

RECEIVED DOCKETING DIV

October 23, 2022

2022 OCT 28 PM 2:30

**PUCO**

Public Utilities Commission of Ohio  
Docketing Division  
180 East Broad Street  
Columbus, OH 43215-3793

**RE: Power and Natural Gas Broker Renewal Applications**

To Whom It May Concern:

Please find enclosed Electric and Natural Gas broker license renewal applications for PRX Energy LLC for licenses expiring Nov 1, 2022:

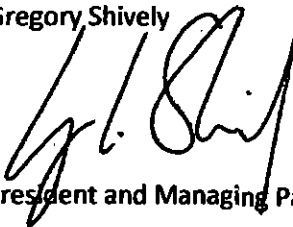
~~20-1020-GA-AGG~~  
~~20-1619-EL-AGG~~

16-247-GA-AGG  
16-2148-EL-AGG

Feel free to contact me at (703) 584-4184 with any questions.

Sincerely,

Gregory Shively



President and Managing Partner – PRX Energy

Enclosures

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 EL

Date Processed 10/28/2022



# Public Utilities Commission

Competitive Retail Natural Gas Service  
(CRNGS) Provider Application

Case Number: 16 - 2147 -GA- A66

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 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: PRX Energy LLC  
Street Address: 1001 State Street  
City: Erie State: PA Zip: 16501  
Telephone: 703-584-4184 Website: www.prxenergy.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: PRX Energy  
Street Address: 1001 State Street  
City: Erie State: PA Zip: 16501  
Telephone: 703-584-4184 Email: gshively@prxenergy.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): \_\_\_\_\_  
\_\_\_\_\_

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

Name: Gregory Shively Title: President  
Street Address: 5310 16th Road N  
City: Arlington State: VA Zip: 22205  
Telephone: 703-584-4184 Email: gshively@prxenergy.com

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

Name: Gregory Shively Title: \_\_\_\_\_  
Street Address: 5310 16th Road N  
City: Arlington State: VA Zip: 22205  
Telephone: 703-58484184 Email: gshively@prxenergy.com

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

Street Address: 1001 State Street  
City: Erie State: PA Zip: 16501  
Toll-free Telephone: 866-412-7161 Email: gshivley@prxenergy.com

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

FEIN: 465511340

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

Sole Proprietorship ☐ Limited Liability Partnership (LLP) ☐ Corporation ☐ Partnership ☐

Limited Liability Company (LLC) ☒ 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:**

CenterPoint Energy Ohio ☒ Columbus Gas of Ohio ☒ Dominion Energy Ohio ☒ 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.

Date: 10/24/2022

**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: No OH-based employees Title: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**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 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.

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.

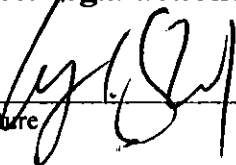
Gas Marketers: Describe the operational nature of the applicant's business, specifying whether operations will include the contracting of natural gas purchases for retail sales, the nomination and scheduling of retail natural gas for delivery, and/or the provision of retail ancillary services, as well 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. If vendors or third parties are or will be utilized for any activities listed in this application, provide the name and contact information for each and list which activities they will perform. Also indicate which activities will be performed directly by the company. Please note that this information is required to be updated within 30 days of any changes.

**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



10/23/22  
Date

Title

PRESIDENT



# Competitive Retail Natural Gas Service Affidavit

County of Dallas :

State of Texas :

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

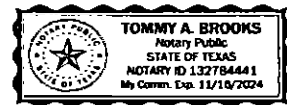
1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information 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.

h61.92  
Signature of Affiant & Title

Sworn and subscribed before me this 26th day of October, 2022  
Month Year

Tommy A. Brooks  
Signature of official administering oath

Tommy A. Brooks  
Print Name and Title



This notarial act was an online notarization

My commission expires on November 16, 2024

**Attachment A: Application Information**

**A-12. Principal officers, directors, and partners**

<b>Name</b>	<b>Title</b>	<b>Address</b>	<b>Email</b>	<b>Telephone</b>
Bret Grady	Director	112 Honeyridge Lane Holly Springs, NC 27540	<a href="mailto:bgrady@prxenergy.com">bgrady@prxenergy.com</a>	(814)806-2866
Gregory Shively	President	5310 16th Road N Arlington, VA 22205	<a href="mailto:gshively@prxenergy.com">gshively@prxenergy.com</a>	(703)584-4184

**A-13. Company History**

PRX Energy LLC was formed in 2014 to provide energy consulting and brokerage services largely to higher education and small - mid sized manufacturing companies.



Sun Oct 23 2022

A-14. Secretary of State

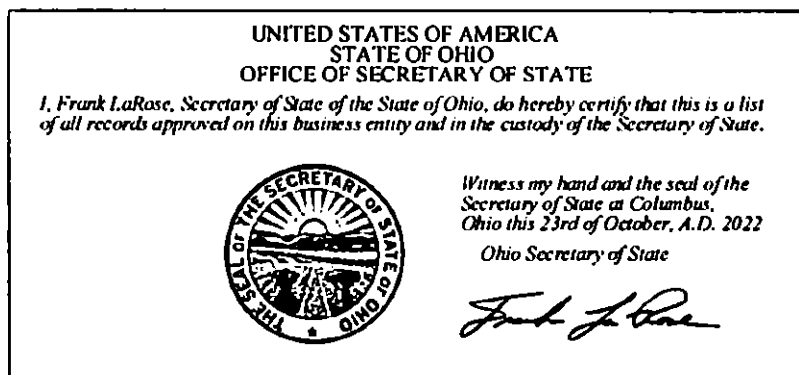
Entity#: 3953476  
Filing Type: FOREIGN LIMITED LIABILITY COMPANY  
Original Filing Date: 10/25/2016  
Location: --  
Business Name: PRX ENERGY LLC  
  
Status: Active  
Exp. Date: -

### Agent/Registrant Information

NORTHWEST REGISTERED AGENT SERVICE, INC.  
6545 MARKET AVENUE N., STE 100  
NORTH CANTON OH 44721  
10/25/2016  
Active

### Filings

Filing Type	Date of Filing	Document ID
FOREIGN LLC - CERTIFICATE OF REGISTRATION	10/25/2016	201629900472





DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/27/2016	201629900472	REGISTRATION OF FOREIGN FOR PROFIT LLC (LFPI)	\$0.00	0.00	0.00	0.00	0.00

**Receipt**

This is not a bill. Please do not remit payment.

PRX ENERGY LLC  
900 STATE STREET  
ERIE, PA 16501

**STATE OF OHIO  
CERTIFICATE**

**Ohio Secretary of State, Jon Husted**

**3953476**

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

**PRX ENERGY LLC**

and, that said business records show the filing and recording of:

Document(s)

**REGISTRATION OF FOREIGN FOR PROFIT LLC**

Effective Date: 10/25/2016

Document No(s):

**201629900472**



United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio this  
27th day of October, A.D. 2016.

*Jon Husted*

Ohio Secretary of State



Form 633B Prescribed by:

**JON HUSTED**  
OHIO SECRETARY OF STATE

Toll Free (877) 8CS-FLE (377-167-3453)  
Central Office (614) 466-2013

www.OhioSecretaryofState.gov  
business@OhioSecretaryofState.gov

File online or for more information: [www.OhioBusinessCentral.com](http://www.OhioBusinessCentral.com)

Mail this form to one of the following:

Regular Filing (one expedite)  
P.O. Box 670  
Columbus, OH 43269

Expedite Filing (Two business day processing time)  
Requires an additional \$100.00  
P.O. Box 1330  
Columbus, OH 43260

## Registration of a Foreign Limited Liability Company

**Filing Fee: \$99**

**Form Must Be Typed**

**CHECK ONLY ONE (1) BOX**

(1) ☒ Registration of a Foreign For-Profit Limited  
Liability Company  
(100-LFA)  
ORC 1705

Jurisdiction of Formation: PA USA  
State Country

Date of Formation: 4/17/2014

(2) ☐ Registration of a Foreign Nonprofit  
Limited Liability Company  
(100-LFA)  
ORC 1705

Jurisdiction of Formation: State Country

Date of Formation:

Name of Limited Liability Company in its jurisdiction of formation:

PRX ENERGY LLC

Name under which the foreign limited liability company desires to transact business in Ohio (if different from its name in its jurisdiction of formation) is:

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd."

The address to which interested persons may direct requests for copies of the limited liability company's operating agreement, bylaws, or other charter documents of the company is:

GREGORY SHIVELY

Name

5310 16TH ROAD N

Mailing Address

ARLINGTON

City

VA

State

USA

Country

22205

ZIP Code

## **Attachment B: Managerial Capability**

### **B-1. Jurisdiction of operations.**

Maryland, Massachusetts, New Jersey, Pennsylvania, Illinois, Virginia, Ohio, New York

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

PRX Energy contracts directly with customers using a Consulting Services Agreement that stipulates the terms of engagement including the fee for service, the term of service and term renewal protocols. PRX Energy does not sell electricity to customers nor do we take title to the electricity that our customers purchase. Therefore, much of the Section 4928.10 of the Revised code does not apply to our services. PRX Energy is however highly experienced with the contents of supplier invoices and does provide customers with an invoice review to assure accuracy with the supply contract terms. Furthermore, PRX Energy will assist its customers in dealing with supplier billing errors and other concerns. Essentially, PRX Energy, by representing its customer, acts as the customer in its engagements with suppliers that are operating under the terms of 4928.10 of the Revised Code.

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

PRX Energy has no existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact financial or operational status.

## Attachment D: Technical Capability

### D-1. Operations:

PRX manages competitive RFPs and reverse auctions for the benefit of client energy purchases. Resulting contracts are between the client and the supplier. PRX Energy advises during contract negotiations and provides insight on market trends for the purpose of determining proper pricing terms and term lengths.

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

#### About

PRX Energy and GreenSky Development Group are focused on helping clients minimize energy cost and market risk while maximizing performance against sustainability goals including participation in renewable energy, demand response and energy efficiency.

Mr. Shively's professional goals are to improve the market's ability to develop and manage increasingly complex energy strategies and leverage renewable assets and technology to simplify data intensive analytics, decision making and management metrics.

*Mr. Shively's background consists of deep experience in the areas of energy market design, market price trends, supply strategies and renewable asset development. A wealth of experience in a consulting capacity evaluating and understanding energy risks and opportunities provides a strong base of experience to develop creative energy strategies that meeting defined goals and provide for continuous improvement.*

PRX Energy and GreenSky Development Group were created to develop renewable assets and implement integrated energy strategies that help companies and campuses minimize their energy spend by maximizing their leverage in competitive markets. By building energy portfolios that properly balance market risk, regulations and energy projects, energy costs can be contained and consistently managed in support of long-term business goals.

#### Specialties:

Supply Side Management - risk management, purchasing, sourcing, demand response and renewables

Market Advisory - natural gas and power markets including renewable power, demand response and generation.

Renewable Energy Development - screen, value and develop renewable energy projects and offtake

Executive-Level Relations - C-Suite competencies with industrial, commercial, public sector, municipals and institutional clients



### **President & Managing Partner**

PRX Energy

Jun 2014 - Present · 8 yrs 5 mos

Arlington, VA

PRX Energy provides energy consulting and brokering services for energy consumers in North America. Our services enable clients to build, analyze and manage creative and competitive energy portfolios that meet objectives for cost, risk and sustainability. With over 25 years in the energy industry as both a consultant and retail marketer, Mr. Shively has the experience to develop energy supply strategies and implementation plans that meet our client's aggressive goals and budget expectations.



### **Principal Advisor**

GreenSky Development Group

Jan 2021 - Present · 1 yr 10 mos

Arlington, Virginia, United States



### **Vice President and Executive Director**

Pace Global a Siemens Business

May 1997 - Jun 2014 · 17 yrs 2 mos

Washington D.C. Metro Area

Vice President and Executive Director for the services, sales and accounts for the Sustainability and Energy Management segment within Siemens Infrastructure & Cities Sector, Building Technologies Division. Provide strategic direction to the business and its clients.



### **Manager, Transportation & Exchange**

Statoil

1992 - 1997 · 5 yrs

As Manager for T&E, the responsibilities included ensuring a balanced physical retail book, monitoring cash positions across the customer base, upstream transportation and storage accounts and regional supply pools. Experience also includes developing supply strategies to minimize delivered cost, optimizing owned assets in daily cash markets and managing a staff of professionals in a trade floor environment.

## **Education**



### **Penn State University**

BS, Economics

1988 - 1992

Concentration in energy economics, business, competitive market design



### **University of Notre Dame**

Executive Leadership Program

2006 - 2006



## ← Licenses & certifications



### **Electricity Broker License**

Illinois Commerce Commission

Issued Aug 2017 · No Expiration Date



### **Natural Gas Broker License**

Virginia State Corporation Commission

Issued Jul 2017 · No Expiration Date



### **Electricity & Natural Gas Broker License**

Public Utilities Commission of Ohio

Issued Feb 2017 · No Expiration Date



### **Electricity & Natural Gas Broker License**

Maryland Public Service Commission

Issued Sep 2016 · No Expiration Date



### **Electricity & Natural Gas Broker License**

Pennsylvania Public Utility Commission

Issued Jun 2016 · No Expiration Date



### **Electricity Broker License**

New Jersey Board of Public Utilities

Issued May 2016 · No Expiration Date



### **Electricity Broker License**

PUBLIC UTILITIES, MASSACHUSETTS DEPARTMENT OF

Issued Apr 2015 · No Expiration Date



### **Executive Leadership**

University of Notre Dame