

FILE

26



# Public Utilities Commission

Competitive Retail Natural Gas Service  
(CRNGS) Provider Application

Case Number: 13 - 1206 -GA- 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 three 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 natural gas service (CRNGS) provider type(s) for which the applicant is seeking certification. Please note you can select more than one.

Retail Natural Gas  
Aggregator

☐

Retail Natural Gas  
Broker

☐

Retail Natural Gas Marketer

☒

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

Provide the name and contact information of the business entity.

Legal Name: Alpha Gas and Electric, LLC  
 Street Address: 12 college rd Suite 100,  
 City: Wickliffe State: NY Zip: 10952  
 Telephone: 845-810-0088 Website: www.alphagasandelectric.com

### 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: Alpha Gas and Electric, LLC  
 Street Address: 12 College rd, suite 100,  
 City: Wickliffe State: NY Zip: 10952  
 Telephone: 845-810-0088 Email: compliance@alphagne.com

### 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): Alpha Gas and electric, LLC

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
 Technician SK Date Processed 9.7.21

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

Name: Adam Small  
Street Address: 12 College Rd suite 100  
City: Monsey State: NY Zip: 10952  
Telephone: 845-810-0088 Email: adam.small@alphagne.com

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

Name: Osvaldo Dominguez  
Street Address: 12 college Rd suite 100  
City: Wickliffe State: NY Zip: 10952  
Telephone: 845-810-0088 Email: compliance@alphagne.com

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

Street Address: 12 College Rd, Suite 100  
City: Wickliffe State: NY Zip: 10952  
Toll-free Telephone: 888-636-3749 Email: compliance@alphagne.com

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

FEIN: 27-3718690

**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:

Columbia Gas of Ohio



Dominion Energy Ohio



Duke Energy Ohio



Vectren Energy Delivery  
of Ohio



Class of customer selection:

Industrial



Residential



Small Commercial



Large Commercial



**A-11. Start Date.**

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

Date: 04/23/2021

**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.

**A-15. Proof of Ohio office and employee.**

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

Name: Vcorp Agent Services  
Street Address: 28602 Yeshiva Lane,  
City: Wickliffe State: OH Zip: 44092  
Telephone: 845.425.0077 Email: ashley@vcorp.services.zendesk.com

**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

☒

## **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 have 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:

- .. 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.

1. The applicant's parent company is investment grade rated (by Moody's, Standard & Poor's, or Fitch) and guarantees the financial obligations of the applicant to the LDU(s). Provide a copy of the most recent credit opinion from Moody's, Standard & Poor's or Fitch.
2. The applicant's parent company is not investment grade rated by Moody's, Standard & Poor's or Fitch but has substantial financial wherewithal in the opinion of the Staff reviewer to guarantee the financial obligations of the applicant to the LDU(s). The parent company's financials and a copy of the parental guarantee must be included in the application if the applicant is relying on this option.
3. The applicant can provide evidence of posting a letter of credit with the LDU(s) listed as the beneficiary, in an amount sufficient to satisfy the collateral requirements of the LDU(s).

## **D. Technical Capability**

Provide an attachment for each of the sections below.

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

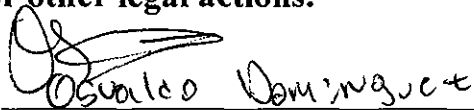
Retail natural gas brokers/aggregators: Include details of the applicant's business operations and plans for arranging and/or aggregating for the supply of natural gas to retail customers.

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

### **D-2. Operations expertise and key technical personnel.**

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

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

  
 Signature

04/23/2021

Date

Compliance  
 Title

# Competitive Retail Natural Gas Service Affidavit

County of Rockland :

State of NY :

Harvey Klein

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

1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
2. The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10 and 4911.18(A), Ohio Revised Code.
4. Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
5. Applicant will cooperate fully with the Public Utilities Commission of Ohio and its staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the applicant.
6. Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.
7. Applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating consumer complaints.
9. The facts set forth above are true and accurate to the best of his/her knowledge, information, and belief and that he/she expects said applicant to be able to prove the same at any hearing hereof.
10. Affiant further sayeth naught.

MHK. CEO  
Signature of Affiant & Title

Sworn and subscribed before me this 3<sup>rd</sup> day of May, 2021  
Month Year

Adam Small  
Signature of official administering oath  
ADAM SMALL

Adam Small, GC  
Print Name and Title

Notary Public, State of New York  
No. 02SM6211734  
Qualified in Queens County  
Commission Expires September 21, 2021

My commission expires on 9/21/21



# **Principal Officer Directors & Partners**

## **EXHIBIT A-12**

1. Israel Orzel – Officer  
12 College Rd.  
Monsey, NY 10952  
845.406.9100
2. Harvey Klein – Chief Executive Officer  
12 College Rd.  
Monsey, NY 10952  
845.810.0088 x205
3. Mark Weideman – President  
12 College Rd.  
Monsey, NY 10952  
845.810.0088 x206
4. Levi Moeller – Chief Operations Officer  
12 College Rd.  
Monsey, NY 10952  
845.810.0088 x207

# **Company History**

## **EXHIBIT A-13**

Alpha Gas and Electric was originally founded on October 19th, 2010 under the name of Pan American, LLC. Later on, our name changed to Alpha Gas and Electric, LLC. Alpha is based in Rockland County; NY and it is proudly servicing hundreds of commercial and residential customers in more than 35 utility service zones. Moreover, we are currently servicing customers in a wide range of jurisdictions, including Illinois, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, and Washington DC.

Alpha Gas and Electric's core mission and principal business interest is to offer its customers innovative solutions that provide for pricing stability and rate protection along with an exemplary customer experience whether you have a home or building receiving energy from us. While proudly supporting environmentally friendly initiatives and therefore supplying only 100% Green-e certified natural gas and electricity.

# **Secretary of State**

EXHIBIT A-14

Tue Apr 27 2021

**Entity#:** 2145586  
**Filing Type:** FOREIGN LIMITED LIABILITY COMPANY  
**Original Filing Date:** 10/22/2012  
**Location:** --  
**Business Name:** ALPHA GAS AND ELECTRIC, LLC  
  
**Status:** Active  
**Exp. Date:** -

## Agent/Registrant Information

VCORP AGENT SERVICE, INC.  
4400 EASTON COMMONS WAYSUITE 125  
COLUMBUS OH 43219  
04/17/2017  
Active

## Filings

Filing Type	Date of Filing	Document ID
REG. OF FOR. PROFIT LIM. LIAB. CO.	10/22/2012	201229601384
AGENT ADDRESS CHANGE/LIMITED/LIABILITY/PARTNERS	03/31/2017	201710302930
AGENT ADDRESS CHANGE/LIMITED/LIABILITY/PARTNERS	04/17/2017	201710702868

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

*I, Frank LaRose, Secretary of State of the State of Ohio, do hereby certify that this is a list of all records approved on this business entity and in the custody of the Secretary of State.*



*Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 27th of April, A.D. 2021*

*Ohio Secretary of State*

A handwritten signature in cursive script, reading "Frank LaRose".

# **JURISDICTIONS OF OPERATION**

## **EXHIBIT B-1**

### **Current market of Alpha Gas and Electric, LLC**

- **New York Public Service Commission**
  - Con Edison
  - Keyspan NY
  - Keyspan LI
  - Orange and Rockland
  - Niagara Mohawk
  - NYSEG
  - Rochester Gas and Electric
  - Central Hudson
  - National Fuel Gas
- **New Jersey Board of Public Utilities**
  - PSE&G
  - Rockland Electric Company
  - Jersey Central Power and Light
  - South Jersey Gas
  - New Jersey Natural Gas
  - Atlantic City Electric
  - Elizabeth Town Gas
- **Ohio Public Utilities Commission**
  - Dayton Power and Light
  - Duke
  - Cleveland Illuminating
  - Ohio Edison
  - Toledo Edison
  - Columbia Gas
  - Vectren
- **Pennsylvania Public Utilities Commission**
  - West Penn Power
  - Penn Power
  - UGI Utilities
  - Penelec
  - PGW
  - Columbia Gas
  - PPL
  - PECO
  - Met-Ed
  - Duquesne
- **Illinois Public Utilities Commission**
  - Gas license
  - Com Edison
- **DC Public Service Commission**
  - PEPCO DC
  - Washington Gas DC
- **MD Public Service Commission**
  - PEPCO

- BGE
  - Columbia Gas of MD
  - Delmarva Power
  - Potomac Edison
  - Washington Gas MD
- MA Department of Public Utilities
  - Eversource
  - National Grid
  - Unitil

# EXPERIENCE AND PLANS

## Exhibit B-2

### BACK END FUNCTIONS

Alpha Gas and Electric, LLC. uses EBEST Systems to manage the back end of enrollments and customer accounts. We work with larger pipelines, such as Transco, Tetco, Columbia Gulf, Columbia Gas, Tennessee Pipeline, and Algonquin.

Genscape, are our aggregators, and provide back-office support.

### FRONT END FUNCTIONS

Alpha Gas and Electric, LLC. aims to keep the level of customer service at a high level. Every call is monitored and recorded. We listen to these recordings at random, to ensure that each customer service representative is treating our customers with respect, and helping to resolve all issues they may have. We take our customer service very seriously, and it is our goal to have only positive feedback from our growing number of customers.

Alpha works with very reputable, first class marketing companies for all marketing campaigns. Our marketing coordinators keep the quality control under a very careful watch. Supervisors monitor and listen to calls to ensure that our quality and integrity remains at the level we expect it.

We have multiple promotion programs that we intend to implement in Ohio. We intend to offer customers exciting programs and incentives, as well as great customer service.

# **DISCLOSURE OF LIABILITIES AND INVESTIGATIONS**

## **EXHIBIT B-3**

Alpha Gas and Electric, LLC. does not have any existing, pending, or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matters that could adversely impact the financial or operational status or ability to provide the services we are seeking to be certified to provide.



# **Financial Reporting**

## **EXHIBIT C-1**

Exhibit C-1 of the PUC of Ohio Application for CRES requests the most recent SEC filings. However, Alpha Gas and Electric, LLC, is not publicly traded; therefore, we are not required to file with the SEC.

# **Financial Statements**

EXHIBIT C-2

(Redacted)

# **Forecasted Financials statements**

EXHIBIT C-3

**(Redacted)**

# **Credit Rating**

EXHIBIT C-4

N/A

# **Credit Report**

EXHIBIT C-5

(Public)

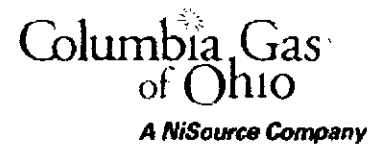
# **Corporate Structure**

## **EXHIBIT C-8**

Alpha Gas and Electric, LLC is a stand-alone entity with no affiliate or subsidiary companies.

# **Financial Arrangements**

EXHIBIT C-9



Thursday, April 29, 2021

Alpha Gas & Electric  
Attn: Osvaldo Dominguez  
12 College Road  
Monsey, NY 10952

Re: Columbia Gas of Ohio Collateral Requirements

To Whom It May Concern:

Alpha Gas & Electric has complied with Columbia Gas of Ohio's collateral requirements.

Sincerely,

A handwritten signature in cursive script that reads 'Michele Caddell'.

Michele Caddell  
Director, Transportation Programs and Nominations



# OPERATIONS

## EXHIBIT D-1

### BACK END FUNCTIONS

Alpha Gas and Electric, LLC. uses EBEST Systems to manage all of the back end functions. EBEST Addresses all EDI, CIS, and Billing functions. Alpha Gas and Electric works with larger pipelines, such as Transco, Tetco, Columbia Gulf, Columbia Gas, Tennessee and Algonquin.

### MID END FUNCTIONS

Alpha Gas and Electric, LLC. has a Revolving line of Credit with M and T Bank for all collateral postings and power procurement functions, as well as other functions.

In addition, Alpha Gas and Electric, LLC has contracted with Genscape, LLC of New York, a consultancy with over 30 years of energy industry experience, to manage all wholesale business processes. Genscape is tasked with creating retail supply forecasts, scheduling energy into PJM, as well as managing all settlement data and hedging activities. Genscape currently manages over 500,000 retail meters *nationwide for over 30 different power marketers.*

### FRONT END FUNCTIONS

Alpha Gas and Electric, LLC. aims to keep the level of customer service at a high level. *Every* call is monitored and recorded. We listen to these recordings at random, to ensure that each customer service representative is treating our customers with respect, and helping to resolve all issues they may have. We take our customer service very seriously, and it is our goal to have only positive feedback from our growing number of customers.

Alpha Gas and Electric works with very reputable, first class marketing companies for all marketing campaigns. Our marketing coordinators keep the quality control under a very careful watch. Supervisors monitor and listen to calls; to ensure our quality remains at the level we expect it.

We have multiple promotion programs that we intend to implement in Ohio. We intend to offer customers exciting programs and incentives, as well as great customer service.

# OPERATIONS EXPERTISE

## EXHIBIT D-2 Operations Expertise and Key Technical Personnel

*Alpha Gas and Electric, LLC's operations will be managed through direct staff, consultants and service providers. Please also see Exhibit B-2 (Experience & Plans) and down below for more detail regarding Alpha Gas and Electric, LLC's plans and experience.*

1. Harvey Klein  
CEO  
[Harvey.klein@alphagne.com](mailto:Harvey.klein@alphagne.com)  
845.810.0088 x205
2. Mark Weiderman  
President  
[Mark.weiderman@alphagne.com](mailto:Mark.weiderman@alphagne.com)  
845.810.0088 x206
3. Levi Moeller  
COO  
[Levi.moeller@alphagne.com](mailto:Levi.moeller@alphagne.com)  
845.810.0088 x2017
4. Alexandre Bladassano  
Managing Director, GP Renewables and Trading  
Consultant, On retainer  
[alex@gprenew.com](mailto:alex@gprenew.com)  
212.255.8050
5. Jon Spivak  
President, GP Renewables & Trading  
Consultant, On Retainer  
[jon@gprenew.com](mailto:jon@gprenew.com)  
212.255.8050
6. Adam Small  
General Counsel -Director of Compliance  
[Adam.small@alphagne.com](mailto:Adam.small@alphagne.com)  
845.810.0088 x209
7. Annico Mechlovics  
Accountant  
[amech@alphagne.com](mailto:amech@alphagne.com)  
845.810.0088 x203