

**DIS Case Number: 15-0387-EL-CRS**

## 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:** Discount Power, Inc.      **Country:** United States  
**Phone:** 2039293200      **Extension (if applicable):**      **Street:** 6 Armstrong Rd.  
**Website (if any):**      **City:** Shelton      **Province/State:** CT  
 www.discountpowerinc.com  
  
**Postal Code:** 06484

### 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 |
|----------------------|---------------|--------------------------------------|---------|-------|
| Discount Power, Inc. | Official Name | 6 Armstrong Rd.<br>Shelton, CT 06484 | Yes     | Link  |

### 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 |
|----------------------|---------------|--------------------------------------|---------|-------|
| Discount Power, Inc. | Official Name | 6 Armstrong Rd.<br>Shelton, CT 06484 | Yes     | Link  |

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



Joseph Waldman  
6 Armstrong Rd.  
Shelton, CT 06484  
US  
jwaldman@discountpowerinc.com  
2039293200

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

Kenneth Flood  
6 Armstrong Rd  
Shelton, CT 06484  
US  
kflood@discountpowerinc.com  
2039293200

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

|   |  |                                |
|---|--|--------------------------------|
| <b>Phone:</b> 2039293200                  | <b>Extension (if applicable):</b> 1952 | <b>Country:</b> United States  |
| <b>Fax:</b> 203-951-0965                  | <b>Extension (if applicable):</b>      | <b>Street:</b> 6 Armstrong Rd. |
| <b>Email:</b> kflood@discountpowerinc.com | <b>City:</b> Shelton                   | <b>Province/State:</b> CT      |
|   | <b>Postal Code:</b> 06484              |                                |

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

26-2613507

**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**



Duke Energy Ohio

**Class of customer selection**

Commercial  
Industrial  
Mercantile  
Residential

**A-11. Start date**

Indicate the approximate start date the applicant began/will begin offering services: 03-29-2021

**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                                     |
|---------------|-------------------------------|---|---|
| Joe Waldman   | jwaldman@discountpowerinc.com | COO                                       | 6 Armstrong Road<br>Shelton, CT 06484<br>US |
| Bill Nagy     | wnagy@discountpowerinc.com    | Controller                                | 6 Armstrong Road<br>Shelton, CT 06484<br>US |
| Kenneth Flood | kflood@discountpowerinc.com   | Regulatory and<br>Licensing Administrator | 6 Armstrong Rd<br>Shelton, CT 06484<br>US   |
| Luise Mann    | lmann@discountpowerinc.com    | assistant controller                      | 6 Armstrong Rd.<br>Shelton, CT 06484<br>US  |

**A-13. Company history**

Discount Power, Inc., located in Shelton, Connecticut, is a retail energy electric supplier formed to take advantage of the deregulated electrical energy markets in the United States. The company launched operations in Connecticut in December, 2009, with its first customer flowing in January 2010, and grew to over 30,000 customers by 2013. In 2013, Discount Power launched into its first markets outside of Connecticut: Ohio and Pennsylvania. In 2014, Discount Power further expanded operations into Massachusetts and has since added RI (2017), MD (2016), NJ (2018) and DE (2021).

**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: Discount Power, Inc. is licensed to provide retail electric supply in OH, CT, MA, RI, DE, PA, NJ and MD. Discount Power Inc. is licensed to provide retail natural gas supply in PA, OH, NJ and MD.

**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: Experience:

Discount Power, Inc. ('DPI') launched operations at the end of 2009, but the company's management bring with them years of experience servicing and contracting with customers in the deregulated energy industry. A summary of DPI's management team's experience in these areas is below.

Joe Waldman, Chief Operating Officer

Joe is directly responsible for Discount Power, Inc.'s operations and ensures the technical capability to deliver energy and bill customers for services. He oversees energy purchasing and pricing, as well as managing the risk in the company's energy portfolio. Also, he develops and implements the business strategy to grow the company into new products and markets.

Joe has over 20 years of experience in the retail energy industry, including power operations, corporate development, commercial sales and financial planning and analysis.

Joe has a Bachelor of Science in Finance from Brooklyn College.

David Gable, President



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David is the President of Discount Power, Inc. as well as President of Hocon Gas, Inc. since the early 1980's. David has been the leader of many distinguished propane and professional associations, including:

- Past President of the New England Gas Association (PGANE)
- Past President Bench Marketing, NPGA
- Past President of Marketing Management Forum (propane industry group)
- Better Business Bureau
- National Pool and Spa Association
- CT Home Hearth and Patio Association

David is the driving force behind Hocon's efforts to earn the honor of providing propane, related products and services at competitive prices. In addition, he leads several Fairfield County conservation groups as well as a number of charities.

David is a graduate of Tulane University, 1978.

### Gino Tarantino, Chief Financial Officer

Gino is the CFO of Discount Power, Inc. as well as CFO of Hocon Gas, Inc. He has served Hocon for more than two decades and directs all of the financial operations for the company. His responsibilities include oversight of the branch expansion from one branch into a statewide five branch propane network. He also led the acquisition and start-up operation of an industrial gas division.

Prior to joining Hocon, Gino served in various financial management capacities with Grolier, CBS Magazine and Petrocci Companies.

Gino is a dual degree graduate from Sacred Heart University. He has a BS, Accounting and a secondary MBA, Finance, 1989.

In addition to DPI's full time employees, DPI may contract with a variety of professionals to support its operations, financing, wholesale supply management and information technology needs. To support its utility EDI interactions and billing, DPI has contracted with Energy Services Group. DPI has a preferred supplier agreement with major wholesale energy supplier to provide energy origination, collateral support and settlement services. Also, DPI is contracted with GP Renewables for scheduling, forecasting and renewable portfolio standards compliance.

### Plans:

DPI plans to market retail electricity choice through outbound telemarketing, direct mail, door to door and broker channels. With every channel partner utilized by DPI, there are processes in place to ensure the partner complies with all Ohio Regulations and Statutes. DPI maintains internal Compliance and Regulatory Departments for oversight and separate Third Party Verification Companies for door to door and telephone solicitations. DPI currently markets to customers in Massachusetts, Connecticut and Pennsylvania through these channels. DPI utilizes Utility Consolidated Billing in all the markets it currently services. DPI also provides its



customers with live customer service representatives during business hours for any customer inquiries via toll free access from any market in which it services.

**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?

**Yes**

Description: In February 2015, Discount Power, Inc. (DPI) was notified that it failed to timely file its CRES renewal application with the Ohio PUCO resulting in a suspension of its license, 12-601E. DPI immediately reapplied and was granted its current license, 15-952E(1) on March 23, 2015.

**B-6. Environmental disclosures**



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

**PJM disclosure option chosen**

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

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

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

Does not apply

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

Provide copies of the applicant's two most recent years of audited financial statements, including a balance sheet, income statement, and cash flow statement. If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, provide audited or officer certified financial statements covering the life of the business. If the applicant does not have a balance sheet, income statement, and cash flow statement, the applicant may provide a copy of its two most recent years of tax returns with **social security numbers and bank account numbers redacted**.

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

Preferred to file this information confidentially

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

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



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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).

File(s) attached

## Section D: Applicant Technical Capacity

### D-1. Operations

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

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



Operations Description: Discount Power, Inc. ('DPI') will perform all of the functions to properly supply its retail electricity customers in Ohio, including the scheduling of power for transmission and delivery, the provision of ancillary services as well as other services in arranging for the purchase and delivery of electricity.

Joe Waldman will manage the day-to-day operations. Principal responsibilities will be to drive strategic growth initiatives and manage the day to day operations. DPI currently employs 15 people in Finance, Operations, Risk and Sales and Marketing. Each department functions within a cooperative atmosphere to provide a superior customer experience in both customer service and the products and pricing offered. Discount Power understands the business process related complexities of the retail energy business, and as such has selected Energy Services Group to provide all EDI and billing services. Also, Discount Power has a strategic supply agreement with major wholesale energy supplier to provide energy origination, collateral support and settlement services with ISO-NE and PJM.

#### **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: Operations Expertise for Discount Power, Inc. was included in prior exhibits. Please refer to exhibits B-2 and D-1.

#### **D-3. FERC Power Marketer and License Number**

Provide a statement disclosing the applicants FERC Power Marketer License Number (Power Marketers Only).

Discount Power, Inc. received Market Based Rate Authorization as a Power Marketer under docket ER09-874-000 on June 18, 2009.





Public Utilities  
Commission

# Application Attachments

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

*I, Frank LaRose, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show DISCOUNT POWER, INC., a Connecticut corporation, having qualified to do business within the State of Ohio on July 6, 2012 under License No. 2119688 is currently in GOOD STANDING upon the records of this office.*



*Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 26th day of March, A.D. 2021.*

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

**Ohio Secretary of State**

**Validation Number: 202108501520**

Hocon Power, LLC  
DPI Holding, LLC  
Discount Power, Inc.  
Ownership flow chart  
As of 8/31/2020

David Gable  
Cranbury Rewards, LLC  
(Single Member LLC)  
48%

Michael Ferreri  
Goldstar Ventures, LLC  
(Single Member LLC)  
24%

Gino Tarantino  
GFT Investments, LLC  
(Single Member LLC)  
24%

William Petroccio  
PTRO Power, LLC  
(Multi-Member LLC)  
4%

Own 100 % of ---->

Hocon Power, LLC

Owns 100 % of ---->

DPI Holding LLC  
A Single Member LLC

Owns 100 % of the Common Stock of ---->

Discount Power, Inc.  
A C Corporation



139 East Fourth  
EX396  
Cincinnati, Ohio 45202

March 26, 2021

Discount Power, Inc has met the Electric Collateral obligations for Duke Energy Corporation as of March 26, 2021.

***Tom Hunt***

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





DOCKET NO. 08-09-14RE02  
APPLICATION OF DISCOUNT POWER, INC. FOR AN  
ELECTRIC SUPPLIER LICENSE- INVESTIGATION INTO MARKETING

On September 19, 2018, the Public Utilities Regulatory Authority (Authority or PURA) initiated the subject docket to investigate matters arising from customer allegations against Discount Power, Inc. ("DPI"). On January 2, 2019, PURA issued a Notice of Proceeding

DPI has responded to all correspondence and interrogatories since January 2, 2019

A confidential Technical Meeting of the Public Utilities Regulatory Authority (Authority) Prosecutorial Staff and Parties in this proceeding was held on June 25, 2020. The purpose of this meeting was for settlement negotiations between the Parties.

On July 20, 2020, the Prosecutorial Staff (PRO) notified the Public Utilities Regulatory Authority ("Authority") that the Parties had been unable to reach a settlement in this matter. PRO requested that the Authority resume docketed proceedings. This is the current status of the Docket.

# Competitive Retail Electric Service Affidavit

County of Fairfield :

State of Connecticut :

Joseph Waldman, 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 held.

13. Affiant further sayeth naught.

 COO  
Signature of Affiant & Title



Sworn and subscribed before me this 26 day of March, 2021  
Month Year

  
Signature of official administering oath

Louise Mann Notary Public  
Print Name and Title

My commission expires on September 30, 2025



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

**Commission of Ohio Docketing Information System on**

**3/29/2021 9:54:11 AM**

**in**

**Case No(s). 15-0387-EL-CRS**

Summary: In the Matter of the Application of Discount Power Inc