mr. Kareem

holds a Bachelor of Commerce Degree, Information Technology Management from Ryerson University.

Jeff Donnelly

Jeff Donnelly is the company's Director, Regulatory Affairs & Compliance as well as the Chief Privacy Officer. A licensed paralegal with the Law Society of Ontario, Mr. Donnelly acts as the company's internal legal advisor. His nearly 20 years of progressive management roles in regulated and deregulated industries and his previous background in law enforcement have honed his skills in risk management including business and legal risks, and operational compliance. Mr. Donnelly has held several regulatory board and disciplinary committee positions in various regulated and deregulated industries throughout his career. Mr. Donnelly represents the company with, and provides his regulatory expertise to, the National Energy Marketers Association. Mr. Donnelly is currently enrolled in the LLM in Administrative Law program at York University's Osgood Hall Law School.

Kris Plotzke

Kris Plotzke is Summitt Energy's Director, Portfolio Management. During his 14 years in this capacity, Mr. Plotzke oversees and executes the company's risk management and hedge strategy framework. He develops the company's pricing strategy for all customer groups and provides custom pricing for large commercial and industrial customers. Prior to joining Summitt Energy, Mr. Plotzke held progressive roles within the natural gas asset and risk management functions. He holds a Bachelor of Science Degree from the University of Waterloo.

Martin Finnerty

Martin Finnerty holds the role of Director, Sales & Commissions a position he has held for 5 years. Prior to this role, he was the company's Director, Operations for 9 years. His experience within the deregulated retail energy industry spans nearly 20 years in total. Mr. Finnerty is responsible for the oversight of the company's extensive sales force. He has developed numerous sales channels, forging deep and lasting relationships, as well as securing new sales techniques for the company. Mr. Finnerty holds a Bachelor of Commerce, Business Management from Ryerson University.

Bill Moul

Bill Moul holds the role of Managing Director, Commercial & Industrial Business, a role which he has held for 3 years. Mr. Moul brings nearly 20 years of progressive business development experience in the retail energy industry. He has deep relationships with the energy broker sector as well as with utilities and generators of electricity and natural gas producers. He holds a Bachelor of Arts Degree in History and Political Science from the University of Western Virginia.

Tamara Sinson

Tamara Sinson is the company's Director, Customer Care, a role she has held for the past year. During her 13 year tenure within the company, Ms. Sinson has progressed from front line quality assurance to the senior management level. With a focus on quality interactions with the company, she has blended her skills in compliance and legal matters with the customer experience to ultimately lead the company's in-house call center with a focus on excellence. Ms. Sinson is a

licensed paralegal with the Law Society of Upper Canada and holds a Paralegal Diploma from Humber College.

Adam Wallace

Adam Wallace, as Director, Application Development for the past two years, brings 25 years of progressive software development experience to the company, including 19 years in the energy industry. He has led the implementation and development of enterprise wide systems, as well as leading edge technology solutions for mobile applications. A structured and detailed architect, Mr. Wallace ensures that systems planning is rigorous yet dynamic so as to meet the company's needs. He holds two Bachelor of Science, Computer Science Degrees from the University of Calgary and from the International School of Islamabad.

Kesh Nandlall

As the company's Corporate Controller for the past 5 years, Mr. Nandlall oversees the day to day accounting functions of the corporate group. Prior to joining the company, Mr. Nandlall held various financial and strategic leadership roles in Canada and Guyana including 7 years at Guyana Power & Light Inc., the country's electricity supplier. Mr. Nandlall holds a Bachelor Degree in Accounting and Finance as well as a Master of Business Administration. He is a Chartered Professional Accountant (CPA) and is currently a Level 2 candidate with the CFA Institute.

Sally Legaspi

Sally Legaspi has held the role of Director, Revenue Assurance for the past 4 years and oversees the company's customer credit and collectability functions. During her tenure, she has also become the company's subject matter expert in the area of state and local taxes. Prior to joining the company, Mrs. Legaspi spent 14 years in progressive roles in accounts receivable and revenue assurance as well as energy operations. She holds a Master in Management from the University of the Philippines and a Bachelor of Commerce from Holy Name University.

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Case No(s). 16-2042-GA-CRS

Summary: In the Matter of the Application of Statewise Energy Ohio, LLC