



DIS Case Number: 13-2211-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:** MP2 Energy NE LLC    **Country:** United States  
**Phone:** 8325101030    **Extension (if applicable):**    **Street:** 21 Waterway Avenue, Suite 450  
**Website (if any):**    **City:** The Woodlands    **Province/State:** TX  
**Postal Code:** 77380

### 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
Shell Energy Solutions	DBA	21 Waterway Avenue, Suite 450 The Woodlands, TX 77380	Yes	File

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

Provide all business names the applicant uses in North America, including the names provided in A-2 and A-3.

Name	Type	Address	Active?	Proof
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### A-5. Contact person for regulatory matters

Edwin Dearman  
21 Waterway Avenue Suite 450



## Public Utilities Commission

The Woodlands, TX 77380  
US  
edwin.dearman@mp2energy.com  
8325101030

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

Andrew Few  
21 Waterway Ave  
The Woodlands, TX 77380  
US  
regulatory@mp2energy.com  
8325101030

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

<b>Phone:</b> 877-238-5343	<b>Extension (if applicable):</b>	<b>Country:</b> United States
<b>Fax:</b> 832-510-1128	<b>Extension (if applicable):</b>	<b>Street:</b> 21 Waterway Avenue, Suite 450
<b>Email:</b> support@mp2energy.com	<b>City:</b> The Woodlands	<b>Province/State:</b> TX
	<b>Postal Code:</b> 77380	

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

27-3566322

### 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

AEP Ohio  
DP&L  
Duke Energy Ohio



FirstEnergy - Cleveland Electric Illuminating  
FirstEnergy - Ohio Edison  
FirstEnergy - Toledo Edison

### **Class of customer selection**

Commercial  
Industrial

### **A-11. Start date**

Indicate the approximate start date the applicant began/will begin offering services: 11-15-2021

### **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
David Black	david.black@mp2energy.com	Chief Executive Officer	21 Waterway Avenue, Suite 450 The Woodlands, TX 77380 US

### **A-13. Company history**

On September 13, 2017 each of the individual members of Participant's parent company, MP2 Energy NE LLC and Shell Energy North America (US), LP (SENA) consummated a transaction whereby SENA purchased all of the outstanding membership interests of MP2 Energy LLC. MP2 Energy LLC is now a wholly owned subsidiary of SENA and the parent of MP2 Energy Retail Holdings LLC, of which Participant is a wholly owned subsidiary. MP2 Energy NE LLC dba Shell Energy Solutions is a retail energy provider that services Commercial and Industrial Customers in Ohio.

### **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..

File Attached

### **B-2. Experience and plans**

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

File(s) attached

### **B-3. Disclosure of liabilities and investigations**

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

File Attached

### **B-4. Disclosure of consumer protection violations**

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

**No**

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

Has the applicant, affiliate, or a predecessor of the applicant had any certification, license, or application to provide retail natural gas or retail/wholesale electric service denied, curtailed,



## Public Utilities Commission

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.

Does not apply

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

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



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

Preferred to file this information confidentially

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

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

Include the following information with the forecast: a list of assumptions used to generate the forecast; a statement indicating that the forecast is based solely on Ohio business activities only; and the name, address, email address, and telephone number of the preparer of the forecast.

The forecast may be in one of two acceptable formats: 1) an annual format that includes the current year and the two years succeeding the current year; or 2) a monthly format showing 24 consecutive months following the month of filing this application broken down into two 12-month periods with totals for revenues, expenses, and projected net incomes for both periods. Please show revenues, expenses, and net income (revenues minus total expenses) that is expected to be earned and incurred in **business activities only in the state of Ohio** for those periods.

If the applicant is filing for both an electric certificate and a natural gas certificate, please provide a separate and distinct forecast for revenues and expenses representing Ohio electric business activities in the application for the electric certificate and another forecast representing Ohio natural gas business activities in the application for the natural gas certificate.

Preferred to file confidentially

### **C-4. Credit rating**

Provide a credit opinion disclosing the applicant's credit rating as reported by at least one of the following ratings agencies: Moody's Investors Service, Standard & Poor's Financial Services, Fitch Ratings or the National Association of Insurance Commissioners. If the applicant does not have its own credit ratings, substitute the credit ratings of a parent or an affiliate organization and submit a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant. If an applicant or its parent does not have such a credit rating, enter 'Not Rated'.

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.

File(s) attached

#### C-6. Bankruptcy information

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

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

No

#### C-7. Merger information

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

No

#### C-8. Corporate structure

Provide a graphical depiction of the applicant's corporate structure. Do not provide an internal organizational chart. The graphical depiction should include all parent holding companies, subsidiaries and affiliates as well as a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America. If the applicant is a stand-alone entity, then no graphical depiction is required, and the applicant may respond by stating that it is a stand-alone entity with no affiliate or subsidiary companies.



File(s) attached

### C-9. Financial arrangements

Provide copies of the applicant's financial arrangements to satisfy collateral requirements to conduct retail electric/natural gas business activities (e.g., parental guarantees, letters of credit, contractual arrangements, etc., as described below).

Renewal applicants may provide a current statement from an Ohio local distribution utility (LDU) that shows that the applicant meets the LDU's collateral requirements. The statement or letter must be on the utility's letterhead and dated within a 30-day period of the date the applicant files its renewal application.

First-time applicants or applicants whose certificate has expired must meet the requirements of C-9 in one of the following ways:

1. The applicant itself states that it is investment grade rated by Moody's Investors Service, Standard & Poor's Financial Services, or Fitch Ratings and provides evidence of rating from the rating agencies. If you provided a credit rating in C-4, reference the credit rating in the statement.
2. The applicant's parent company is investment grade rated (by Moody's, Standard & Poor's, or Fitch) and guarantees the financial obligations of the applicant to the LDU(s). Provide a copy of the most recent credit opinion from Moody's, Standard & Poor's or Fitch.
3. The applicant's parent company is not investment grade rated by Moody's, Standard & Poor's or Fitch but has substantial financial wherewithal **in the opinion of the Staff reviewer** to guarantee the financial obligations of the applicant to the LDU(s). The parent company's financials and a copy of the parental guarantee must be included in the application if the applicant is relying on this option.
4. The applicant can provide evidence of posting a letter of credit with the LDU(s) listed as the beneficiary, in an amount sufficient to satisfy the collateral requirements of the LDU(s).

Preferred to file confidentially

## Section D: Applicant Technical Capacity

### D-1. Operations

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.

File(s) attached

#### **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.

File(s) attached

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

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

Docket No.

ER12-2381-000

ORDER GRANTING MARKET-BASED RATE AUTHORIZATION

(Issued December 7, 2012)

1. In this order, the Commission grants MP2 Energy NE LLC's (MP2 NE) request for authority to make wholesale sales of electric energy, capacity and ancillary services at market-based rates, effective December 7, 2012. Also, as discussed below, we find that MP2 NE meets the criteria for a Category 1 seller in the Northeast, Northwest, Southeast, Southwest, Southwest Power Pool, and Central regions, and is so designated.<sup>1</sup> We also grant MP2 NE's request for other waivers commonly granted to market-based rate sellers.



Public Utilities  
Commission

# Application Attachments



DIS Case Number: 13-2211-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:** MP2 Energy NE LLC

**Country:** United States

**Phone:** 8325101030      **Extension (if applicable):**

**Street:** 21 Waterway Avenue, Suite 450

**Website (if any):**

**City:** The Woodlands      **Province/State:** TX

**Postal Code:** 77380

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

Edwin Dearman  
21 Waterway Avenue Suite 450



## Public Utilities Commission

The Woodlands, TX 77380  
US  
edwin.dearman@mp2energy.com  
8325101030

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Andrew Few  
21 Waterway Ave  
The Woodlands, TX 77380  
US  
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Duke Energy Ohio

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FirstEnergy - Toledo Edison

**Class of customer selection**

Commercial  
Industrial

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Indicate the approximate start date the applicant began/will begin offering services: 11-15-2021

**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
David Black	david.black@mp2energy.com	Chief Executive Officer	21 Waterway Avenue, Suite 450 The Woodlands, TX 77380 US

**A-13. Company history**

On September 13, 2017 each of the individual members of Participant's parent company, MP2 Energy NE LLC and Shell Energy North America (US), LP (SENA) consummated a transaction whereby SENA purchased all of the outstanding membership interests of MP2 Energy LLC. MP2 Energy LLC is now a wholly owned subsidiary of SENA and the parent of MP2 Energy Retail Holdings LLC, of which Participant is a wholly owned subsidiary. MP2 Energy NE LLC dba Shell Energy Solutions is a retail energy provider that services Commercial and Industrial Customers in Ohio.

**A-14. Secretary of State**

Secretary of State Link:

## Section B: Applicant Managerial Capability and Experience

**B-1. Jurisdiction of operations**



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File Attached

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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,



## Public Utilities Commission

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**

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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**.



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### **C-4. Credit rating**

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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.

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

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## 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



## Public Utilities Commission

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File(s) attached

### **D-2. Operations Expertise & Key Technical Personnel**

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File(s) attached

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

Docket No.

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(Issued December 7, 2012)

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Public Utilities  
Commission

# Application Attachments

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**11/12/2021 2:35:43 PM**

**in**

**Case No(s). 13-2211-EL-CRS**

Summary: In the Matter of the Application of MP2 Energy NE LLC