



DIS Case Number: 13-0300-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: PBF Power Marketing LLC

Country: United States

Phone: 9734558973 **Extension (if applicable):**

Street: 2nd Floor, 1 Sylvan Way

Website (if any):

City: Parsippany

Province/State: NJ

Postal Code: 07054

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
PBF Power Marketing LLC	Official Name	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054	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
PBF Power Marketing LLC	Official Name	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054	Yes	Link

A-5. Contact person for regulatory matters



Public Utilities Commission

Alan King
1 Sylvan Way 2nd Floor
Parsippany, NJ 07054
US
alan.king@pbfenergy.com
9734557500

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

Alan King
1 Sylvan Way 2nd Floor
Parsippany, NJ 07054
US
alan.king@pbfenergy.com
9734557500

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

Phone: 9734558973	Extension (if applicable):	Country: United States
Fax:	Extension (if applicable):	Street: 2nd Floor, 1 Sylvan Way
Email: alan.king@pbfenergy.com		City: Parsippany Province/State: NJ
		Postal Code: 07054

A-8. Applicant's federal employer identification number

272198489

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 - Toledo Edison

Class of customer selection

Industrial

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 03-15-2013

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
Jennifer Siegel	jennifer.siegel@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Erik Young	erik.young@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Richard Miller	richard.miller@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
William Buggie	bill.buggie@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
John Barone	john.barone@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Joseph Biscardi	joseph.biscardi@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Paul Davis	paul.davis@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
James Fedena	jim.fedena@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Herman Seedorf	herman.seedorf@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Arthur Warden	art.warden@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US



Public Utilities Commission

Todd Gregory	todd.gregory@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Steven Andriola	steven.andriola@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Scott Gerbman	scott.gerbman@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Joe Marino	joseph.marino@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Thomas O'Connor	thomas.o'connor@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Jeff Coleman	jeffery.coleman@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Bradley Dewart	bradley.dewart@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
James DeRogatis	james.derogatis@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Wendy Ho Tai	wendy.hotai@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Julia Skyban	julia.skyban@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Jose Dominguez	jose.dominguez@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Heather Chelpaty	heather.chelpaty@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Mark Chavez	mark.chavez@pbfenergy.com	Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Thomas Nimbley	tom.nimbley@pbfenergy.com	Director & Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Matthew Lucey	matthew.lucey@pbfenergy.com	Director & Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US
Trecia Canty	trecia.canty@pbfenergy.com	Director & Officer	2nd Floor, 1 Sylvan Way Parsippany, NJ 07054 US

A-13. Company history

PBF Power Marketing LLC (PBF PM) is a Limited Liability Company incorporated in the state of Delaware, dated March 25, 2010.

PBF PM is a subsidiary of PBF Holding Company LLC (please see attachment C-8), which is a holding company for a number of its other subsidiaries, which mainly exist either to engage in oil refining operations, or to support those oil refining operations.

PBF Holding Company LLC is a subsidiary of PBF Energy Inc., a publicly traded company (NYSE: PBF).

PBF PM was originally established as a wholesale power supplier, with the sole purpose of self-supplying power to its refineries in Delaware (Delaware City Refining Company LLC), New Jersey (Paulsboro Refining Company LLC), and Ohio (Toledo Refining Company LLC).

A-14. Secretary of State

Secretary of State Link: <https://businesssearch.ohiosos.gov/>

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: Jurisdictions of Operation

PJM Interconnection

AECO – Paulsboro Refining Company LLC

DPL – Delaware City Refining Company LLC

TE- Toledo Refining Company LLC

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



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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: In Ohio, PBF Power Marketing (PBF PM) will be purchasing energy for the load of its affiliate, Toledo Refining Company LLC, only. They will not be serving any other customers. PBF PM will be purchasing off the PJM Real Time and Day Ahead markets and possibly purchasing blocks of energy from other wholesale participants.

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: There are no such pending or past rulings.

B-4. Disclosure of consumer protection violations

Has the applicant, affiliate, predecessor of the applicant, or any principal officer of the applicant been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years?

No

B-5. Disclosure of certification, denial, curtailment, suspension or revocation

Has the applicant, affiliate, or a predecessor of the applicant had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed, suspended, revoked, or cancelled or been terminated or suspended from any of Ohio's Natural Gas or Electric Utility's Choice programs within the past two years?

No



B-6. Environmental disclosures

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

File(s) attached

Section C: Applicant Financial Capability and Experience

C-1. Financial reporting

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

Financial Reports Link(s):

<https://www.sec.gov/ix?doc=/Archives/edgar/data/1534504/000153450421000008/pbf-20201231.htm>

C-2. Financial statements

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

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

Links to Financial Statement(s): The 2020 10-K filing for PBF Energy Inc., the parent of PBF Power Marketing, was filed on 2/18/2021. It is available from the following link:



<https://www.sec.gov/ix?doc=/Archives/edgar/data/1534504/000153450421000008/pbf-20201231.htm>

The second most recent 10-K filing for PBF Energy Inc. for 2019 was filed on 2/20/2020. It is available from the following link:

<https://www.sec.gov/ix?doc=/Archives/edgar/data/0001534504/000153450420000030/pbf-2019123110k.htm>

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.

File(s) attached

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'.



File(s) attached

C-5. Credit report

Provide a copy of the applicant's credit report from Experian, Equifax, TransUnion, Dun and Bradstreet or a similar credit reporting organization. If the applicant is a newly formed entity with no credit report, then provide a personal credit report for the principal owner of the entity seeking certification. At a minimum, the credit report must show summary information and an overall credit score. **Bank/credit account numbers and highly sensitive identification information must be redacted.** If the applicant provides an acceptable credit rating(s) in response to C-4, then the applicant may select 'This does not apply' and provide a response in the box below stating that a credit rating(s) was provided in response to C-4.

This does not apply.

C-6. Bankruptcy information

Within the previous 24 months, have any of the following filed for reorganization, protection from creditors or any other form of bankruptcy?

- Applicant
- Parent company of the applicant
- Affiliate company that guarantees the financial obligations of the applicant
- Any owner or officer of the applicant

No

C-7. Merger information

Is the applicant currently involved in any dissolution, merger or acquisition activity, or otherwise participated in such activities within the previous 24 months?

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.

Operations Description: PBF Power Marketing is the power marketing affiliate of PBF Energy. PBF Energy owns refineries in Toledo, OH, Delaware City, DE, Paulsboro, NJ, Chalmette, LA, Torrance, CA, and Martinez, CA.

As a refining company, PBF Holding refines crude oil into byproducts such as gasoline, propane and other by products.

PBF Power Marketing LLC has obtained a FERC license and a PJM Membership; and procures power through the PJM wholesale market in the DA and RT markets and purchases blocks as necessary. PBF Power Marketing LLC also sells its generation into the wholesale markets and provides ancillary services.

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: D-2 Exhibit D-2 Operations Expertise and Key Technical Personnel

PBF is utilizing White Pine Energy Consulting for its expertise in the energy market. The principal of White Pine is James T. Fuess. Mr. Fuess has 19+ years of experience in the energy



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markets. His experience includes working with Conectiv Energy Services, Inc. as a retail energy supplier and eight years of experience advising clients on the procurement and management of their energy and resources. White Pine Energy Consulting has extensive knowledge regarding the PJM markets and PJM operating procedures. Mr. Fuess and his associates are actively involved in the markets and in the PJM stakeholder process. Mr. Fuess has been working with PBF Energy for fifteen years. White Pine currently manages about 415MW load and generation on the PJM system for PBF Power Marketing LLC and other clients.

Alan King, Director of Natural Gas and Power, 973-455-8973
Alan.king@pbfenergy.com, One Sylvan Way, Second Floor, Parsippany, NJ 07054

Mr. King was responsible for the power plant of the Delaware City refinery from 2001 to 2009, and has been in his current role as PBF Energy's Director of Natural Gas and Power since 2011. He has technical knowledge of the PJM markets, their structure and their operation.

Connie Szeto, 973 254-4523
Connie.Szeto@pbfenergy.com, One Sylvan Way, Second Floor, Parsippany, NJ 07054

Ms. Szeto is part of PBF Energy's Natural Gas and Power group and is responsible for natural gas and power supply across the firm's refineries.

Michael Farkas, 973 455-7525
Michael.Farkas@pbfenergy.com, One Sylvan Way, Second Floor, Parsippany, NJ 07054

Mr. Farkas is part of PBF Energy's Natural Gas and Power group and is responsible for day-to-day power nominations for PBF's three refineries located in PJM, as well as other business/analytical/administrative duties.

James T. Fuess, Advisor to PBF Energy, 302-234-4731
jamesfuess@gmail.com, 16 Robin Drive, Hockessin, DE 19707

PBF Power Marketing LLC is utilizing White Pine Energy Consulting for its expertise in the energy market. The principal of White Pine is James T. Fuess. Mr. Fuess has 17 years of experience in the energy markets. His experience includes working with Conectiv Energy Services, Inc. as a retail energy supplier and eight years of experience advising clients on the procurement and management of their energy and resources. White Pine Energy Consulting has extensive knowledge regarding the PJM markets and PJM operating procedures. Mr. Fuess and his associates are actively involved in the markets and in the PJM stakeholder process. Mr. Fuess has been working with PBF Energy for fifteen years.

D-3. FERC Power Marketer and License Number



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

Docket Number: ER10-1097, Approved June 1, 2010



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Commission

Application Attachments

Exhibit B-6 Environmental disclosure.

PBF PM uses the quarterly and annual Environmental Disclosure forms issued by the PUCO. The link the PUCO uses to publish its quarterly and annual templates are found in the following link:

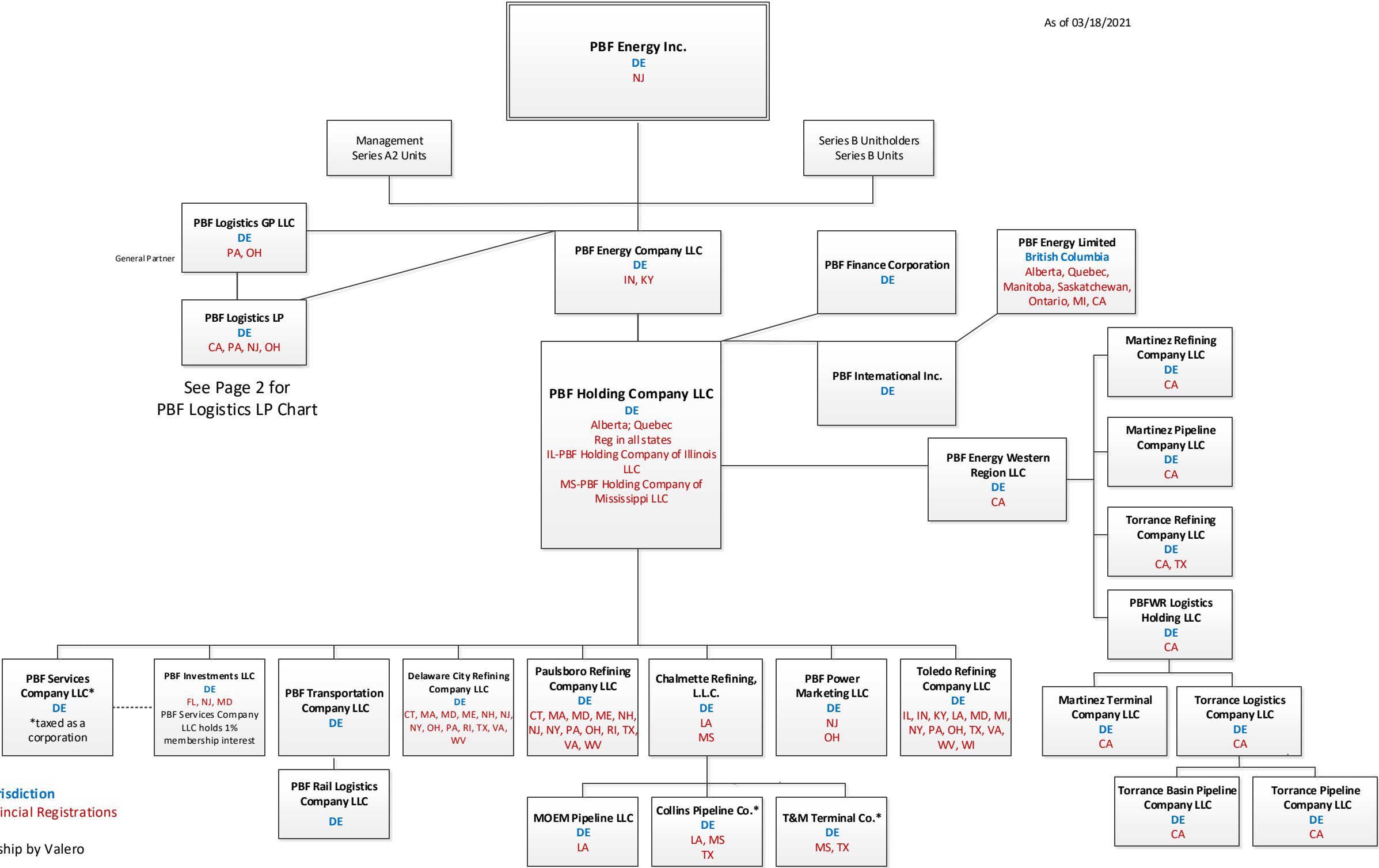
<https://puco.ohio.gov/wps/portal/gov/puco/utilities/electricity/resources/quarterly-environmental-disclosure-statement-template> .

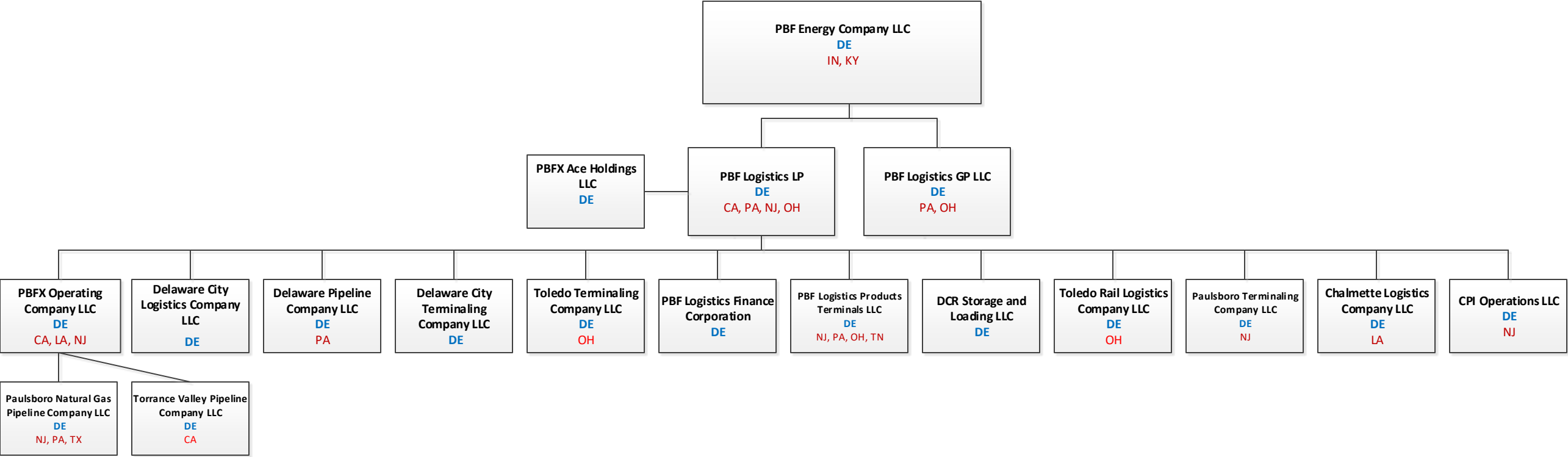
Downloads PDF file

Entity#	Name	Type	Filing Date	Exp. Date	Status	Location	County	State
2117771	PBF POWER MARKETING LLC	FOREIGN LIMITED LIABILITY COMPANY	06/26/2012	-	Active	-	-	DELAWARE

C-3 Forecasted Financial Statements

As mentioned in C-1, PBF PM does not have annual reports. The company is intended to remain a self-supplier for its sister companies for the foreseeable future, and therefore will expect to continue to maintain its gross revenue and net income of \$0 per year, including the next two years.





Domestic Jurisdiction
State or Provincial Registrations

March 29, 2021

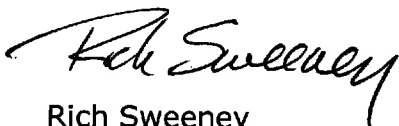
Michael Farkas
PBF Holding Company LLC
1 Sylvan Way, 2nd Floor
Parsippany, NJ 07054

Dear Mr. Franks,

In response to your request concerning renewal of your CRES application, The Toledo Edison Company offers this. Your facility, Toledo Refining Company LLC, which includes all twelve electric accounts with us, has been provided electric service from Toledo Edison Co. since the time you purchased this facility in March 2011. Since that time and being one of our largest accounts, Toledo Refining Company is considered to be an outstanding customer from both a financial and business perspective meeting the collateral and technical requirements of our service agreement. To date, your organization has fully cooperated with the Toledo Edison and FirstEnergy entities responsible to insure the safe and reliable operation of our distribution and transmission systems. In addition, since March 2011, none of your accounts have ever been denied electric service or disconnected for any financial or safety related reason.

We value and respect your organization as our customer in good standing.

Sincerely,



Rich Sweeney
Toledo Edison Regional President

Debt Type (Rating Type)	Rating	Regulatory Identifier	Rating Date	Last Review Date	Action	CreditWatch/Outlook	CreditWatch/Outlook Date
Issuer Credit Rating (Local Currency LT)	B+	EE UKE	Nov-04-2020	Jan-12-2021	Downgrade CreditWatch/Outlook	Negative	Nov-04-2020
Issuer Credit Rating (Foreign Currency LT)	B+	EE UKE	Nov-04-2020	Jan-12-2021	Downgrade CreditWatch/Outlook	Negative	Nov-04-2020

'Last Review Date' indicates the date on which an Issue/Issuer Credit Rating was last formally reviewed within a twelve-month period or when a Credit Rating Action was last published. For certain dependent instruments, the 'Last Review Date' will only be updated in the event of a Credit Rating change of the linked organization.

Senior Secured

Maturity Date	Description	Rating Type	Rating Date	Rating	CreditWatch/Outlook	CreditWatch/Outlook Date
May-15-2025	US\$1.25 bil 9.25% nts due 05/15/2025	Local Currency LT Recovery Rating	Nov-04-2020 May-07-2020	BB 1(95%)	- -	- -
May-15-2025	US\$1.25 bil 9.25% nts due 05/15/2025	Local Currency LT Recovery Rating	Nov-04-2020 May-07-2020	BB 1(95%)	- -	- -

Senior Unsecured

Maturity Date	Description	Rating Type	Rating Date	Rating	CreditWatch/Outlook	CreditWatch/Outlook Date
Jun-15-2025	US\$725 mil 7.25% Sr nts due 06/15/2025	Recovery Rating Local Currency LT	Dec-16-2020 Nov-04-2020	4(35%) B+	- -	- -
Jun-15-2025	US\$725 mil 7.25% Sr nts due 06/15/2025	Recovery Rating Local Currency LT	Dec-16-2020 Nov-04-2020	4(35%) B+	- -	- -
Feb-15-2028	US\$1 bil 6.00% sr nts due 02/15/2028	Recovery Rating Local Currency LT	Dec-16-2020 Nov-04-2020	4(35%) B+	- -	- -
Feb-15-2028	US\$1 bil 6.00% sr nts due 02/15/2028	Recovery Rating Local Currency LT	Dec-16-2020 Nov-04-2020	4(35%) B+	- -	- -
Feb-15-2028	US\$1 bil 6.00% callable nts due 02/15/2028	Recovery Rating Local Currency LT	Dec-16-2020 Dec-04-2020	4(35%) B+	- -	- -

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Instructions for Competitive Retail Electric Service (CRES) Providers

- I. **Where to file:** Applications can be completed and submitted via the [PUCO Community](#). Paper applications, an original plus two copies, can be mailed to: Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus Ohio 43215-3793.
- II. **Case Number:** If Applicant is applying for any combination of broker and/or aggregator, the application must be filed with an “AGG” purpose code. If the application includes marketer and/or retail electric generation provider, then the purpose code must be “CRS”.
- III. **Renewal applications:** A certificate is valid for two years from the date of issuance. An application for renewal should be filed in the Applicant’s existing case number 30-90 days prior to the expiration date printed on the certificate.
- IV. **Confidentiality:** An applicant may file financial statement, forecasted financial statements, financial arrangements, credit ratings, and credit reports under seal. Confidentiality for other items must be requested in a motion filed in the docket. Motions for protective orders must be filed in accordance with Ohio Administrative Code [4901-1-24](#) and [4901:1-24](#).
- V. **Commission approval process:** The Commission approval process begins when the Commission’s Docketing Division receives and time/date stamps the application. An incomplete application may be suspended or rejected. An application that has been suspended or incomplete may cause delay in certification. The Commission may approve, suspend, or deny an application within 30 days. If no action is taken, the application is deemed automatically approved on the 31st day after the official filing date. Upon approval, the Commission will issue a numbered certificate that specifies the service(s) for which the applicant is certified and the dates for which the certificate is valid.
- VI. **Material change:** Providers are required to notify the Commission of any changes to the information provided in its most recent application within thirty days of the change.
- VII. **Governing law:** The certification and renewal of competitive providers is governed by Chapters [4901:1-21](#), [4901:1-24](#), [4901:1-27](#), [4901:1-28](#), and [4901:1-29](#) of the Ohio Administrative Code, and Sections [4928.08](#) and [4929.20](#) of the Ohio Revised Code.
- VIII. **Questions:** Questions regarding the application should be directed to CRES@puco.ohio.gov or CRNGS@puco.ohio.gov.

This page is for informational purposes and should not be filed with the application.



Public Utilities Commission

Competitive Retail Electric Service (CRES) Provider Application

Case Number: 13 - 1300 - EL - CRS

Please complete all information. Identify all attachments with a label and title (example: Exhibit C-2 Financial Statements). For paper filing, you can mail the original and two complete copies to the Public Utilities Commission of Ohio, Docketing Division, 180 East Broad Street, Columbus, Ohio 43215-3793.

A. Application Information

A-1. Provider Type.

Select the competitive retail electric service (CRES) provider type(s) for which the applicant is seeking certification. Please note you can select more than one.

Aggregator

☐

Power Broker

☐

Power Marketer

☒

Retail Electric
Generation Provider

☐

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

Provide the name and contact information of the business entity.

Legal Name: PBF Power Marketing LLC
Street Address: 2nd Floor, 1 Sylvan Way
City: Parsippany State: NJ Zip: 07054
Telephone: 973-455-8973 Website: _____

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: PBF Power Marketing LLC
Street Address: 2nd Floor, 1 Sylvan Way
City: Parsippany State: NJ Zip: 07054
Telephone: 973-455-8973 Website: _____

A-4. Names under which the applicant does business in North America.

Provide all business names the applicant uses in North America. You do not need to include the names provided in A-2 and A-3.

Name(s): PBF Power Marketing LLC _____

A-5. Contact person for regulatory matters.

Name: Alan King Title: Director Sr, Natural Gas/Power, Commercial
Street Address: 2nd Floor, 1 Sylvan Way
City: Parsippany State: NJ Zip: 07054
Telephone: 973-455-8973 Email: Alan.King@pbfenergy.com

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

Name: Alan King Title: Director Sr, Natural Gas/Power, Commercial
Street Address: 2nd Floor, 1 Sylvan Way
City: Parsippany State: NJ Zip: 07054
Telephone: 973-455-8973 Email: Alan.King@pbfenergy.com

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

Street Address: 2nd Floor, 1 Sylvan Way
City: Parsippany State: NJ Zip: 07054
Toll-free Telephone: 973-455-8973 Email: Alan.King@pbfenergy.com

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

FEIN: 272198489

A-9. Applicant's form of ownership (select one).

Sole Proprietorship <input type="checkbox"/>	Limited Liability Partnership (LLP) <input type="checkbox"/>	Corporation <input type="checkbox"/>	Partnership <input type="checkbox"/>
Limited Liability Company (LLC) <input checked="" type="checkbox"/>	Other: _____		

A-10. Identify current or proposed service areas.

Identify each service area in which the applicant is currently providing service or intends to provide service and identify each customer class that the applicant is currently serving or intends to serve.

Service area selection:

AEP Ohio <input type="checkbox"/>	DP&L <input type="checkbox"/>	Duke Energy Ohio <input type="checkbox"/>	FirstEnergy – Cleveland Electric Illuminating <input type="checkbox"/>
--------------------------------------	----------------------------------	--	---

FirstEnergy – Ohio
Edison

☐

FirstEnergy – Toledo
Edison

☒

Class of customer selection:

Commercial

☐

Industrial

☒

Mercantile

☐

Residential

☐

A-11. Start Date.

Indicate the approximate start date the applicant began/will begin offering services.

Date: 3/15/2013

A-12. Principal officers, directors and partners.

Please provide an attachment for all contacts that should be listed as an officer, director or partner.

A-13. Company history.

Provide an attachment with a concise description of the applicant's company history and principal business interests.

A-14. Secretary of State.

Provide evidence that the applicant is currently registered with the Ohio Secretary of State.

B. Managerial Capability

Provide a response or attachment for each of the sections below.

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.

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.

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.

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? If yes, attach a document detailing the information.

Yes

☐

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? If yes, attach a document detailing the information.

Yes

☐

No

☒

B-6. Environmental disclosure.

This section is only applicable if power marketer or retail electric generation provider has been selected in A-1.

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.

C. Financial Capability

Provide a response or attachment for each of the sections below.

C-1. Financial reporting.

Provide a current link to the most recent Form 10-K filed with the Securities and Exchange Commission (SEC) or attach a copy of 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.

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.

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.

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".

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.

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? If yes, attach a document detailing the information.

Applicant

Parent company of the applicant

Affiliate company that guarantees the financial obligations of the applicant

Any owner or officer of the applicant

Yes

☐

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? If yes, attach a document detailing the information.

Yes

☐

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.

C-9. Financial arrangements.

This section is only applicable if power marketer or retail electric generation provider has been selected in A-1.

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).

D. Technical Capability

Provide an attachment for each of the sections below.

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.

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.

D-2. Operations expertise and key technical personnel.


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

D-3. FERC power marketer authorization.

This section is only applicable if power marketer or retail electric generation provider has been selected in A-1.

Provide the FERC docket granting the applicant power marketer authority.

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


ALAN KING
4/1/2021
 Signature Date
SR. DIRECTOR, NAT. GAS & POWER
 Title

Competitive Retail Electric Service Affidavit

County of Morris :


State of New Jersey :

Trecia Canty, 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.

 Senior Vice President,
General Counsel
Signature of Affiant & Title

Sworn and subscribed before me this 1st day of Apr. L 2021
Month Year

 Signature of official administering oath

 Elizabeth M. Mango
Print Name and Title

My commission expires on **ELIZABETH M. MANGO**
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 3/20/2023

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-0300-EL-CRS

Summary: In the Matter of the Application of PBF Power Marketing LLC