

DIS Case Number: 16-1513-GA-CRS

Section A: Application Information

A-1. Provider type:

☐ Retail Natural Gas
Broker

☐ Retail Natural Gas
Aggregator

☒ Retail Natural Gas
Marketer

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

Legal Name: Provision Power & Gas LLC

Country: United States

Phone: 5128467097 **Extension (if applicable):**

Street: 2305 E Cesar Chavez Street

Website (if any): www.getprovision.com

City: Austin

Province/State: TX

Postal Code: 78702

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
Provision	DBA	2305 E Cesar Chavez Street Austin, TX 78702	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
Provision	DBA	2305 E Cesar Chavez Street Austin, TX 78702	Yes	File

A-5. Contact person for regulatory matters



Yesterdae Sedwick
2305 E Cesar Chavez
Austin, TX 78702
US
yesterdae@getprovision.com
5128467097

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

Yesterdae Sedwick
2305 E Cesar Chavez
Austin, TX 78702
US
yesterdae@getprovision.com
5128467097

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

Phone: 800-930-5427	Extension (if applicable):	Country: United States
Fax:	Extension (if applicable):	Street: P.O Box 6036
Email: hello@getprovision.com		City: Austin
		Postal Code: 78702
		Province/State: TX

A-8. Applicant's federal employer identification number

471681806

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

Duke Energy 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: 05-01-2016

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
Tim Penney	team@elevationeg.com	Partner	2305 E Cesar Chavez Street Austin, TX 78702 US
Tri Vo	team@elevationeg.com	President	2305 E Cesar Chavez Austin, TX 78702 US

A-13. Company history

Provision Power & Gas, LLC dba Provision currently supplies electric services to retail customers in Ohio. Additionally, Provision Power & Gas, LLC currently supplies natural gas to retail customers in Michigan, Ohio, and Pennsylvania.

Methods of contracting customers will include call centers, door-to-door salespersons, internet marketing, traditional media, and online enrollment.

Natural Gas is supplied according to industry standards and regulations. Billing information will be provided via utility consolidated billing.

Customer inquiries and complaints will be addressed by trained customer care representatives. Calls will be routinely monitored for quality assurance, and continuous coaching will be provided to ensure customer satisfaction. Customers can reach customer care representatives by calling 1-800-930-5427, emailing hello@getprovision.com or using communication methods on the company website.



A-14. Secretary of State

Secretary of State Link:

A-15. Proof of Ohio Employee and Office

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

Employee Name: David Saunders
278 Louis Ave
Girard, OH 44420
US
david@getprovision.com
2348062278

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: Provision Power & Gas, LLC is certified, licensed, registered or otherwise providing natural gas services within the states of Ohio, Michigan, and Pennsylvania. It is also certified, licensed, registered to provide retail electric services in the state of Ohio.

B-2. Experience and plans

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



Application Experience and Plan Description: Provision Power & Gas, LLC has supplied electric services to over 50,000 residential and commercial customers in the state of Ohio since 2016. Provision Power & Gas, LLC currently supplies electric services to retail customers in Ohio. Additionally, Provision Power & Gas, LLC currently supplies natural gas to retail customers in Michigan, Ohio, and Pennsylvania. Methods of contracting customers will include call centers, door to door salespersons, internet marketing, traditional media, and online enrollment. Electricity is supplied according to industry standards and regulations. Billing information will be provided via utility consolidated billing. Customer inquiries and complaints will be addressed by trained customer care representatives. Calls will be routinely monitored for quality assurance, and continuous coaching will be provided to ensure customer satisfaction. Customers can reach customer care representatives by calling 1-800-930-5427.

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: On January 13, 2020, the Staff of the Public Utilities Commission of Ohio (Commission) issued a notice of probable noncompliance to Energy 95, LLC, an affiliate of Provision Power & Gas, LLC, concerning consumer complaints. A settlement was reached on July 1, 2020 which stipulated a forfeiture and corrective actions. This resolution does not adversely impact its financial or operational status or ability to provide the services it is seeking to be certified to provide in any state or operating territory. Provision Power & Gas, LLC and its affiliates have no other existing, pending, or past rulings, judgments, contingent liabilities, revocations of authority, regulatory investigations, or any other matters that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide in any state or operating territory.

B-4. Disclosure of consumer protection violations

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

No



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

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

No

Section C: Applicant Financial Capability and Experience

C-1. Financial reporting

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

Does not apply

C-2. Financial statements

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

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

Preferred to file this information confidentially

C-3. Forecasted financial statements

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

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

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

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

Preferred to file confidentially

C-4. Credit rating

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

This does not apply

C-5. Credit report

Provide a copy of the applicant's credit report from Experian, Equifax, TransUnion, Dun and Bradstreet or a similar credit reporting organization. If the applicant is a newly formed entity



Public Utilities Commission

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



Public Utilities Commission

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

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.

Operations Description: Provision Power & Gas, LLC's operations currently include contracting with customers, purchasing natural gas supply, nominating and scheduling natural gas for delivery, providing retail ancillary services, and performing other services as necessary to supply natural gas to the natural gas company city gate for retail customers.

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



Public Utilities
Commission

Application Attachments

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

I, Frank LaRose, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show PROVISION POWER & GAS, LLC, a Delaware Limited Liability Company, Registration Number 3875227, was registered in the State of Ohio on March 7, 2016, is currently authorized to transact business in this state.



*Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 17th day of May, A.D. 2022.*

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

Ohio Secretary of State

Validation Number: 202213702406

Exhibit D2 "Operations Expertise and Key Technical Personnel"

Tri Vo began his career as a natural gas scheduler at Texla Energy Management. At United Energy Trading, Tri traded the Gulf, Southeast, Northeast, and Appalachia regions. Additionally, he developed retail natural gas programs in California and Ohio. While developing these programs, he took an active role in overseeing all aspects of the retail business, including trading, scheduling, accounting and customer service.

Name: Tri Vo, President

Email: tri@elevationeg.com

Phone: 512-237-7791

Ben Huff is the Manager of Trading and Origination for Provision Power & Gas, LLC. He has over sixteen years in trading and marketing. The first ten years of his career were spent at BP followed by the last six years managing the trading and marketing positions for Elevation Energy Group. Ben holds an undergraduate degree from the Kelley School of Business at Indiana University and an MBA degree from Butler University.

Name: Ben Huff

Email: ben.huff@elevationeg.com

Phone: 317-333-7281



Treasury Department
1111 Louisiana Street 38th FL
Houston, TX 77002

July 14, 2022

Patrick Sanguily
Elevation Energy Group, LLC
patrick@getprovision.com
(512) 212-7372

RE: PUCO Renewal

Dear Patrick,

With this letter we hereby acknowledge that Provision Power and Gas, LLC meets the collateral requirements of Vectren Energy Delivery of Ohio, LLC. (VEDO) Choice Program.

If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in blue ink that reads "msolano".

Maria Solano
Senior Credit Risk Analyst
CenterPoint Energy, Inc. /Vectren Corporation
1111 Louisiana St.
Houston, TX 77002
maria.solano@centerpointenergy.com
(713)207-8765



139 East Fourth
EX396
Cincinnati, Ohio 45202

May 18, 2022

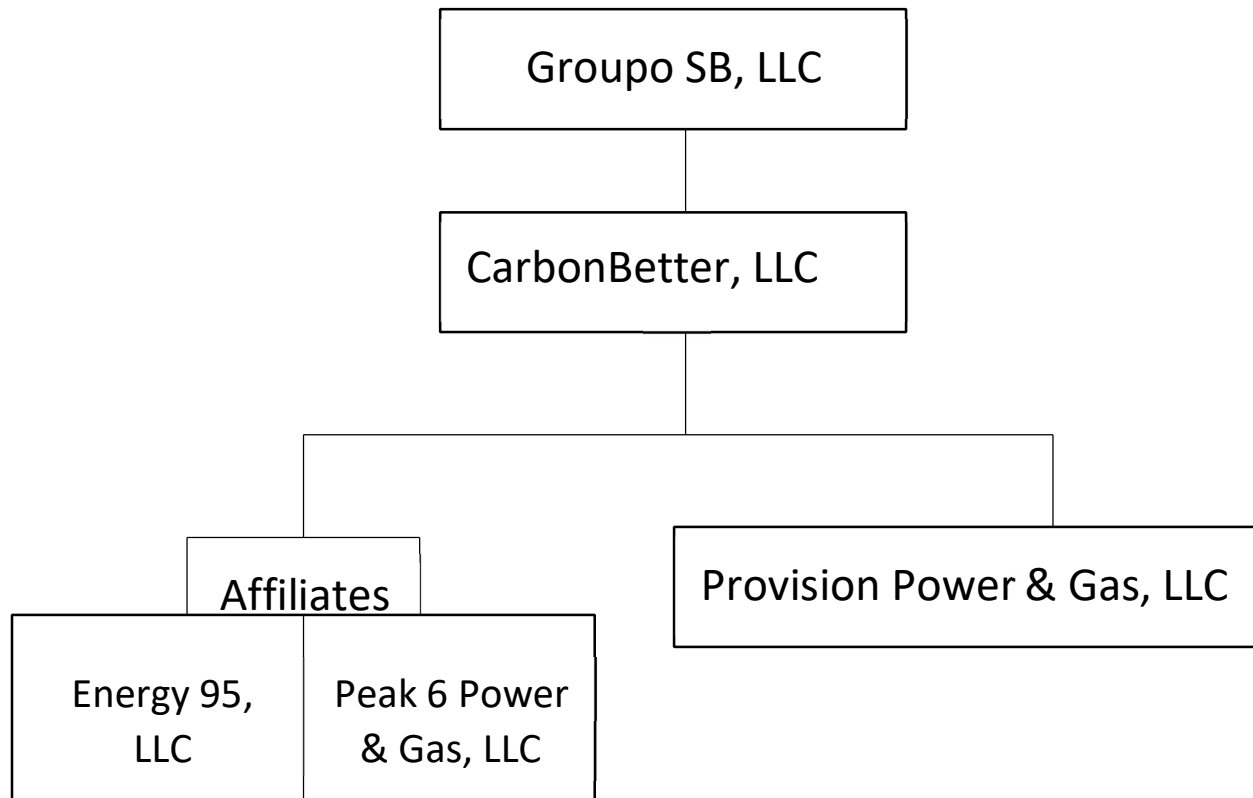
Provision Power and Gas has met the Gas Collateral obligations for Duke Energy Corporation as of May 18, 2022.

Tom Hunt

Duke Energy Corp
Certified Supplier Business Center
Tom.Hunt@Duke-Energy.com



Provision Power & Gas, LLC does business as Provision and supplies electricity and natural gas in Ohio. Provision Power & Gas also supplies natural gas to Michigan and is licensed to do so in Pennsylvania. Please see below for a graphical depiction of Provision Power & Gas, LLC’s corporate structure.



Competitive Retail Natural Gas Service Affidavit

County of Travis :

State of Texas :

Patrick Sanguily, 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.

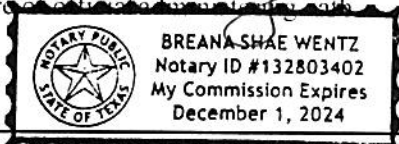
10. Affiant further sayeth naught.

Patrick Sanguily Vice President
Signature of Affiant & Title

Sworn and subscribed before me this 14th day of July, 2022
Month Year

Breana Wentz
Signature of Notary Public

Breana Wentz, HR Generalist
Print Name and Title



My commission expires on 12/1/24

Provision Power & Gas, LLC

Address: PO Box 6036
Austin, TX 78762-6036
United States

Experian BIN: 411615058

Agent: Cogency Global Inc.

Agent Address: 3958 D Brown Park Drive
Hilliard, OH

SIC Code: 5541-Gasoline Service Stations

NAICS Code: 447190-Other Gasoline Stations

Business Type: Corporation

Experian File Established: March 2016

Experian Years on File: 6 Years

Years in Business: More than 6 Years

Filing Data Provided by: Delaware

Date of Incorporation: 03/07/2016

Experian Business Credit Score

33
Business
Credit Score



The objective of the Experian Business Credit Score is to predict payment behavior. High Risk means that there is a significant probability of delinquent payment. Low Risk means that there is a good probability of on-time payment.

Key Score Factors:

- Risk associated with the company's industry.
- Company's business type.

Business Credit Scores range from a low of 1 to high of 100 with this company receiving a score of 33. Higher scores indicate lower risk. This score predicts the likelihood of serious credit delinquencies within the next 12 months. This score uses tradeline and collections information, public filings as well as other variables to predict future risk.

Experian Financial Stability Risk Rating

4
Financial
Stability Risk
Rating



A Financial Stability Risk Rating of 4 indicates a 10% potential risk of severe financial distress within the next 12 months.

Key Rating Factors:






- Lack of active trades.
- Risk associated with the business type.

- Employee size of business.
- Risk associated with the company's industry sector.

Financial Stability Risk Ratings range from a low of 1 to high of 5 with this company receiving a rating of 4. Lower ratings indicate lower risk. Experian categorizes all businesses to fit within one of the five risk segments. This rating predicts the likelihood of payment default and/or bankruptcy within the next 12 months. This rating uses tradeline and collections information, public filings as well as other variables to predict future risk.

Credit Summary

This location does not yet have an estimated Days Beyond Terms ([DBT](#)), or a Payment Trend Indicator. This is often the result of too few Payment [Tradelines](#).

Payment Tradelines / Commercial accounts :	0
UCC Filings :	0
 Businesses Scoring Worse:	32%
 Bankruptcies:	0
 Liens:	0
 Judgments Filed:	0
 Collections:	0

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it. (Ref#:414228)

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

8/4/2022 3:10:45 PM

in

Case No(s). 16-1513-GA-CRS

Summary: In the Matter of the Application of Provision Power & Gas LLC