

DIS Case Number: 13-0409-EL-AGG

Section A: Application Information

A-1. Provider type:

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

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

Legal Name: Energy Solutions and Services, LLC **Country:** United States
Phone: 3302391306 **Extension (if applicable):** **Street:** 6699 State Rd.
Website (if any): **City:** Wadsworth **Province/State:** OH
Postal Code: 44281

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
Energy Solutions and Services, LLC	Official Name	6699 State Road Wadsworth, OH 44281	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
Energy Solutions and Services, LLC	Official Name	6699 State Road Wadsworth, OH 44281	Yes	File

A-5. Contact person for regulatory matters



Jerry Hayes
6699 State Road
Wadsworth, OH 44281
US
hayesjd@roadrunner.com
3302391306

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

Jerry Hayes
6699 State Road
Wadsworth, OH 44281
US
hayesjd@roadrunner.com
3302391306

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

Phone: 3302391306	Extension (if applicable):	Country: United States
Fax:	Extension (if applicable):	Street: 6699 State Rd.
Email: hayesjd@roadrunner.com		City: Wadsworth
		Province/State: OH
		Postal Code: 44281

A-8. Applicant's federal employer identification number

743045694

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

FirstEnergy - Cleveland Electric Illuminating

FirstEnergy - Ohio Edison

Class of customer selection

Industrial

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 03-14-2021

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
Jerry Hayes	hayesjd@roadrunner.com	Owner	6699 State Road Wadsworth, OH 44281 US

A-13. Company history

Energy Solutions and Services, LLC has been in business since 2002 with one employee, the owner of the business, Jerry Hayes. The principle interest is Energy Consulting and Power Broker.

A-14. Secretary of State

Secretary of State Link:

Section B: Applicant Managerial Capability and Experience

B-1. Jurisdiction of operations

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

Jurisdiction of Operation: The Jurisdiction Operation for Energy Solutions and Services, LLC is the State of Ohio



B-2. Experience and plans

Describe the applicant's experience in providing the service(s) for which it is applying (e.g., number and type of customers served, utility service areas, amount of load, etc.). Include the plan for contracting with customers, providing contracted services, providing billing statements and responding to customer inquiries and complaints in accordance with Commission rules adopted pursuant to Sections 4928.10 and/or 4929.22 of the Ohio Revised Code.

Application Experience and Plan Description: Energy Solutions and Services, LLC (ESS) has a Broker Agreement with the commodity supplier. ESS does not provide contracted services or provide billing statement. ESS has the obligation to provide qualified prospects to the supplier. ESS will then work to bring the supplier and prospect together. All customer inquiries and complaints are referred to the suppliers representative.

B-3. Disclosure of liabilities and investigations

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

Liability and Investigations Disclosures: Energy Solutions and Services, LLC has no liabilities and/or investigations, 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 either existing, pending or in the past.

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



Public Utilities Commission

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.

Stand-alone entity with no affiliate or subsidiary companies

Section D: Applicant Technical Capacity

D-1. Operations



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

Operations Description: Energy Solutions and Services, LLC (ESS) has a Broker Agreement with the commodity supplier. ESS does not provide contracted services or provide billing statement. ESS has the obligation to provide qualified prospects to the supplier. ESS will then work to bring the supplier and prospect together. All customer inquiries and complaints are referred to the suppliers representative. ESS does not provide or arrange for the aggregating supply of electricity.

D-2. Operations Expertise & Key Technical Personnel

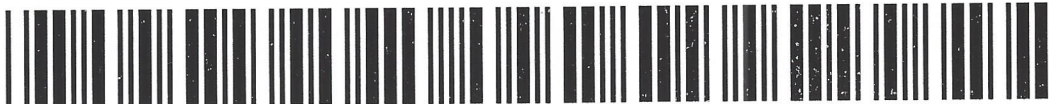
Given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations. Include the names, titles, e-mail addresses, and background of key personnel involved in the operations of the applicant's business.

Operations Expertise & Personnel Description: Energy Solutions and Services, LLC (ESS) has been in business since December 2002. ESS has been a Power Broker since March 2011. Key personnel is the owner of the business; Jerry Hayes - 6699 State Road, Wadsworth Ohio 44281 - hayesjd@roadrunner.com - 330-239-1306.



Public Utilities
Commission

Application Attachments



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
11/16/2012	201232001087	Service Mark Renewal (SMR)	25.00	.00	.00	.00	.00

Receipt

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

ENERGY SOLUTIONS AND SERVICES, LLC
6699 STATE ROAD
WADSWORTH, OH 44281

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jon Husted

1373276

It is hereby certified that the Secretary of State of Ohio has custody of the business records for
**ESS FORMS ABSTRACT FLAME; SMALL E LEFT; TALL WAVY S MIDDLE FORMS
PEAK/POINT OF FLAME; S W/SAME SHAPE SMALLER NOT AS TALL ON R**

Document(s)
Service Mark Renewal

Document No(s):
201232001087



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 15th day of November,
A.D. 2012.

Jon Husted

Ohio Secretary of State

Competitive Retail Electric Service Affidavit

County of Medina :

State of Ohio :

Jerry Hayes, Affiant, being duly sworn/affirmed, hereby states that:

1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
2. The applicant will timely file an annual report of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Sections 4905.10(A), 4911.18(A), and 4928.06(F), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10, 4911.18, and 4928.06(F), Ohio Revised Code.
4. The applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
5. The applicant will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the applicant.
6. The applicant will fully comply with Section 4928.09, Ohio Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The applicant will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The applicant will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the applicant will provide, it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio.
11. The Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating consumer complaints.

12. The facts set forth above are true and accurate to the best of his/her knowledge, information, and belief and that he/she expects said applicant to be able to prove the same at any hearing hereof.

13. Affiant further sayeth naught.

J. D. Hayes
Signature of Affiant & Title

Sworn and subscribed before me this 2 day of February, 2021
Month Year

Sandra K. Hauenstein

Signature of official administering oath
Sandra K. Hauenstein



Resident Summit County
Notary Public, State of Ohio
My Commission Expires:
August 22, 2023

Sandra K. Hauenstein

Print Name and Title

My commission expires on 8/22/2023

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/3/2021 11:54:12 AM

in

Case No(s). 13-0409-EL-AGG

Summary: In the Matter of the Application of Energy Solutions and Services LLC