

DIS Case Number: 17-0061-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: New Wave Energy Corp
Phone: 7168879700 **Extension (if applicable):**
Country: United States
Street: 2805 East Oakland Park Boulevard #351
Website (if any): www.nwaveenergy.com **City:** Fort Lauderdale **Province/State:** FL
Postal Code: 33306

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
New Wave Energy Corp	Official Name	2805 East Oakland Park Boulevard #351 Fort Lauderdale, FL 33306	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
New Wave Energy Corp	Official Name	2805 East Oakland Park Boulevard #351 Fort Lauderdale, FL 33306	Yes	File

A-5. Contact person for regulatory matters



James Schuster
410 Main Street
Buffalo, NY 14202
US
jschuster@nwaveenergy.com
7168879700

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

James Schuster
410 Main Street
Buffalo, NY 14202
US
jschuster@nwaveenergy.com
7168879700

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

Phone: 7168879700	Extension (if applicable):	Country: United States
Fax:	Extension (if applicable):	Street: 410 Main Street 4th Floor
Email: jschuster@nwaveenergy.com		City: Buffalo Province/State: NY
		Postal Code: 14202

A-8. Applicant's federal employer identification number

61-1607145

A-9. Applicant's form of ownership

Form of ownership: Corporation

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



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FirstEnergy - Cleveland Electric Illuminating

FirstEnergy - Ohio Edison

FirstEnergy - Toledo Edison

AES Ohio

American Electric Power (AEP)

Class of customer selection

Commercial

Residential

A-11. Start date

Indicate the approximate start date the applicant began/will begin offering services: 01-01-2018

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
John Ludtka	john@nwaveenergy.com	Pres	410 Main Street Buffalo, NY 14202 US
Nicholas Jerge	nick@nwaveenergy.com	Executive Vice President	410 Main Street Buffalo, NY 14202 US
James Schuster	jschuster@nwaveenergy.com	Director of Operations	410 Main Street Buffalo, NY 14202 US

A-13. Company history

New Wave Energy Corporation was founded October 26, 2009. NWECE is a true grassroots, local, family owned and operated business that understands the importance of buying locally and stimulating the local economies. Since inception NWECE has put emphasis on coupling best in class products with best in class services. Our efforts to achieve those goals has separated us amongst our peers within industry and gained the trust and respect of our customers.

A-14. Secretary of State



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: New Wave Energy Corp. (NVEC) is a fully licensed electric provider for customers of all service classes in the following utilities in New York State: National Grid, NYSEG, and RGE

New Wave Energy Corp. (NVEC) is a fully licensed electric provider for customers of all service classes in the following utilities in Pennsylvania: Met-Ed, Penelec, West Penn Power, Penn Power, PP&L, PECO, Duquesne Power

New Wave Energy Corp. (NVEC) is a fully licensed electric provider for customers of all service classes in the following utilities in Ohio: Ohio Edison, Toledo Edison, Cleveland Electric Illuminating, AEP, DP&L, Duke Energy

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..

Liability and Investigations Disclosures: NVEC does not have any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the



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applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

B-4. Disclosure of consumer protection violations

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

No

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

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

No

B-6. Environmental disclosures

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

PJM disclosure option chosen

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 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.

Preferred to file this information confidentially

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



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- 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



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LDU(s). Provide a copy of the most recent credit opinion from Moody's, Standard & Poor's or Fitch.

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

File(s) attached

Section D: Applicant Technical Capacity

D-1. Operations

Power Marketers/Generators: Describe the operational nature of the applicant's business, specifying whether operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail ancillary services, as well as other services used to arrange for the purchase and delivery of electricity to retail customers.

Power Marketers/Generators: Describe the operational nature of the applicant's business, specifying whether operations will include the generation of power for retail sales, the scheduling of retail power for transmission and delivery, the provision of retail ancillary services, as well as other services used to arrange for the purchase and delivery of electricity to retail customers.

Operations Description: New Wave Energy Corp. (NWECE) is a full-service retail electric and natural gas provider within New York State, the Commonwealth of Pennsylvania, and the State of Ohio. NWECE is a licensed service providing member of the New York State Dept. of Public Service (NYDPS), Pennsylvania Public Utilities Commission (PA PUC), Public Utilities Commission of Ohio (PUCO), NYISO and PJM ISO. NWECE currently operates across sixteen (16) different utility companies and seven plus (7+) pipelines. NWECE is not involved in the generation of energy for retail sales but does participate in taking title to and scheduling retail power and natural gas for transmission and delivery. NWECE procures roughly 60% of its energy through



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spot markets/local production and the excess through a mixture of short-term hedging mechanisms and bi-lateral contracts. NWECE has good standing with all of the organizations it does business with.

NWECE maintains a customer help line; an innovative website; and trained staff who are able to assist customers with a wide-array of their needs.

Please see Exhibit B-2 for more information.

D-2. Operations Expertise & Key Technical Personnel

Given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations. Include the names, titles, e-mail addresses, and background of key personnel involved in the operations of the applicant's business.

Operations Expertise & Personnel Description: New Wave Energy Corp. has vast experience as it pertains to large scale natural gas and power purchasing contracts in both NY, PA & OH. NWECE's management team and administrative actors have significant experience in scheduling both power and natural gas across many different platforms and systems. Utilizing its extensive industry relationships, local production, and bi-lateral contracts NWECE has had the ability to offer some of the most competitive rates within the service territories it currently covers. NWECE works intimately with producers, grid operators, systems, and pipelines to meet day-to-day scheduling, nominating, and balancing responsibilities in order to fulfill its customers' supplier related needs and expectations.

Key Technical Personnel

John Ludtka

John Ludtka brings a decade worth of experience concerning energy deregulation, demand response programs, and energy supply rate structuring. As a former employee of Energy Curtailment Specialist (ECS), John managed a multi-billion dollar portfolio of energy consumers who enrolled and engaged in demand response programs throughout the United States. His expertise was concentrated within the PJM and NYISO markets, in which he implemented succinct, customized strategies to save end users of power generation valued dollars through the engagement in demand response programs he oversaw during peak events. In 2009, Mr. Ludtka went on to co-found New Wave Energy Corporation, a deregulated utility company that operates in deregulated energy states through the U.S. New Wave Energy is a fast-growing leading supplier of both electricity and natural gas servicing residential, commercial, and government entities. John is a graduate of the University of Buffalo with a degree in International Business and a concentration in government regulation and deregulation.

Relevant Qualifications:



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- Expertise in both demand-side energy and supply-side energy products
- Expertise and knowledge of key deregulated energy transmission operators (NYISO & PJM)
- Rate structuring and pricing models for energy rates in the deregulated sector
- Bi-lateral contract structuring
- Capacity bidding and spot market expertise
- EDI Transactions

Nicholas Jerge

Nicholas Jerge brings with him a wealth of experience and knowledge as it pertains to deregulation throughout the United States. In 2009, Mr. Jerge co-founded New Wave Energy Corporation; one of the fastest growing deregulated utility companies in New York State. Mr. Jerge has particular expertise in deregulated energy markets, both foreign and domestic. Through establishing supply relations with domestic and international entities, Mr. Jerge helped build New Wave Energy into the entity it is today. Mr. Jerge holds a degree from American University- Washington, D.C. with a dual-major in pre-law and political science with a concentration in government regulation and deregulation.

Relevant Qualifications:

- Expertise in deregulated states
- Expertise on the emerging deregulation of Mexico and Latin America
- Particular expertise in the initial deregulation of the state of New York and Pennsylvania
- Expertise in structuring deregulated energy markets and filing for Energy Supply

Company Status (ESCO status)

- Expertise in product marketing & sales
- Expertise in establishing affinity programs with business organizations

D-3. FERC Power Marketer and License Number

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

ER16-1509-001



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Application Attachments

Exhibit C-8
Corporate Structure

New Wave Energy Corp. is a privately owned retail electric and natural gas supply company, a Florida corporation, with active operations in New York State, Ohio and the Commonwealth of Pennsylvania.



NEW WAVE
Energy Corporation

Ride the Wave
to our Energy Future

Nicholas Jerge
Vice President,
Inside Counsel

John M. Ludtka
President

James Jerge
President

James Schuster
Director of
Operations

Anthony Marrano
Electric Operations

Secretary

Chad Griffin
Gas Operations



COMPANY PROFILE

NEW WAVE ENERGY CORP. - THE WAVE TO OUR ENERGY FUTURE

1. Description of New Wave Energy's Organization:

New Wave Energy offers ultimate energy savings through directly supplying discounted power and natural gas to a wide-range of consumers.

I. QUICK FACTS:

- **Structure:** S- Corp
- **Founded:** October 26, 2009
- **State of Incorporation:** Florida
- **Customer Base:** 15,000+ Customers
- **Headquartered:** 410 Main St., Buffalo, NY 14202

II. MISSION STATEMENT:

New Wave Energy is the next frontier in energy choice. Our main focus is providing low cost, environmentally friendly, and reliable energy to our customers across the United States. Whether you are a large business on Wall Street, or a small business on Main Street, our expertise always has your bottom line as our core concern. As energy innovators, the experts at New Wave Energy are constantly researching methods to produce and supply the most beneficial, cost effective means to secure our energy future.

III. OUR VISION:

Founded, established and located in Buffalo, NY in 2009, New Wave Energy has quickly become one the industry's fastest growing and most reputable energy supply companies. Servicing over 15,000 customers, New Wave Energy continues to expand and grow. Under the leadership of its principal officers, New Wave Energy quickly achieved its goal of becoming an approved licensed supplier of electricity and natural gas services in New York State, Pennsylvania and Ohio. New Wave Energy is determined to become a dominant force in the deregulated energy markets, wherever they may exist or arise. As deregulation expands into new markets, so will our operations.



2. STRATEGIC ADVANTAGES:

- **Brand Identity** – New Wave Energy Corporation has a strong, established brand identity. Additionally, its mission statement, brand identity, logo and ultimate goals are consistent.
- **Web Portal**- New Wave Energy has developed and continues to develop a successful web portal for customers, brokers, and administrators to better run and manage day-to-day operations.
- **Strategic Partnerships** – Our strategic relationships will have allowed us to continue our successful growth strategy. Through our partnership with the Buffalo Sabres and the Cleveland Indians we have been able to convey our message and our brand to a national venue via television advertisement, concert venues, and live game play.
- **Customer Loyalty** – Once customers become comfortable using New Wave Energy's services, it is unlikely that they will move to a competitive service because our contracts have auto-renewals and our Management Fees are very low in comparison to competitors. Additionally, we will be constantly reviewing ways to ensure customers remain on a comprehensive energy plan that is both updated and suits their overall needs.
- **Proprietary Integrated Technology System**- We have built an internal technology platform to manage our book of business. The platform is a complete back-office, software-as-a-service to operate and manage an effective retail energy supply company. We have enhanced the customer experience and have driven operational efficiencies by utilizing the Customer Information, EDI, Meter Data Mgmt., Forecasting, Billing, Cash & Credit Mgmt. and Sales & CRM features of the platform. The integrated platform has consolidated services across the business, providing us with a 360-degree view of our customers.
 - By utilizing an integrated platform, we have and will continue to gain insights to improve service quality levels and drive business growth
 - The flexible Billing features of our platform has also allowed us to create innovative product offerings that will benefit our customers and our company going forward.

3. Background and Experience Credentials:

New Wave Energy Corp. ("NWE") is committed to providing leading expertise and products in deregulated markets across the United States. Founded in 2009, as a Florida S-Corp, and fully licensed in New York State in 2011, NWE committed itself to supplying its customers with the most comprehensive energy plans available to suit their individual needs. In accordance with these goals, New Wave Energy has used its best efforts to service any and all customers it solicits, approaches, or otherwise meets.

NWE's Customers are diverse and widespread. They include:

- Large Industrial & Manufacturing Companies
- Government & Municipalities
- Small Businesses
- Individual Residencies



4. Qualifications of Professional Staff:

NWEC prides itself on the qualifications and professionalism of its management and staff. The individuals who will be responsible for the services provided to your organization are leading experts in the deregulated energy sectors. Through ground-breaking technology, unmatched SmartSuite account accessibility services, and Market Watch tools, New Wave Energy's professional team is confident in its ability to provide top level services to all of our customers.

Our management team combines the experiences of executives and outside sales channels with extensive backgrounds in managing and developing successful portfolios within the established and emerging energy markets. New Wave Energy currently has three executives and a support staff with more than fifty years of combined experience. The Company's executive staff and operations are conveniently located in Buffalo, NY.

The two primary individuals, who will make your requirements a top priority, will be John Ludtka, CEO and Nicholas Jerge, Executive Vice President. Both individuals have expansive experience in the deregulated energy markets. They have acquired prestigious degrees from their respective University's and many other certificates which qualify them as Energy Specialists in New York State and beyond.

John Ludtka

John Ludtka brings a decade worth of experience concerning energy deregulation, demand response programs, and energy supply rate structuring. As a former employee of Energy Curtailment Specialist (ECS), John managed a multi-billion dollar portfolio of energy consumers who enrolled and engaged in demand response programs throughout the United States. His expertise was concentrated within the PJM and NYISO markets, in which he implemented succinct, customized strategies to save end users of power generation valued dollars through the engagement in demand response programs he oversaw during peak events. In 2009, Mr. Ludtka went on to co-found New Wave Energy Corporation, a deregulated utility company that operates in deregulated energy states through the U.S. New Wave Energy is a fast-growing leading supplier of both electricity and natural gas servicing residential, commercial, and government entities. John is a graduate of the University of Buffalo with a degree in International Business and a concentration in government regulation and deregulation.

Relevant Qualifications:

- Expertise in both demand-side energy and supply-side energy products
- Expertise and knowledge of key deregulated energy transmission operators (NYISO & PJM)
- Rate structuring and pricing models for energy rates in the deregulated sector
- Bi-lateral contract structuring
- Capacity bidding and spot market expertise
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Nicholas Jerge

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Relevant Qualifications:

- Expertise in deregulated states
- Expertise on the emerging deregulation of Mexico and Latin America
- Particular expertise in the initial deregulation of the state of New York and Pennsylvania
- Expertise in structuring deregulated energy markets and filing for Energy Supply Company Status (ESCO status)
- Expertise in product marketing & sales
- Expertise in establishing affinity programs with business organizations

NWEC is fully committed to meeting the requirements and rulings of the Public Utilities Commission of Ohio's rules as adopted in accordance with section 4929.22 of the Revised Code and contained in Chapter 4901: 1-29 of the Ohio Administrative Code regarding contracting with customers, providing contracted services, billing statements, and responding to customer inquiries and complaints.





November 14, 2022

New Wave Energy Corp.

Re: New Wave Energy Corp. CRES Status with FirstEnergy Ohio Utilities (Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company)

To Whom It May Concern:

New Wave Energy Corp., a certified competitive retail electric service provider in Ohio, has satisfied and is currently in compliance with our collateral and security requirements for FE OH Utilities (Ohio Edison, Toledo Edison, and Cleveland Electric).

FirstEnergy Corp.

Justin Gawne

Name: Justin Gawne
Title: Credit Risk Analyst
Phone: 330-315-7226

Competitive Retail Electric Service Affidavit

County of Erie :

State of New York :

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

1. The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant, and that it will amend its application while it is pending if any substantial changes occur regarding the information provided.
2. The applicant will timely file an annual report of its intrastate gross receipts, gross earnings, and sales of kilowatt-hours of electricity pursuant to Sections 4905.10(A), 4911.18(A), and 4928.06(F), Ohio Revised Code.
3. The applicant will timely pay any assessment made pursuant to Sections 4905.10, 4911.18, and 4928.06(F), Ohio Revised Code.
4. The applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
5. The applicant will cooperate fully with the Public Utilities Commission of Ohio, and its Staff on any utility matter including the investigation of any consumer complaint regarding any service offered or provided by the applicant.
6. The applicant will fully comply with Section 4928.09, Ohio Revised Code regarding consent to the jurisdiction of Ohio Courts and the service of process.
7. The applicant will comply with all state and/or federal rules and regulations concerning consumer protection, the environment, and advertising/promotions.
8. The applicant will use its best efforts to verify that any entity with whom it has a contractual relationship to purchase power is in compliance with all applicable licensing requirements of the Federal Energy Regulatory Commission and the Public Utilities Commission of Ohio.
9. The applicant will cooperate fully with the Public Utilities Commission of Ohio, the electric distribution companies, the regional transmission entities, and other electric suppliers in the event of an emergency condition that may jeopardize the safety and reliability of the electric service in accordance with the emergency plans and other procedures as may be determined appropriate by the Commission.
10. If applicable to the service(s) the applicant will provide, it will adhere to the reliability standards of (1) the North American Electric Reliability Council (NERC), (2) the appropriate regional reliability council(s), and (3) the Public Utilities Commission of Ohio.
11. The Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the application within 30 days of such material change, including any change in contact person for regulatory purposes or contact person for Staff use in investigating consumer complaints.

12. The facts set forth above are true and accurate to the best of his/her knowledge, information, and belief and that he/she expects said applicant to be able to prove the same at any hearing hereof.

13. Affiant further sayeth naught.

James Schust GM
Signature of Affiant & Title

Sworn and subscribed before me this 15 day of November, 2022
Month Year

Jessica Rauth
Signature of official administering oath

Jessica Rauth
Print Name and Title

JESSICA E. RAUTH
NOTARY PUBLIC-STATE OF NEW YORK
My commission expires on No. 01RA6406900

Qualified in Erie County

My Commission Expires 04-20-2024

**This foregoing document was electronically filed with the Public Utilities
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Case No(s). 17-0061-EL-CRS

Summary: In the Matter of the Application of New Wave Energy Corp