



06-1931-EL-CRS 11

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FILE

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June 21, 2002

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

Dear Sir or Madam:

Due to changes in address, name and corporate officers, enclosed please find an original plus ten (10) copies of the applicable changes to our certification application for retail generation providers and power marketers. Please note that Advantage Energy, Inc. now operates in Ohio under the corporate name Advantage Energy Midwest. The enclosures are as follows:

1. The basic application (pages one (1) through six (6)) that has been changed to reflect the appropriate information, including contacts, address and corporate name.
2. Exhibit A-11, reflecting the proper current corporate officers.
3. Exhibit A-12, reflecting the change from a C corporation to an S corporation.
4. Exhibit D-3, describing the current key technical personnel.

If any further changes are required, please feel free to contact Rob Fraass or myself at (716) 826-9778. Thank you for your anticipated cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Angela R. Carlson'.

Angela R. Carlson
Law Clerk

Enc.: Original plus ten (10) copies of changes to application

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Date Received	Case Number	Version
	EL CRS	June 2002

Please print or type all required information. Identify all attachments with an exhibit label and title (Example: Exhibit A-13 Company History). All attachments should bear the legal name of the Applicant. Applicants should file completed applications and all related correspondence with the Public Utilities Commission of Ohio, Docketing Division; 180 East Broad Street, Columbus, Ohio 43215-3793.

**This PDF form is designed so that you may input information directly onto the form.
You may also download the form, by saving it to your local disk, for later use.**

A. APPLICANT INFORMATION

A-1 Applicant intends to be certified as: (check all that apply)

- ☐ Retail Generation Provider
- ☒ Power Broker
- ☒ Power Marketer
- ☐ Aggregator

A-2 Applicant's legal name, address, telephone number and web site address

Legal Name Advantage Energy, Inc.
Address 3556 Lake Shore Road, Suite 120, Buffalo, New York 14219
Telephone # (716) 826-9778 Web site address (if any) www.AdvantageEnergyUSA.com

A-3 List name, address, telephone number and web site address under which Applicant will do business in Ohio

Legal Name Advantage Energy Midwest
Address 3556 Lake Shore Road, Suite 120, Buffalo, New York 14219
Telephone # (716) 826-9778 Web site address (if any) www.AdvantageEnergyUSA.com

A-4 List all names under which the applicant does business in North America

Advantage Energy, Inc.	Advantage Energy Midwest
_____	_____
_____	_____

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A-5 Contact person for regulatory or emergency matters

Name Kevin H. Schoener
Title Executive Vice President/CDO
Business address 3556 Lake Shore Road, Suite 120, Buffalo, New York 14219
Telephone # (716) 826-9778 Fax # (716) 826-9725
E-mail address (if any) KHSchoener@AdvantageEnergyUSA.com

A-6 Contact person for Commission Staff use in investigating customer complaints

Name Robert A. Fraass
Title Vice President of Finance/CFO
Business address 3556 Lake Shore Road, Suite 120, Buffalo, New York 14219
Telephone # (716) 826-9778 Fax # (716) 826-9725
E-mail address (if any) RAFraass@AdvantageEnergyUSA.com

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

Customer Service address 3556 Lake Shore Road, Suite 120, Buffalo, New York 14219
Toll-free Telephone # (888) 649-4464 Fax # (716) 826-9725
E-mail address (if any) Info@AdvantageEnergyUSA.com

A-8 Applicant's federal employer identification number # 161528434

A-9 Applicant's form of ownership (check one)

- ☐ Sole Proprietorship ☐ Partnership
☐ Limited Liability Partnership (LLP) ☐ Limited Liability Company (LLC)
☐ Corporation ☐ Other _____

A-10 (Check all that apply) Identify each electric distribution utility certified territory in which the applicant intends to provide service, including identification of each customer class that the applicant intends to serve, for example, residential, small commercial, mercantile commercial, and industrial. (A mercantile customer, as defined in (A) (19) of Section 4928.01 of the Revised Code, is a commercial customer who consumes more than 700,000 kWh/year or is part of a national account in one or more states).

- | | | | | |
|--|--------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> First Energy | | | | |
| <input type="checkbox"/> Ohio Edison | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Toledo Edison | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Cleveland Electric Illuminating | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Cincinnati Gas & Electric | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Monongahela Power | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> American Electric Power | | | | |
| <input type="checkbox"/> Ohio Power | <input type="checkbox"/> Residential | <input type="checkbox"/> Commercial | <input type="checkbox"/> Mercantile | <input type="checkbox"/> Industrial |

☐ Columbus Southern Power ☐ Residential ☐ Commercial ☐ Mercantile ☐ Industrial
☐ Dayton Power and Light ☐ Residential ☐ Commercial ☐ Mercantile ☐ Industrial

- A-11 Provide the approximate start date that the applicant proposes to begin delivering services
January 1, 2001

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- A-12 **Exhibit A-11 "Principal Officers, Directors & Partners"** provide the names, titles, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
- A-13 **Exhibit A-12 "Corporate Structure,"** provide a description of the applicant's corporate structure, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies that supply retail or wholesale electricity or natural gas to customers in North America.
- A-14 **Exhibit A-13 "Company History,"** provide a concise description of the applicant's company history and principal business interests.
- A-15 **Exhibit A-14 "Articles of Incorporation and Bylaws,"** if applicable provide the articles of incorporation filed with the state or jurisdiction in which the applicant is incorporated and any amendments thereto.
- A-16 **Exhibit A-15 "Secretary of State,"** provide evidence that the applicant has registered with the Ohio Secretary of the State.

B. **APPLICANT MANAGERIAL CAPABILITY AND EXPERIENCE**

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- B-1 **Exhibit B-1 "Jurisdictions of Operation,"** provide a list of all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application, certified, licensed, registered, or otherwise authorized to provide retail or wholesale electric services.
- B-2 **Exhibit B-2 "Experience & Plans,"** provide a description of the applicant's experience and 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 Section 4928.10 of the Revised Code.

B-3 Exhibit B-3 "Summary of Experience," provide a concise summary of the applicant's experience in providing the service(s) it is seeking to be certified to provide (e.g. number and types of customers served, utility service areas, amount of load, etc.).

B-4 Exhibit B-4 "Environmental Disclosure," provide a detailed description of how the applicant intends to determine its (a) generation resource mix, and (b) environmental characteristics, including air emissions and radioactive waste. This information shall include sufficient discussion so as to detail both the annual projection methodology and the proposed approach to compiling the quarterly actual environmental disclosure data. Additional details on this requirement may be obtained by referring to 4901:1-21-09.

B-5 Exhibit B-5 "Disclosure of Liabilities and Investigations," provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

B-6 Disclose whether the applicant, a predecessor of the applicant, or any principal officer of the applicant have ever been convicted or held liable for fraud or for violation of any consumer protection or antitrust laws within the past five years.

☐ No ☐ Yes

If yes, provide a separate attachment labeled as Exhibit B-6 "Disclosure of Consumer Protection Violations" detailing such violation(s) and providing all relevant documents.

B-7 Disclose whether the applicant or a predecessor of the applicant has had any certification, license, or application to provide retail or wholesale electric service denied, curtailed, suspended, revoked, or cancelled within the past two years.

☐ No ☐ Yes

If yes, provide a separate attachment labeled as Exhibit B-7 "Disclosure of Certification Denial, Curtailment, Suspension, or Revocation" detailing such action(s) and providing all relevant documents.

C. APPLICANT FINANCIAL CAPABILITY AND EXPERIENCE

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

C-1 Exhibit C-1 "Annual Reports," provide the two most recent Annual Reports to Shareholders. If applicant does not have annual reports, the applicant should provide similar information in Exhibit C-1 or indicate that Exhibit C-1 is not applicable and why.

- C-2 **Exhibit C-2 "SEC Filings,"** provide the most recent 10-K/8-K Filings with the SEC. If applicant does not have such filings, it may submit those of its parent company. If the applicant does not have such filings, then the applicant may indicate in Exhibit C-2 that the applicant is not required to file with the SEC and why.
- C-3 **Exhibit C-3 "Financial Statements,"** provide copies of the applicant's two most recent years of audited financial statements (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, it shall file audited or officer certified financial statements covering the life of the business.
- C-4 **Exhibit C-4 "Financial Arrangements,"** provide copies of the applicant's financial arrangements to conduct CRES as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.,).
- C-5 **Exhibit C-5 "Forecasted Financial Statements,"** provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's CRES operation, along with a list of assumptions, and the name, address, e-mail address, and telephone number of the preparer.
- C-6 **Exhibit C-6 "Credit Rating,"** provide a statement disclosing the applicant's credit rating as reported by two of the following organizations: Duff & Phelps, Dun and Bradstreet Information Services, Fitch IBCA, Moody's Investors Service, Standard & Poors, or a similar organization. In instances where an applicant does not have its own credit ratings, it may substitute the credit ratings of a parent or affiliate organization, provided the applicant submits a statement signed by a principal officer of the applicant's parent or affiliate organization that guarantees the obligations of the applicant.
- C-7 **Exhibit C-7 "Credit Report,"** provide a copy of the applicant's credit report from Experion, Dun and Bradstreet or a similar organization.
- C-8 **Exhibit C-8 "Bankruptcy Information,"** provide a list and description of any reorganizations, protection from creditors or any other form of bankruptcy filings made by the applicant, a parent or affiliate organization that guarantees the obligations of the applicant or any officer of the applicant in the current year or within the two most recent years preceding the application.

- C-9 Exhibit C-9 "Merger Information," provide a statement describing any dissolution or merger or acquisition of the applicant within the five most recent years preceding the application.

D. APPLICANT TECHNICAL CAPABILITY

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:

- D-1 Exhibit D-1 "Operations" provide a written description of the operational nature of the applicant's business. Please include whether the applicant's 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.
- D-2 Exhibit D-2 "Operations Expertise," given the operational nature of the applicant's business, provide evidence of the applicant's experience and technical expertise in performing such operations.
- D-3 Exhibit D-3 "Key Technical Personnel," provide the names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business.
- D-4 Exhibit D-4 "FERC Power Marketer License Number," provide a statement disclosing the applicant's FERC Power Marketer License number. (Power Marketers only)


Signature of Applicant and Title

Sworn and subscribed before me this 21st day of June, 2002
Month Year


Signature of official administering oath

Michele J. Rappl
Print Name and Title

MICHELE J. RAPPL
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 2/17/03

EXHIBIT A-11

Principal Officers, Directors and Partners

Kyle G. Storie, President/CEO
3556 Lake Shore Road
Suite 120
Buffalo, New York 14219
(716) 826-9778

Kevin H. Schoener, Executive Vice President/COO
3556 Lake Shore Road
Suite 120
Buffalo, New York 14219
(716) 826-9778

Jody M. Spaeth, Vice President of Sales and Marketing
3556 Lake Shore Road
Suite 120
Buffalo, New York 14219
(716) 826-9778

Robert A. Fraass, Vice President of Finance/CFO
3556 Lake Shore Road
Suite 120
Buffalo, New York 14219
(716) 826-9778

EXHIBIT A-12

Corporate Structure

Advantage Energy, Inc., operating as Advantage Energy Midwest in Ohio, is an S corporation established and authorized under the laws of the State of New York and is registered as a foreign corporation with the Ohio Secretary of State.

EXHIBIT D-3

Key Technical Personnel

Kyle G. Storie, President/CEO and an Ernst & Young Entrepreneur of the Year finalist in 2000, was a Senior Attorney for a Fortune 1,000 Public Utility Holding Company for over six years prior to forming Advantage Energy. Mr. Storie has provided counsel to non-rate-regulated gas/electricity marketers since 1991. Mr. Storie has over twenty years of business and legal experience, and has been particularly active in the New York electric industry restructuring process, addressing the restructuring of both the retail and wholesale electric markets. Mr. Storie is also actively involved in numerous discussions, meetings and communications with the New York State Public Service Commission ("PSC") and the various utilities, as well as the New York Independent System Operator ("NYISO"), as these organizations shape the competitive marketplace in New York.

Kyle G. Storie, President/CEO
3556 Lake Shore Road
Suite 120
Buffalo, New York 14219
(716) 826-9778
KGStorie@AdvantageEnergyUSA.com

Kevin H. Schoener, Executive Vice President/COO, comes to Advantage Energy with a Bachelor of Science degree in Computer Science/Information Technology and over twenty years' experience in the Electric Utility and Information Technology industries. He is experienced in Rates/Regulatory matters, Sales/Marketing, Power Distribution Systems, Customer Information, Computer System Architecture, and Database Design. Mr. Schoener has been working with Advantage since its inception, first as an IT and Executive Consultant and now as E.V.P. and Chief Operating Officer. He was responsible for design and deployment of the Power Forecasting, Customer Information, and Billing Systems, as well as the entire IT infrastructure. He also designed the Power Purchasing models and is responsible for all Energy and Capacity Procurement activities. Mr. Schoener maintains responsibility for all IT Systems and because of his extensive knowledge of utility practices and regulatory matters, also acts as Executive Liaison with the regulated utilities and regulating entities.

Kevin H. Schoener, Executive Vice President/COO
3556 Lake Shore Road
Suite 120
Buffalo, New York 14219
(716) 826-9778
KHSchoener@AdvantageEnergyUSA.com

Jody Spaeth, Vice President of Sales/Marketing, worked for RS Environmental Solutions, Inc., a consulting firm that specialized in demand side management programs and electric utility rate negotiations. This experience, coupled with both Advertising and Communication Degrees, have been instrumental to Mr. Spaeth's ability to create a thriving marketing program focused on offering electricity savings to customers. He is responsible for all proposals and bids and has formed solid relationships with the Chambers of Commerce across New York State to promote Advantage Energy's programs.

Jody M. Spaeth, Vice President of Sales and Marketing

3556 Lake Shore Road

Suite 120

Buffalo, New York 14219

(716) 826-9778

JMSpaeth@AdvantageEnergyUSA.com

Robert A. Fraass, Vice President of Finance/CFO, is a certified public accountant and was an audit manager with Ernst & Young for over seven years prior to joining Advantage Energy, Inc. Mr. Fraass is responsible for the overall financial aspects of the Company, which includes cash management, financial statement preparation and analysis, budgeting and forecasting, bank financing, implementing policies and procedures, as well as human resource issues and employee benefits administration. Mr. Fraass is a member of the American Institute of Certified Public Accountants and the New York State Society of Certified Public Accountants.

Robert A. Fraass, Vice President of Finance/CFO

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RAFraass@AdvantageEnergyUSA.com