



DIS Case Number: 13-1016-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:** Choice Energy LLC    **Country:** United States  
**Phone:** 8885654490    **Extension (if applicable):**    **Street:** 601 SW 9th Street, Suite F  
**Website (if any):** www.4choiceenergy.com    **City:** Des Moines    **Province/State:** IA  
**Postal Code:** 50309

### 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
4 Choice Energy LLC	DBA	601 SW 9th Street Suite F Des Moines, IA 50309	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
4 Choice Energy LLC	DBA	601 SW 9th Street Suite F Des Moines, IA 50309	Yes	File

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



## Public Utilities Commission

Moses Cheung  
4257 US Highway 9, Suite 6C  
Freehold, NJ 07728  
US  
mcheung@4choiceenergy.com  
8488636500

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

Mike Needham  
601 SW 9th Street, Suite F  
Des Moines, IA 50309  
US  
mneedham@4choiceenergy.com  
5154189276

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

<b>Phone:</b> 8885654490	<b>Extension (if applicable):</b>	<b>Country:</b> United States	
<b>Fax:</b>	<b>Extension (if applicable):</b>	<b>Street:</b> 601 SW 9th Street, Suite F	
<b>Email:</b> customerservice@4choiceenergy.com		<b>City:</b> Des Moines	<b>Province/State:</b> IA
		<b>Postal Code:</b> 50309	

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

27-1708137

### 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

FirstEnergy - Cleveland Electric Illuminating  
 FirstEnergy - Ohio Edison  
 FirstEnergy - Toledo Edison  
 AES Ohio  
 American Electric Power (AEP)

### **Class of customer selection**

Commercial  
 Industrial  
 Mercantile  
 Residential

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

Indicate the approximate start date the applicant began/will begin offering services: 01-01-2014

### **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
Brent Hood	bhood@4choiceenergy.com	Co-Managing Member	601 SW 9th Street Suite F Des Moines, IA 50309 US
Mike Needham	mneedham@4choiceenergy.com	Co-Managing Member	601 SW 9th Street, Suite F Des Moines, IA 50309 US

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

Choice Energy, LLC (the Company) is an Iowa Limited Liability Company formed in January 2010. Its business is to act as a competitive energy supplier. Currently the Company operates under the D/B/A 4 Choice Energy as an electricity supplier in New Jersey, Pennsylvania, and 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..

Jurisdiction of Operation: As of the date of this filing, the Company is licensed as a retail electric supplier and serving load in New Jersey, Pennsylvania and 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: The Company has operated successfully as a competitive retail electric provider successfully serving load from inception since August 2010. The founders of the company have personally and jointly served as co-managing members since inception with individually designated responsibilities. More information on the Company's key management team can be found in response to section D-2 to this filing.

The Company uses telemarketing as its primary method of customer acquisition. All telemarketing and customer service functions are performed exclusively by Premiere Business Solutions, LLC, a professional telemarketing firm wholly owned and operated by the Company owners and managing members for quality assurance and control purposes. The Company utilizes utility consolidated billing and collection in all service areas where it does business. The Company has contracted for the customer account management system from ArcTrade, Inc. for customer service, which includes the functionality of dual billing should that become necessary or when preferred by the customer. The Company has also contracted for wholesale energy management system from ArcTrade for load forecasting and position reporting to support the Company's wholesale portfolio management for a sound risk management practice.

The Company will continue to conduct its competitive retail electric provider business in Ohio in a manner that complies with applicable rules and regulations. All of the Company's marketing and solicitations will be fair and forthright. Consistent with applicable rules/regulations and utility tariffs, contracts will be written clearly in plain language that is easy for the customer to understand and will include required information, customer enrollment with the Company will be completed in a timely manner, customer accounts will be billed by the host utility in accordance with its tariff, or in certain cases by the Company, depending on the needs of the



individual customer, and the Company will make quarterly disclosures of its environmental data accordingly.

**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, 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'.

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.

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.

Stand-alone entity with no affiliate or subsidiary companies

**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).

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.

Operations Description: The operational nature of the Company business is one of competitive electricity retail provider. Our business activities include:

- Transact with wholesale counterparties for the purchase of electricity;



## Public Utilities Commission

- Schedule with the ISO/RTO (e.g. PJM) for the delivery and transmission;
  - Transact with the ISO/RTO for the provision of retail ancillary services;
  - Provide customer support on related issues; and
- Perform all other functions necessary to be a competitive electricity retail provider.

### **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).

The Company's application for market-based rate authority was approved and effective July 12, 2010 under FERC docket #ER10-1472.



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 CHOICE ENERGY, LLC, an Iowa Limited Liability Company, Registration Number 2110821, was registered in the State of Ohio on May 25, 2012, is currently authorized to transact business in this state.*



*Witness my hand and the seal of the  
Secretary of State at Columbus, Ohio  
this 23rd day of February, A.D. 2023.*

A handwritten signature in blue ink that reads "Frank LaRose".

**Ohio Secretary of State**

**Validation Number: 202305402980**

Choice Energy, LLC d/b/a 4 Choice Energy, LLC  
Renewal Application for Retail Generation Providers and Power Marketers  
Disclosure of Liabilities and Investigations

There are no pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could materially impact the Company's financial or operational status or ability to provide the services it is seeking to be certified to provide.

Following is a description of material investigations by regulatory authorities in connection with the Company's sale or delivery of electricity or natural gas.

In Re CT PURA Docket No. 14-07-15

In 2011 and 2012 the Company offered CT customers an annual effective rate guarantee. In early Spring 2013 the Company formally terminated this guarantee program with proper written notice to all customers, and the Company has not offered any guarantee since. Said terminated guarantee program terms of agreement provided that "each year that a customer was with us, his/her effective rate would compare favorably against utility standard offer of a similar product for the same 12 months period". At all times while the guarantee was in effect the Company operated in accordance with the guarantee program terms of agreement. In April 2014, more than a year after the guarantee program has terminated, a customer filed a complaint to the CT Public Utilities Regulatory Authority ("PURA") complaining that during certain months since after the guarantee program termination the Company charged rates greater than standard offer. The customer further argued that, contrary to the guarantee program terms of agreement, the guarantee should have been for each and every month individually instead of cumulatively each year. On such allegation from a single complaint, and notwithstanding that the guarantee program had terminated, in July 2014 PURA opened this docket to review if the guarantee program was annual or month to month. The Company provided records to substantiate that the guarantee was on an "effective rate each year" basis, and that the program was administered accordingly at all times while the guarantee was in effect. Nevertheless, PURA issued a Notice of Violation with proposed penalty, largely alleging that (a) while the Company provided written advance notice to customers on the discontinuance of the guarantee program in accordance with terms of agreement, the Company should have but did not obtain express affirmative consent in writing from the customers; and that (b) the Company's disclosure of the guarantee program being on an "effective rate each year" basis is insufficient and should have been further defined in order to be considered non-deceptive. After filing further brief and on advice of counsel, for purposes of preserving its working relationship with PURA, the Company decided to not further contest the matter. The Company paid the fine and the matter was closed.

In Re CT PURA Dockets #15-10-82

In 2012, 2013 and 2014 the Company offered CT customers certain green-up options for generation services with renewable energy content exceeding the renewable portfolio standards ("RPS"). At all times the Company operated all related customer contracts in accordance with program terms of agreement. In October 2015 PURA opened this docket to review the Company's compliance concerning its voluntary renewable energy products. Contemporaneously PURA also opened a docket to review compliance by all other third-party suppliers believed to have green-up offerings. In March 2016 PURA cancelled the scheduled hearing and all calendarized actions

pending further notice. In August 2016 PURA opened a general rule making docket to further develop rules for addressing voluntary renewable offerings but without any indication as to the disposition of any of the existing dockets pertaining to the review of various third-party suppliers' green-up offerings. In September 2019 PURA closed this and all similar dockets with no further action.

#### In Re CT PURA Docket 18-12-22

By statute CT licensed electric suppliers are required to provide to the utilities certain information to appear in the billing summary portion of a customer's bill, including but not limited to the next cycle rate. PURA provided clarification by decision that the next cycle rate displayed on a customer's bill should be the rate to be billed two billing cycles from the present billing cycle. Upon customer complaints and multiple investigations directed at a number of other suppliers not including the Company, in December 2018 PURA initiated this docket to provide general amnesty from civil penalties any suppliers who voluntarily elect to self-report next cycle rate violations and provide appropriate refunds to any affected customers. While the Company at the time was not aware of any of its customers with incomplete/inaccurate next cycle rate bill print information, in an abundance of caution in case there were any unidentified discrepancies between the Company's record and the data retained by the utilities for bill printing, the Company elected to participate in the amnesty program. The Company submitted its election to participate, conducted an extensive review of the Company's record against information used by the utilities for bill print, and submitted a detailed plan that identified customers who were due a refund together with the proposed refund amount for PURA approval. After a satisfactory audit of the Company's plan, PURA issued a release letter approving the Company's plan and directed the Company to implement the refund accordingly. The Company timely completed the refund process as planned and the matter is closed.

#### In Re PA PUC Docket No. C-2021-3024417

In March 2021 the Pennsylvania Public Utility Commission ("PA PUC") forwarded to the Company a formal complaint from a PA customer alleging that she was not afforded the opportunity to rescind her enrollment authorization, that the utility improperly billed her for charges from the Company, and demanded that the utility remove those charges and reissue corrected bills. The rescission provision was clearly provided during the third-party verification process, and the Company timely mailed to the customer a welcome package with the necessary contract information including her rescission rights. The Company has no subsequent record of having received any communication from the Complainant regarding rescission or any other matters, a fact that the Complainant did not dispute. The account was properly enrolled after the rescission period has expired. Upon receipt of the complaint from the PA PUC the Company contacted the Complainant and offered to waive the early termination fee as a courtesy. Since the Customer's account has already been dropped and the utility would not accept from the Company any credit adjustment to a closed account, the Company issued a refund check payable directly to the Customer. Unfortunately the Complainant refused to accept the refund check and rejected the workaround of the Company paying the utility on her behalf, but steadfastly insisted the utility company reverses the charges and reissues the past bills in question by omitting the Company's charges, which the utility company has maintained as not possible. The matter was heard by an ALJ in July 2021. In October 2021 the presiding ALJ issued a decision dismissing the complaint.

The Complainant continued her appeal effort. In September 2022 PA PUC issued a final ruling affirming the ALJ decision. The matter is closed.

In Re PA PUC Docket No. C-2021-3027691

In August 2021 the PA PUC forwarded to the Company a formal complaint from a PA customer alleging that the Company illegally obtained his account number, and that the switch was not authorized in that his mother who provided the authorization was 94-years old. Upon receipt of the Complaint the Company re-examined the TPV and confirmed that the Customer's mother sounded lucid at all times with no sign of having any difficulty in understanding her authorization. In addition, the Company legally obtained the account information from the utility's Eligible Customer List ("ECL") which the utility company freely makes available to all registered third party suppliers such as the Company for soliciting generation services. The Company reached out and spoke with the Customer by telephone to explain, attempted to address his concerns to his satisfaction, and offered to cancel the enrollment waiving the early termination fee. Meanwhile an EDI transaction was received from the utility cancelling the enrollment on customer request, thus the account was never actually enrolled, and no early termination fee was assessed. In addition, while the Customer did not specifically made the request, the Company has also proactively placed the account in the Company's Internal Do-Not-Call list. In a subsequent telephone exchange with the Company's legal counsel the Customer agreed to dismiss his complaint if the Company would agree that "there never was a contract entered into for his enrollment", to which the Company's counsel followed up in September 2021 with a written representation of the events. There has not been any communication with the Customer since. The Company believes that the matter is closed.

In Re PA PUC Docket No F-2021-3030023

In July 2021, Choice received notification from PA PUC that a PA customer filed an informal complaint disputing that she "has never been reimbursed for kwh banking and sought relief of reimbursement. The Customer did not inform the Company that she had a solar generation system for self-generation net-metering at the time of her enrollment. The enrollment agreement did not include any banking of self-generation in excess of actual usage, and was for an initial contract term of 24 months from start of service with an early termination fee. Upon receipt of the notification, the Company contacted the Customer to explain the contract terms and informed her that while there was an early termination fee under the agreement, no fee would be assessed if she chose to cancel her service before term. The Customer cancelled her enrollment, and the Company did not assess a termination fee. As goodwill, the Company also calculated the banking and resulting true-up for excess self-generation that Customer would have been due if there were net metering for her account, and issued a curtesy refund in an amount that more than covered any method of calculating the offset. With this refund, the informal complaint was dismissed. The Customer cashed the refund check, but then in November 2021 appealed the dismissal by filing this formal complaint. The formal complaint did not assert any specific demand other than simply stating "I think they owe me money". A call-in telephone hearing was scheduled for and convened on February 10, 2022 but the Customer was no-show, and the hearing was adjourned. The Customer was repeat no-shows for rescheduled hearings, and in July 2022 the PA PUC issued a final decision dismissing all claims asserted against the Company. The matter is closed.

In Re PA PUC Docket No. F-2022-3035101

The Customer filed a formal complaint alleging that Choice did not bill him in accordance with the agreed upon contract price. Choice refuted the claims raised in the formal complaint. The matter proceeded with a hearing before an Administrative Law Judge on February 16, 2023. Claimant's allegations are unequivocally refuted by his verbal agreement recorded during the Third-Party Verification call, and the Claimant did not present any evidence from which to conclude that Choice violated any applicable law or regulation. A decision is expected in or about late April, 2023.

In the interest of full disclosure, other the typical/incidental but rare informal customer complaints, all of which the Company has responded accordingly, there are no other pending litigations, claims, or regulatory investigation matters.



Choice Energy, LLC d/b/a 4 Choice Energy, LLC  
Renewal Application for Retail Generation Providers and Power Marketers  
Attachment B-6  
Environmental Disclosure

The Company buys all its electricity from the market. As such, the Company's generation resource mix and environmental characteristics are the same as the regional generation resource mix and environmental characteristics as published by PUCO on its website at "<https://puco.ohio.gov/wps/portal/gov/puco/utilities/electricity/resources/environmental-disclosure-information-for-edus-and-cres-providers>". The Company will utilize the information as published by PUCO on such PUCO website to determine the Company's generation resource mix and environmental characteristics, including air emissions and radioactive waste. More specifically, the Company will utilize the Annual Environmental Disclosure Statement Template and the Quarterly Environmental Disclosure Statement Template posted by PUCO on such PUCO website as the basis for the Company's annual projection methodology and approach to compiling its quarterly actual environmental disclosure data.

Choice Energy, LLC d/b/a 4 Choice Energy, LLC  
Renewal Application for Retail Generation Providers and Power Marketers  
Exhibit C-9  
Financial Arrangements

Attached is a current statement from Duke Energy Ohio, an Ohio local distribution utility (LDC), showing that the Company meets the LDU's collateral requirements. The Company is not active in any other utility territory in Ohio.



139 East Fourth  
EX396  
Cincinnati, Ohio 45202

March 13, 2023

Choice Energy has met the Electric Collateral obligations for Duke Energy Corporation as of March 13, 2023.

Scott Nicholson  
Duke Energy Corp  
Certified Supplier Business Center  
[CSBCreps@duke-energy.com](mailto:CSBCreps@duke-energy.com)



Choice Energy, LLC d/b/a 4 Choice Energy, LLC  
Renewal Application for Retail Generation Providers and Power Marketers  
Appendix D-2  
Operations Expertise and Key Technical Personnel

The Company has operated successfully as a competitive electric provider under the same management team serving load from inception since August 2010. Following are key management personnel, including Company founders, who are personally involved in all key operational aspects of the Company's business:

**Brent Hood**

Brent is a Co-Managing Member of the Company with primary responsibility in sales and marketing. He oversees a team of telemarketing professionals to insure proper training, compliance, and quality assurance. Brent was a co-Founder and currently a Co-Managing Partner of Premiere Business Solutions, LLC ("PBS"), a U.S. based inbound and outbound call center service agency, with fully automated, state-of-the-art call center technologies. Prior to the formation of PBS, Brent was a Sales Manager at the Internet service provider LightEdge and McLeod USA, one of the nation's largest independent competitive local exchange carriers (CLEC). Brent had a successful sales career with MCI with increasing responsibility during the initial era of telecommunication deregulation, advancing from Sales Rep to Supervisor to Sales Manager. Brent is a graduate of Kirkwood Community College.

**Mike Needham**

Mike is a Co-Managing Member of the Company with primary responsibility in back office operations and customer support. He oversees a team of customer service professionals to insure timely and satisfactory responses on all customer service issues. Together with Brent, Mike was a Co-Founder and currently a Co-Managing Partner of PBS. Prior to the formation of PBS, Mike was a Vice President with the American Republic Insurance. Prior to that Mike had a long successful career with MCI, with his last position being a Senior Sales Manager. Mike also graduated from Kirkwood Community College, completed his undergraduate at Mount Mercy College, and obtained his MBA from St. Ambrose University.

**Moses Cheung**

Moses is key management team member of the Company with primary responsibility in accounting/financial reporting and legal/regulatory compliance. Moses has over thirty-five years of diverse business development and management experience. Moses was the Founder and currently serves as the Chief Executive Officer of the management advisory firm Oxxford Group. Prior to founding Oxxford Group, Moses was a Consulting Partner and Technical Services Director of Deloitte & Touche, one of the largest accountant/consultancy partnerships worldwide. Moses holds an engineering degree from Yale University, and an MBA from Carnegie Mellon University Tepper School of Management.

The Company also has contracted with the following proven providers for support in select key functions:

- Sales Verification, LLC/Trusted TPV for independent verification of customer authorization;
- ArcTrade, Inc. for EDI transactions management system, customer service enterprise system, and wholesale energy forecasting and reporting system in an application service provider/ASP model;
- The law firm of Bevan, Mosca and Giuditta, P.C. as legal counsel in the PJM control area;
- The Curchin Group, LLC as independent accountant/auditor and tax reporting agent;
- Premiere Business Solutions, LLC for telemarketing and customer service support;
- Oxxford Group, LLC for general business and finance/accounting support;
- Shell Energy North America (US), L.P. for scheduling and credit support; and
- ArcTrade, Inc. as industry consultant for business process outsourcing support in the areas of wholesale supply services, risk management, and pricing.

Choice Energy, LLC d/b/a 4 Choice Energy, LLC  
Renewal Application for Retail Generation Providers and Power Marketers  
Attachment C-5  
Credit Report

Attached herewith is the most recent version of the online Dun & Bradstreet report on the Company.

Update your information with D-U-N-S® Manager

Report as of: 03-17-2023

**Choice Energy, LLC**

**Alerts:**

ACTIVE

HEADQUARTERS

**Address:**    601 SW 9TH St Ste F, Des Moines, IA, 50309, United States

SCORES AND RATINGS			
<div>PAYDEX® Score ⓘ</div> <div>↓</div> <div>DECLINED</div> <div>SINCE 2020-08-07</div>	<div>Delinquency Predictor Percentile ⓘ</div> <div>↓</div> <div>DECLINED</div> <div>SINCE 2022-06-11</div>	<div>Financial Stress Percentile ⓘ</div> <div>↓</div> <div>DECLINED</div> <div>SINCE 2022-06-11</div>	<div>Supplier Evaluation Risk Rating ⓘ</div> <div>↓</div> <div>IMPROVED</div> <div>SINCE 2020-08-07</div>

**Monitor in Real-time**

to Gain Valuable Insights into Your Business Credit

Get data when changes occur and track 24/7 across the business credit profile. The D&B credit bureau is the only one.

Business credit is your

CreditCheck™

Call 1-800-444-6587 to discuss credit insights and get your

**Monitor & Take Action**

to Help Build Your Business Credit File

Potential to add your D&B credit file to leading Trade Reference sources to enhance your credit profile. The D&B credit bureau is the only one.

Business credit is your

CreditCheck™

Call 1-800-444-6587 to discuss credit insights and get your

**Affiliate offer**

Manage your business with ClientBook from 1-800Accounting. Your first two months are free.

Start for Free

1-800ACCOUNTING

**Dun & Bradstreet offer**

Transform your information into a more powerful sales tool. Sign up to receive free contacts every month.

Sign up now

COMPANY PROFILE ⓘ			➤	
<b>D-U-N-S</b>	<b>Mailing Address</b>	<b>Annual Sales</b>		
96-164-3561	United States	US\$ 220,991		
<b>Business Form</b>	<b>Telephone</b>	<b>Employees ⓘ</b>		
Corporation	(515) 418-9276	2 (1 here)		
<b>Ownership</b>	<b>Website</b>	<b>Age (Year Started)</b>		
Not publicly traded	www.4choiceenergy.net	13 (2010)		
		<b>Named Principal</b>		
		Michael Needham, Member		
		<b>Line of Business</b>		
		Electrical contractor		

LEGAL EVENTS ⓘ			TRADE PAYMENTS ⓘ	
<b>Events</b>	<b>Open Count</b>	<b>Last Filed</b>	<b>Highest Past Due</b>	
Bankruptcies	0	-	-	
Judgments	0	-		
Liens	0	-		
Suits	0	05-11-2015		
UCC	5	09-29-2016		
			<b>Highest Now Owning</b>	<b>Total Trade Experiences</b>
			-	5
			<b>Largest High Credit</b>	<b>Average High Credit</b>
			US\$ 100	-

OWNERSHIP ⓘ

This company is a **Global Ultimate, Domestic Ultimate, Parent/Headquarters**.

Choice Energy, LLC  
United States  
D-U-N-S Number 96-164-3561

Total Members in Family Tree - 3

Subsidiaries	Branches
0	2

FINANCIAL OVERVIEW ⓘ

Source:

INQUIRIES ⓘ

12 Month Summary

Total number of Inquiries

0 ⓘ

Unique Customers

1

\*Trade References will be added subject to Dun & Bradstreet verification and acceptance. Dun & Bradstreet cannot guarantee that trade references will be accepted or that accepted trade references will impact your business credit file. Please see <https://www.dandb.com/glossary/trade-references/> for eligibility, process and other information regarding Trade References.



# Competitive Retail Electric Service Affidavit

County of Polk :

State of Iowa :

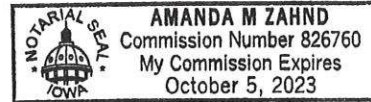
Mike Needham, Affiant, being duly sworn/affirmed, hereby states that:

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.

Wick Wick - Managing Partner  
Signature of Affiant & Title



Sworn and subscribed before me this 20<sup>th</sup> day of March, 2023  
Month Year

Amanda Zahnd  
Signature of official administering oath

Amanda Zahnd  
Print Name and Title

My commission expires on October 5<sup>th</sup>, 2023

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

**3/20/2023 11:00:44 AM**

**in**

**Case No(s). 13-1016-EL-CRS**

**Summary: In the Matter of the Application of Choice Energy LLC**