

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Navigate Power, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) Broker/Marketer to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

## 1. IDENTIFICATION AND CONTACT INFORMATION

- a. **IDENTITY OF THE APPLICANT:** Provide name (including any fictitious name or d/b/a), primary address, web address, and telephone number of Applicant:

Navigate Power LLC  
2211 N Elston Ave Suite 309  
Chicago, IL 60614

(888) 601-1789  
[www.navigatepower.com](http://www.navigatepower.com)

- b. **PENNSYLVANIA ADDRESS / REGISTERED AGENT:** If the Applicant maintains a primary address outside of Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's secondary office within Pennsylvania. If the Applicant does not maintain a physical location within Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's Registered Agent within Pennsylvania.

Pennsylvania Address:

1 International Plaza  
Suite 550  
Philadelphia, PA 19113

- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application should be addressed.

Mark Nakayama  
Managing Partner  
2211 N Elston Ave Suite 309  
Chicago, IL 60614

Phone- (888) -601-1789  
Fax- (888)-783- 0381  
[mnakayama@navigatepower.com](mailto:mnakayama@navigatepower.com)

- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

Heather Harper  
Attorney  
565 W. Adams St.  
Chicago, IL 60661

(312) 906-5038  
[hharper@kentlaw.iit.edu](mailto:hharper@kentlaw.iit.edu)

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS:** Provide the name, title, address, telephone number, FAX number, and e-mail of the person and an alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

Primary Contact  
Marsia Ritz  
Director of Operations  
2211 N Elston Ave Suite 309  
Chicago, IL 60614  
Phone- (888) 601-1789  
[sales@navigatepower.com](mailto:sales@navigatepower.com)

Secondary Contact  
Mark Nakayama  
Managing Partner  
2211 N Elston Ave Suite 309  
Chicago, IL 60614  
Phone- (888) -601-1789  
[mnakayama@navigatepower.com](mailto:mnakayama@navigatepower.com)

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**2. BUSINESS ENTITY FILINGS AND REGISTRATION**

a. **FICTITIOUS NAME:** *(Select appropriate statement and provide supporting documentation as listed.)*

The Applicant will be using a fictitious name or doing business as ("d/b/a")

Provide a copy of the Applicant's filing with Pennsylvania's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

**or**

The Applicant will not be using a fictitious name.

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b. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**

*(Select appropriate statement and provide supporting documentation. As well, understand that Domestic means being formed within Pennsylvania and foreign means being formed outside Pennsylvania.)*

The Applicant is a sole proprietor.

- If the Applicant is located outside the Commonwealth, provide proof of compliance with 15 Pa. C.S. §4124 relating to Department of State filing requirements.

**or**

The Applicant is a:

- domestic general partnership (\*)
- domestic limited partnership (15 Pa. C.S. §8511)
- foreign general or limited partnership (15 Pa. C.S. §4124)
- domestic limited liability partnership (15 Pa. C.S. §8201)
- foreign limited liability general partnership (15 Pa. C.S. §8211)
- foreign limited liability limited partnership (15 Pa. C.S. §8211)

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Give name, d/b/a, and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.
- Provide the state in which the business is organized/formed and provide a copy of the Applicant's charter documentation.
- \* If a corporate partner in the Applicant's domestic partnership is not domiciled in Pennsylvania, attach a copy of the Applicant's Department of State filing pursuant to 15 Pa. C.S. §4124.

**or**

The Applicant is a:

- domestic corporation (15 Pa. C.S. §1308)
- foreign corporation (15 Pa. C.S. §4124)
- domestic limited liability company (15 Pa. C.S. §8913)
- foreign limited liability company (15 Pa. C.S. §8981)
- Other (Describe):

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.

A copy of registration with the Department of State and has been filled and a copy can be viewed in supporting documentation (Exhibit 1).

- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.

A copy of Navigate Power articles of organization from Illinois can be viewed in the supporting documentation (Exhibit 2).

- Give name and address of officers.

Chris Gersch (CEO)  
2211 N Elston Ave Suite 309  
Chicago, IL 60614

Mark Nakayama (Managing Partner)  
2211 N Elston Ave Suite 309  
Chicago, IL 60614

### 3. AFFILIATES AND PREDECESSORS

*(both in state and out of state)*

- a. **AFFILIATES:** Give name and address of any affiliate(s) currently doing business and state whether the affiliate(s) are jurisdictional public utilities. If the Applicant does not have any affiliates doing business, explicitly state so. Also, state whether the applicant has any affiliates that are currently applying to do business in Pennsylvania.

Navigate Power does not have any Affiliates.

- b. **PREDECESSORS:** Identify the predecessor(s) of the Applicant and provide the name(s) under which the Applicant has operated within the preceding five (5) years, including address, web address, and telephone number, if applicable. If the Applicant does not have any predecessors that have done business, explicitly state so.

Navigate Power does not have any predecessors that have done business.

## 4. OPERATIONS

a. **APPLICANT'S PRESENT OPERATIONS:** *(select and complete the appropriate statement)*

- The Applicant is presently doing business in Pennsylvania as a
- municipal electric corporation
  - electric cooperative
  - local gas distribution company
  - provider of electric generation, transmission or distribution services
  - Other; Identify the nature of service being rendered.

or

- The Applicant is not presently doing business in Pennsylvania.

b. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a *(may check multiple):*

- Generator of electricity
- Supplier of electricity
- Aggregator engaged in the business of supplying electricity
- Broker/Marketer engaged in the business of supplying electricity services
- Electric Cooperative and supplier of electric power
- Other (Describe):

Definitions

- Supplier – an entity that sells electricity to end-use customers utilizing the jurisdictional transmission and distribution facilities of an EDC.
- Aggregator - an entity that purchases electric energy and takes title to electric energy as an intermediary for sale to retail customers.
- Broker/Marketer - an entity that acts as an intermediary in the sale and purchase of electric energy but does not take title to electric energy.

c. **PROPOSED SERVICES:** Describe in detail the electric services or the electric generation services which the Applicant proposes to offer.

Navigate Power will be offering competitive energy prices to the people of Pennsylvania in commercial, industrial, and municipal sectors, where we will serve as a broker/marketer.

d. **PROPOSED SERVICE AREA:** Provide a list of each Electric Distribution Company for which the Applicant proposes to provide service.

Navigate Power only plans to provide Broker/Marketer services to Duquesne, Met Ed, PECO, Penn Power, PPL, and West Penn. All of these Electric Distribution Companies will receive a copy of Navigate Power's application.

e. **CUSTOMERS:** Applicant proposes to provide services to:

- Residential Customers
- Small Commercial Customers - (25 kW and Under)
- Large Commercial Customers - (Over 25 kW)
- Industrial Customers
- Governmental Customers
- All of above
- Other (Describe):

f. **PROPOSED MARKETING METHOD** (check all that apply)

- Internal – Applicant will use its own internal resources/employees for marketing
- External EGS – Applicant will contract with a PUC **LICENSED EGS** broker/marketer
- Affiliate – Applicant will use a **NON-EGS** affiliate marketing company and or individuals.
- External Third-Party – Applicant will contract with a **NON-EGS** third party marketing company and or individuals
- Other (Describe):

g. **DOOR TO DOOR SALES:** Will the Applicant be implementing door to door sales activities?

- Yes
- No

If yes, will the Applicant be using a Third Party Verification procedure?

- Yes
- No

If yes, describe the Applicant's Third Party Verification procedures.

- h. START DATE:** Provide the approximate date the Applicant proposes to begin services within the Commonwealth.

Navigate Power will begin providing services once our application has been approved by the PUC and a license has been granted.

## 5. COMPLIANCE

- a. CRIMINAL/CIVIL PROCEEDINGS:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, has been or is currently the defendant of a criminal or civil proceeding within the last five (5) years.

Identify all such proceedings (active or closed), by name, subject and citation; whether before an administrative body or in a judicial forum. If the Applicant has no proceedings to list, explicitly state such.

N/A, Navigate Power has no criminal or civil proceeding and does not have any affiliates or predecessors.

- b. SUMMARY:** If applicable; provide a statement as to the resolution or present status of any such proceedings listed above.

N/A

- c. CUSTOMER/REGULATORY/PROSECUTORY ACTIONS:** Identify all formal or escalated actions or complaints filed with or by a customer, regulatory agency, or prosecutory agency against the Applicant, an affiliate, a predecessor of either, or a person identified in this Application, for the prior five (5) years, including but not limited to customers, Utility Commissions, and Consumer Protection Agencies such as the Offices of Attorney General. If the Applicant has no actions or complaints to list, explicitly state such.

Navigate Power has no actions or complaints to list

- d. SUMMARY:** If applicable; provide a statement as to the resolution or present status of any actions listed above.

N/A

## 6. PROOF OF SERVICE

*(Example Certificate of Service is attached at Appendix C)*

- a.) **STATUTORY AGENCIES:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, provide proof of service of a signed and verified Application with attachments on the following:

Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

Office of the Attorney General  
Bureau of Consumer Protection  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120

Office of the Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

Commonwealth of Pennsylvania  
Department of Revenue  
Bureau of Compliance  
Harrisburg, PA 17128-0946

- b.) **EDCs:** Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, provide Proof of Service of the Application and attachments upon each of the Electric Distribution Companies the Applicant proposed to provide service in. Upon review of the Application, further notice may be required pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14. Contact information for each EDC is as follows.

**Allegheny Power:**  
Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

**PECO:**  
Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

**Duquesne Light:**  
Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

**PPL:**  
Legal Department  
Attn: Paul Russell  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179

**Met-Ed, Penelec, and Penn Power:**  
Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

**UGI:**  
UGI Utilities, Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12th Street, Suite 360  
Post Office Box 12677  
Reading, Pa 19612-2677

**Citizens' Electric Company:**  
Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

**Pike County Light & Power Company:**  
Director of Customer Energy Services  
Orange and Rockland Company  
390 West Route 59  
Spring Valley, NY 10977-5300

**Wellsboro Electric Company:**  
Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P. O. Box 138  
Wellsboro, PA 16901

## 7. FINANCIAL FITNESS

a. **BONDING:** In accordance with 66 Pa. C.S. Section 2809(c)(1)(i), the Applicant is required to file a bond or other instrument to ensure its financial responsibilities and obligations as an EGS. Therefore, the Applicant is...

- Furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$250,000.
- Furnishing the **original** (along with copies) of another initial security for Commission approval, to ensure financial responsibility.
- Filing for a modification to the \$250,000 requirement and furnishing the **original** (along with copies) of an initial bond, letter of credit or proof of bonding to the Commission in the amount of \$10,000. Applicant is required to provide information supporting an amount less than \$250,000. Such supporting information must include indication that the Applicant will not take title to electricity and will not pay electricity bills on behalf of its customers. Further details for modification may be described as well.

See Appendix D and the original bond of \$10,000 will be labeled.

- *At the conclusion of Applicant's first year of operation it is the intention of the Commission to tie security bonds to a percentage of Applicant's gross receipts resulting from the sale of generated electricity consumed in Pennsylvania. The amount of the security bond will be reviewed and adjusted on an annual basis.*
- *Example version of a bond and letter of credit are attached at Appendix D & E, Applicant's security must follow language from these examples.*
- *Any deviation from these examples must be identified in the application and may not be acceptable to the Commission.*

b. **FINANCIAL RECORDS, STATEMENTS, AND RATINGS:** Applicant must provide sufficient information to demonstrate financial fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following:

- Applicant's accounting statements, including balance sheet and income statements for the past two years.

Navigate Power has included both a balance sheet and an income statement from 2013 and 2014 (Exhibit 3)

- Bank account statement, tax returns from the previous two years, or any other information that demonstrates Applicant's financial fitness.

Navigate Power has attached bank statements from Chase (Exhibit 4).

c. **ACCOUNTING RECORDS CUSTODIAN:** Provide the name, title, address, telephone number, FAX number, and e-mail address of Applicant's custodian for its accounting records.

Mark Nakayama  
Managing Partner  
2211 N Elston Ave Suite 309  
Chicago, IL 60614  
Phone- (888) -601-1789  
Fax- (888)-783- 0381  
[mnakayama@navigatepower.com](mailto:mnakayama@navigatepower.com)



d. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix F to this application.

*All sections of the Tax Certification Statement must be completed. Absence (submitting N/A) of any of the TAX identifications numbers (items 7A through 7C) shall be accompanied by supporting documentation or an explanation validating the absence of such information.*

*Items 7A and 7C on the Tax Certification Statement are designated by the Pennsylvania Department of Revenue. Item 7B on the Tax Certification Statement is designated by the Internal Revenue Service.*

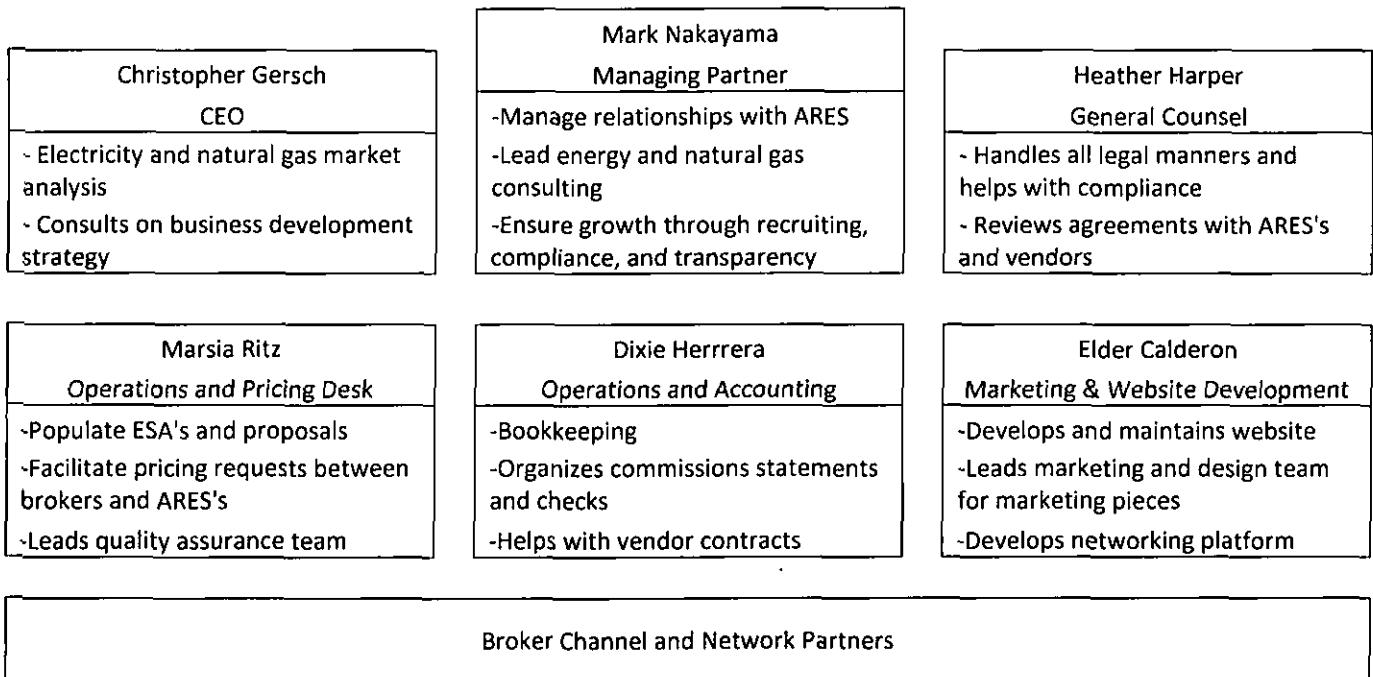
**8. TECHNICAL FITNESS:**

To ensure that the present quality and availability of service provided by electric utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided.

**a.) EXPERIENCE, PLAN, STRUCTURE:**

Navigate Power is a Chicago-based broker/marketer that will enter the state of Pennsylvania. Navigate Power's brokers and leadership has a combined 25 years of experience in procuring and managing electricity and natural gas contracts. Navigate Power has been providing Broker services since May of 2012. Since then, Navigate Power has grown exponentially in size of both the amount of customers and employees. Navigate Power is currently licensed as an electric broker in the state of Illinois. Our licenses from Illinois is attached in the supporting documentation (Exhibit 5). Navigate Power provides energy brokerage service to over 1,000 small, medium and large commercial customers. This is not including the ever-growing recently added residential program we have begun. Navigate Power LLC plans to bring the same success we've experience in Illinois to the people of Pennsylvania by matching customers with the lowest energy prices.

Staffing structure:



- Documentation of membership in PJM, ECAR, MAAC, other regional reliability councils, or any other membership or certification that is deemed appropriate to justify competency to operate as an EGS within the Commonwealth.

b.) **OFFICERS:** Identify Applicant's chief officers including names and their professional resumes.

Mark Nakayama (Managing Partner) his resume is attached (Exhibit 6A).  
Chris Gersch (CEO) his resume is attached (Exhibit 6B).

c.) **FERC FILING:** Applicant has:

- Filed an Application with the Federal Energy Regulatory Commission to be a Power Marketer.
- Received approval from FERC to be a Power Marketer at Docket or Case Number \_\_\_\_\_.
- Not applicable

## 1. DISCLOSURE STATEMENT:

a. **Disclosure Statements:** If proposing to serve Residential and/or Small Commercial (under 25 kW) customers, provide a Residential and/or Small Commercial disclosure statement. A sample disclosure statement is provided as Appendix G to this Application.

- Electricity should be priced in clearly stated terms to the extent possible. Common definitions should be used. All consumer contracts or sales agreements should be written in plain language with any exclusions, exceptions, add-ons, package offers, limited time offers or other deadlines prominently communicated. Penalties and procedures for ending contracts should be clearly communicated.

N/A Navigate Power is applying for a license exclusively as a broker/marketer.

## 2. VERIFICATIONS, ACKNOWLEDGEMENTS, AND AGREEMENTS

a. **PJM LOAD SERVING ENTITY REQUIREMENT:** As a prospective EGS, the applicant understands that those EGSs which provide retail electric supply service (i.e. takes title to electricity) must provide either:

- proof of registration as a PJM Load Serving Entity (LSE), or
- proof of a contractual arrangement with a registered PJM LSE that facilitates the retail electricity services of the EGS.

The Applicant understands that compliance with this requirement must be filed within 120 days of the Applicant receiving a license. As well, the Applicant understands that compliance with this requirement may be filed with this instant application.

- AGREED - Applicant has included compliance with this requirement in the instant application, labeled in correspondence with this section (10).
- AGREED - Applicant will provide compliance with this requirement within 120 days of receiving its license
- ACKNOWLEDGED - Applicant is not proposing to provide retail electric supply service at this time, and therefore is not presently obligated to provide such information

b. **STANDARDS OF CONDUCT AND DISCLOSURE:** As a condition of receiving a license, Applicant agrees to conform to any Uniform Standards of Conduct and Disclosure as set forth by the Commission. Further, the Applicant agrees that it must comply with and ensure that its employees, agents, representatives, and independent contractors comply with the standards of conduct and disclosure set out in Commission regulations at 52 Pa. Code § 54.43.

- AGREED

c. **REPORTING REQUIREMENTS:** Applicant agrees to provide the following information to the Commission or the Department of Revenue, as appropriate:

- Retail Electricity Choice Activity Reports: The regulations at 52 Pa. Code §§ 54.201–54.204 require that all active EGSs report sales activity information. An EGS will file an annual report reporting for customer groups defined by annual usage. Reports must be filed using the appropriate report form that may be obtained from the PUC's Secretary's Bureau or the forms officer, or may be down-loaded from the PUC's internet web site.
- Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on a quarterly and year to date basis no later than 30 days following the end of the quarter.
- The Treasurer or other appropriate officer of Applicant shall transmit to the Department of Revenue by March 15, an annual report, and under oath or affirmation, of the amount of gross receipts received by Applicant during the prior calendar year.
- Applicant shall report to the Commission the percentages of total electricity supplied by each fuel source on an annual basis:
- Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 28 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive electric market.

AGREED

d. **TRANSFER OF LICENSE:** The Applicant understands that if it plans to transfer its license to another entity, it is required to request authority from the Commission for permission prior to transferring the license. See 66 Pa. C.S. Section 2809(D). Transferee will be required to file the appropriate licensing application.

AGREED

e. **ASSESSMENT:** The Commission does not presently assess Electric Generation Suppliers for the purposes of recovery of regulatory expenses; see *PPL Energyplus, LLC v. Commonwealth*, 800 A.2d 360 (Pa. Cmwlth. 2002).

ACKNOWLEDGED

f. **FURTHER DEVELOPMENTS:** Applicant is under a continuing obligation to amend its application if substantial changes occur to the information upon which the Commission relied in approving the original filing. See 52 Pa. Code § 54.34.

AGREED

g. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

AGREED

h. **NOTIFICATION OF CHANGE:** If your answer to any of these items changes during the pendency of your application or if the information relative to any item herein changes while you are operating within the Commonwealth of Pennsylvania, you are under a duty to so inform the Commission, within twenty (20) days, as to the specifics of any changes which have a significant impact on the conduct of business in Pennsylvania. See 52 Pa. Code § 54.34.

AGREED

i. **CEASING OF OPERATIONS:** Applicant is also required to officially notify the Commission if it plans to cease doing business in Pennsylvania, 90 days prior to ceasing operations.

AGREED

j. **Electronic Data Interchange:** The Applicant acknowledges the Electronic Data Interchange (EDI) requirements and the relevant contacts for each EDC, as listed at appendix J.

AGREED

k. **FEE:** The Applicant has enclosed or paid the required initial licensing fee of \$350.00 payable to the Commonwealth of Pennsylvania.

PAYMENT ENCLOSED

## 11. AFFIDAVITS

a.) **APPLICATION AFFIDAVIT:** Complete and submit with your filing an officially notarized Application Affidavit stating that all the information submitted in this application is truthful and correct. An example copy of this Affidavit can be found at Appendix A.

b.) **OPERATIONS AFFIDAVIT:** Provide an officially notarized affidavit stating that you will adhere to the reliability protocols of the North American Electric Reliability Council, the appropriate regional reliability council(s), and the Commission, and that you agree to comply with the operational requirements of the control area(s) within which you provide retail service. An example copy of this Affidavit can be found at Appendix B.

## 12. NEWSPAPER PUBLICATIONS

Notice of filing of this Application must be published in newspapers of general circulation covering each county in which the applicant intends to provide service. Below is a list of newspapers which cover the publication requirements for Electric Generation Suppliers looking to do business in Pennsylvania.

The newspapers in which proof of publication is required is dependent on the service territories the applicant is proposing to serve. The chart below dictates which newspapers are necessary for each EDC. If the applicant is proposing to serve the entire Commonwealth, please file proof of publication in all seven newspapers.

Please file with the Commission the Certification of Publication, along with a photostatic copy of the notice to complete the notice requirements.

Proof of newspaper publications must be filed with the initial application. Applicants **do not** need a docket number in their publication. Docket numbers will be issued when all criteria on the item 14 checklist (see below) are satisfied.

	<u>Duquesne</u>	<u>Met Ed</u>	<u>PECO</u>	<u>Penelec</u>	<u>Penn Power</u>	<u>PPL</u>	<u>UGI</u>	<u>West Penn</u>	<u>Entire Commonwealth</u>
Philadelphia Daily News		X	X			X			[X]
Harrisburg Patriot-News		X		X		X		X	[X]
Scranton Times Tribune		X		X		X	X		[X]
Williamsport Sun Gazette				X		X		X	[X]
Johnstown Tribune Democrat				X				X	[X]
Erie Times-News				X	X				[X]
Pittsburgh Post-Gazette	X				X			X	[X]

(Example Publication is provided at Appendix H)

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SECRETARY'S BUREAU

## 13. SIGNATURE

Applicant: Navigate Power LLC  
 By: Christopher Gerach - Christopher Gerach  
 Title: CFO

**14. CHECKLIST**

For the applicant's convenience, please use the following checklist to ensure all relevant sections are complete. The Commission Secretary's Bureau will not accept an application unless each of the following sections are complete.

Applicant: *Navigate Power LLC*  
*& Christopher Bush - CEO*

Applicant's Use	✓	<b>Signature</b>	
		<b>Filing Fee</b>	
	✓	<b>Application Affidavit</b>	
	✓	<b>Operations Affidavit</b>	
	✓	<b>Proof of Publication</b>	
	✓	<b>Bond or Letter of Credit</b>	
	✓	<b>Tax Certification Statement</b>	
	✓	<b>Commonwealth Department of State Verification</b>	
	✓	<b>Certificate of Service</b>	
		PUC Secretary's Bureau Use	

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Exhibit 1

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS  
401 NORTH STREET, ROOM 206  
P.O. BOX 8722  
HARRISBURG, PA 17105-8722  
WWW.CORPORATIONS.STATE.PA.US/CORP

Navigate Power LLC

THE BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. THE BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT WWW.CORPORATIONS.STATE.PA.US/CORP OR PLEASE CALL OUR MAIN INFORMATION TELEPHONE NUMBER (717)787-1057. FOR ADDITIONAL INFORMATION REGARDING BUSINESS AND / OR UCC FILINGS, PLEASE VISIT OUR ONLINE "SEARCHABLE DATABASE" LOCATED ON OUR WEB SITE.

ENTITY NUMBER: 4272841

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Amber Ragland on Behalf of Incorp Services, Inc  
2360 Corporate Circle, Suite 400  
Henderson, NV 89074

Exhibit 1

Entity #: 4272841  
Date Filed: 06/09/2014  
Carol Aichele  
Secretary of the Commonwealth

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PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Application for Registration - Foreign  
(15 Pa.C.S.)

- Registered Limited Liability General Partnership (§ 8211)
- Registered Limited Liability Limited Partnership (§ 8211)
- Limited Partnership (§ 8582)
- Limited Liability Company (§ 8981)

Name		
Amber Ragland on behalf of InCorp Services, Inc.		
Address		
2360 Corporate Circle - Suite 400		
City	State	Zip Code
Henderson	NV	89074-7739

Document will be returned to the name and address you enter to the left.

Commonwealth of Pennsylvania  
APPLICATION FOR REGISTRATION 3 Page(s)



T1416067004

Fee: \$250

In compliance with the requirements of the applicable provisions (relating to registration), the undersigned, desiring to register to do business in this Commonwealth, hereby states that:

1. The name of the limited liability company/limited liability partnership/limited partnership in the jurisdiction in which it is formed:

Navigate Power LLC

2. The name under which the limited liability company/limited liability partnership/limited partnership proposes to register and do business in this Commonwealth is:

Navigate Power LLC

3. The name of the jurisdiction under the laws of which it was organized and the date of its formation:

Jurisdiction: Illinois Date of Formation: 05/29/2012

4. The (a) address of its initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) Number and street	City	State	Zip	County
(b) Name of Commercial Registered Office Provider				County
<u>InCorp Services, Inc.</u>				<u>Dauphin</u>

2014 JUN -9 AM 9:29

PA DEPT OF STATE



DSCB:15-8981/8211/8582-2

5. Check and complete one of the following:

The address of the office required to be maintained by it in the jurisdiction of its organization by the laws of that jurisdiction is:

2211 N Elston Ave., Suite 309	Chicago	IL	60614
Number and street	City	State	Zip

It is not required by the laws of its jurisdiction of organization to maintain an office therein and the address of its principal office is:

Number and street	City	State	Zip
-------------------	------	-------	-----

6. For Restricted Professional Limited Liability Company Only. Strike out if inapplicable: ~~The company is a restricted professional company organized to render the following professional service(s):~~

---

**Limited Liability Partnership and Limited Partnership: Complete paragraphs 7 and 8**

7. The name and business address of each general partner.

Name	Business Address

8. The address of the office at which is kept a list of the names and addresses of the limited partners and their capital contribution is:

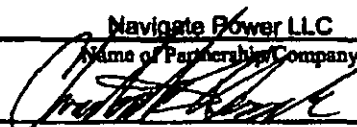
Number and street	City	State	Zip	County
-------------------	------	-------	-----	--------

The registered partnership hereby undertakes to keep those records until its registration to do business in the Commonwealth is canceled or withdrawn.

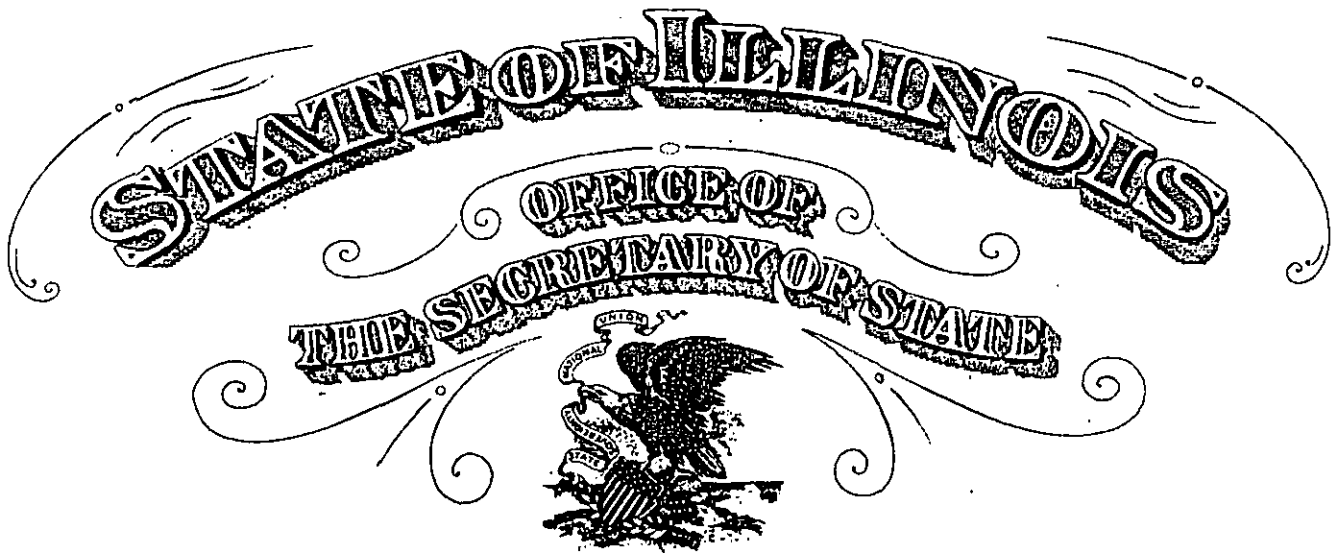
IN TESTIMONY WHEREOF, the undersigned has caused this Application for Registration to be signed by a duly authorized officer/member or manager thereof this

3rd day of June, 2014.

\_\_\_\_\_  
 Navigate Power LLC  
 Name of Partnership/Company

  
 Signature

\_\_\_\_\_  
 Manager  
 Title



**To all to whom these Presents Shall Come, Greeting:**

*I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that*

NAVIGATE POWER LLC, HAVING ORGANIZED IN THE STATE OF ILLINOIS ON MAY 29, 2012, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.

**RECEIVED**

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

***In Testimony Whereof, I hereto set***

*my hand and cause to be affixed the Great Seal of  
the State of Illinois, this 26TH  
day of FEBRUARY A.D. 2014*



*Jesse White*

Form **LLC-5.5**

**Illinois  
Limited Liability Company Act  
Articles of Organization**

**FILE # 04005155**

Secretary of State **Jesse White**  
Department of Business Services  
Limited Liability Division  
www.cyberdriveillinois.com

Filing Fee: \$500  
Expedited Fee: \$100  
Approved By: TLB

**FILED**  
**MAY 29 2012**  
**Jesse White**  
**Secretary of State**

1. Limited Liability Company Name: NAVIGANT ENERGY LLC

2. Address of Principal Place of Business where records of the company will be kept:

111 W WASHINGTON ST. # 1010

CHICAGO, IL 60602

3. Articles of Organization effective on the filing date.

4. Registered Agent's Name and Registered Office Address:

ROBERT W. OLIVER  
5339 W BELMONT AVE  
CHICAGO, IL 60641-4104

COOK

5. Purpose for which the Limited Liability Company is organized:

"The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. The Limited Liability Company is managed by the manager(s).

RABB, CHRIS  
3746 NORTH MAGNOLIA SUITE 3  
CHICAGO, IL 60613

8. **Name and Address of Organizer**

*I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.*

Dated: MAY 29, 2012

CHRIS RABB  
2211 N ELSTON AVE SUITE 309  
CHICAGO, IL 60614

Form **LLC-5.25**

May 2012

Secretary of State

Department

Limited Li:

501 S. Se

Springfield

217-524-8008

www.cyberdriveillinois.com



LC0898800

Payment may be made by check payable to Secretary of State. If check is returned for any reason this filing will be void.

Illinois  
Limited Liability Company Act  
Articles of Amendment

**SUBMIT IN DUPLICATE**

Type or print clearly.

This space for use by Secretary of State.

Filing Fee: \$150

Approved:

FILE # 04005155

This space for use by Secretary of State.

**FILED**

AUG 01 2012

JESSE WHITE  
SECRETARY OF STATE

**PAID**

AUG 3 2012

DEPARTMENT OF  
BUSINESS SERVICES

1. Limited Liability Company Name: Navigant Energy LLC

2. Articles of Amendment effective on:

the file date

a later date (not to exceed 30 days after the file date)

Month, Day, Year

3. Articles of organization are amended as follows (check applicable item(s) below):

a) Admission of a new member (give name and address below)\*

b) Admission of a new manager (give name and address below)\*

c) Withdrawal of a member (give name below)\*

d) Withdrawal of a manager (give name below)\*

e) Change in address of the office at which the records required by Section 1-40 of the Act are kept (give new address, a P.O. Box alone or C/O is unacceptable.)

f) Change of registered agent and/or registered agent's office (give new name and/or address below, Address change to P.O. box alone or c/o is unacceptable.)

g) Change in the Limited Liability Company's name (give new name below)

h) Change in date of dissolution or other events of dissolution enumerated in Item 6 of the Articles of Organization

i) Other (give information in space below)

j) Establish authority to issue series (see back filing fee \$400)\*

\* Changes in members/managers may, but are not required to be reported in an amendment to the Articles of Organization.

Additional information:

B) Admission of a New Manager:

Mark Nakayama  
7130 Walden Lane  
Darien, IL 60561

E) Change in Principal Address:

900 N Franklin St  
Chicago, IL 60610

D) Withdrawal of a Manager:

Chris Rabb  
3746 North Magnolia Ave Suite 3  
Chicago, IL 60613

New Name of LLC (as changed): N/A

(continued on back)

LLC-5.25

4. The amendment was approved in accordance with Section 5-25 of the Illinois Limited Liability Company Act, and, if adopted by the managers, was approved by not less than the minimum number of managers necessary to approve the amendment, member action not being required; or, if adopted by the members, was approved by not less than the minimum number of members necessary to approve the amendment.
5. I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Amendment are to the best of my knowledge and belief, true, correct and complete.

Dated: July 23 \_\_\_\_\_, 2012 \_\_\_\_\_  
Month/Day Year

X Mark R. Nakayama  
Signature (Must comply with Section 5-45 of ILL. C.A.)

Mark Nakayama (Manger)  
Name and Title (type or print)

\_\_\_\_\_  
If the member or manager signing this document  
is a company or other entity, state Name of Company  
and whether it is a member or manager of the LLC.

\* The following paragraph is adopted when Item 3j is checked:

The operating agreement provides for the establishment of one or more series. When the company has filed a Certificate of Designation for each series, which is to have limited liability pursuant to Section 37-40 of the Illinois Limited Liability Company Act, the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series shall be enforceable against the assets of such series only, and not against the assets of the Limited Liability Company generally or any other series thereof, and unless otherwise provided in the operating agreement, none of the debts, liabilities, obligations or expenses incurred, contracted for or otherwise existing with respect to this company generally or any other series thereof shall be enforceable against the assets of such series.

Form **LLC-5.25**

Illinois  
Limited Liability Company Act  
Articles of Amendment

FILE #: 0400515-5

Secretary of State  
Department of Business Services  
Limited Liability Division  
501 S. Second St., Rm. 351  
Springfield, IL 62756  
217-524-8008  
www.cyberdriveillinois.com

Filing Fee: \$150  
Approved By: REH

FILED  
Oct 11, 2012  
Jesse White  
Secretary of State

1. Limited Liability Company Name:

NAVIGANT ENERGY LLC

2. These Articles of Amendment are effective on the file date.

3. The Articles of Organization are amended to change the name of the limited liability company as follows:

New Name:

NAVIGATE POWER LLC

4. This amendment was approved in accordance with Section 5-25 of the Illinois Limited Liability Company Act, and, if adopted by the managers, was approved by not less than the minimum number of managers necessary to approve the amendment, member action not being required; or, if adopted by the members, was approved by not less than the minimum number of members necessary to approve the amendment.

5. I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Amendment are to the best of my knowledge and belief, true, correct and complete.

Dated Oct 11, 2012  
Month/Day Year

MARK NAKAYAMA  
Signature of Manager

MARK NAKAYAMA, PRESIDENT  
Name and Title

If the member or manager signing this document is a company or other entity, state Name of Company and whether it is a member or manager of the LLC.

Form **LLC-5.25**  
May 2012

Illinois  
Limited Liability Company Act  
**Articles of Amendment**

FILE # 0400515-5

This space for use by Secretary of State.

Secretary of State  
Department of Business Services  
Limited Liability Division



**SUBMIT IN DUPLICATE**  
Type or print clearly.

This space for use by Secretary of State.

**FILED**

**JUN 10 2013**

**JESSE WHITE**  
SECRETARY OF STATE

Payment may be made by check payable to Secretary of State. If check is returned for any reason this filing will be void.

Filing Fee: \$150

Approved:

**PAID**

1. Limited Liability Company Name: Navigate Power LLC

JUN 12 2013

DEPARTMENT OF  
BUSINESS SERVICES

2. Articles of Amendment effective on:

- the file date
- a later date (not to exceed 30 days after the file date)

Month, Day, Year

3. Articles of organization are amended as follows (check applicable item(s) below):

- a) Admission of a new member (give name and address below)\*
- b) Admission of a new manager (give name and address below)\*
- c) Withdrawal of a member (give name below)\*
- d) Withdrawal of a manager (give name below)\*
- e) Change in address of the office at which the records required by Section 1-40 of the Act are kept (give new address, a P.O. Box alone or C/O is unacceptable.)
- f) Change of registered agent and/or registered agent's office (give new name and/or address below, Address change to P.O. box alone or c/o is unacceptable.)
- g) Change in the Limited Liability Company's name (give new name below)
- h) Change in date of dissolution or other events of dissolution enumerated in Item 6 of the Articles of Organization
- i) Other (give information in space below)
- j) Establish authority to issue series (see back filing fee \$400)\*

\* Changes in members/managers may, but are not required to be reported in an amendment to the Articles of Organization.

**Additional information:**

E - change address of principle office to  
2211 N Elston Ave #309  
Chicago IL 60614

F - change register agent name and address to  
Christopher Gersch  
2211 N Elston Ave #309  
Chicago IL 60614

I - change member address to  
2211 N Elston Ave #309  
Chicago IL 60614

New Name of LLC (as changed): \_\_\_\_\_

(continued on back)

LLC-5.25

- 4. The amendment was approved in accordance with Section 5-25 of the Illinois Limited Liability Company Act, and, if adopted by the managers, was approved by not less than the minimum number of managers necessary to approve the amendment, member action not being required; or, if adopted by the members, was approved by not less than the minimum number of members necessary to approve the amendment.
- 5. I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Amendment are to the best of my knowledge and belief, true, correct and complete.

Dated: June 4 2013  
Month Day Year

  
 Signature (Must comply with Section 5-45 of ILLCA.)

Christopher Gersch  
Name and Title (type or print)

Verde Solutions, Member  
 If the member or manager signing this document  
 is a company or other entity, state Name of Company  
 and whether it is a member or manager of the LLC.

\* The following paragraph is adopted when Item 3j is checked:

The operating agreement provides for the establishment of one or more series. When the company has filed a Certificate of Designation for each series, which is to have limited liability pursuant to Section 37-40 of the Illinois Limited Liability Company Act, the debts, liabilities and obligations incurred, contracted for or otherwise existing with respect to a particular series shall be enforceable against the assets of such series only, and not against the assets of the Limited Liability Company generally or any other series thereof, and unless otherwise provided in the operating agreement, none of the debts, liabilities, obligations or expenses incurred, contracted for or otherwise existing with respect to this company generally or any other series thereof shall be enforceable against the assets of such series.



0 PM  
15/14  
Annual Basis

**Navigate Power LLC**  
**Profit & Loss**  
January through December 2012

	<u>Jan - Dec 12</u>
Ordinary Income/Expense	
Expense	
Bank Service Charges	<u>112.94</u>
Total Expense	<u>112.94</u>
Net Ordinary Income	-112.94
Other Income/Expense	
Other Expense	
Ask My Accountant	<u>900.00</u>
Total Other Expense	<u>900.00</u>
Net Other Income	<u>-900.00</u>
Net Income	<u><u>-1,012.94</u></u>

**RECEIVED**

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Navigate Power LLC**  
**Profit & Loss**  
**December 31, 2012 through January 1, 2014**

	<u>Dec 31, '12 - Jan 1, 14</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
commission payment	418,746.32
<b>Total Income</b>	<u>418,746.32</u>
<b>Expense</b>	
Bank Service Charges	15.90
Professional Fees	1,000.00
<b>Total Expense</b>	<u>1,015.90</u>
<b>Net Ordinary Income</b>	417,730.42
<b>Other Income/Expense</b>	
<b>Other Expense</b>	
Ask My Accountant	414,738.83
<b>Total Other Expense</b>	<u>414,738.83</u>
<b>Net Other Income</b>	<u>-414,738.83</u>
<b>Net Income</b>	<u><u>2,991.59</u></u>

**RECEIVED**

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Navigate Power LLC**  
**Transaction Detail By Account**  
December 31, 2012 through January 1, 2014

Type	Date	Num	Name	Memo	C	Split	Amount	Balance
<b>Ask My Accountant</b>								
Check	1/31/2013	Transfr	acct 6706 Verde Ch...			Navig...	400.00	400.00
Check	1/31/2013	Transfr	acct 6706 Verde Ch...			Navig...	400.00	800.00
Check	3/17/2013	Transfr	acct 6706 Verde Ch...			Navig...	14,380.00	15,180.00
Check	3/18/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigates behalf		Navig...	14,380.00	29,560.00
Deposit	3/22/2013	Transfr	from acct 6706	Deposit		Navig...	-925.00	28,635.00
Check	3/22/2013	withdr...	Withdrawal			Navig...	1,000.00	29,635.00
Deposit	3/22/2013	Transfr	acct 6706 Verde Ch...	Deposit		Navig...	-925.00	28,710.00
Check	4/1/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	8,400.00	37,110.00
Check	4/3/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	200.00	37,310.00
Check	4/30/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	980.00	38,290.00
Check	5/3/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	600.00	38,890.00
Check	5/15/2013	Trans...	acct 6706 Verde Ch...	to Verde to pay out on Navigat...		Navig...	6,000.00	44,890.00
Deposit	5/30/2013	Transfr	acct 6706 Verde Ch...	Deposit to pay on Navigate's b...		Navig...	-3,500.00	41,390.00
Check	5/30/2013	Transfr	acct 1760 Gersch G...			Navig...	65,800.00	107,190.00
Check	5/30/2013	Transfr	Chase	paymnt to Credit card 7261		Navig...	3,500.00	110,690.00
Deposit	6/27/2013	Transfr	acct 6706 Verde Ch...	Deposit to pay on Navigate's b...		Navig...	-1,500.00	109,190.00
Check	6/27/2013	Transfr	Chase	paymnt to credit card 7261		Navig...	1,600.00	110,790.00
Check	6/28/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	36,500.00	147,290.00
Check	7/10/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	300.00	147,590.00
Check	7/30/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	25,900.00	173,490.00
Check	8/8/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	650.00	174,140.00
Check	8/13/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	100.00	174,240.00
Check	8/29/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	54,500.00	228,740.00
Check	9/10/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's belf		Navig...	700.00	229,440.00
Deposit	9/17/2013	1154	refund	2309 Corp		Navig...	-1.17	229,438.83
Check	9/30/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	89,300.00	318,738.83
Check	10/31/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	34,000.00	352,738.83
Check	11/25/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	1,000.00	353,738.83
Check	11/27/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	26,000.00	379,738.83
Check	12/17/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	5,000.00	384,738.83
Check	12/26/2013	Transfr	acct 6706 Verde Ch...	to pay on Navigate's behalf		Navig...	30,000.00	414,738.83
Total Ask My Accountant							414,738.83	414,738.83
<b>TOTAL</b>							<b>414,738.83</b>	<b>414,738.83</b>



JPMorgan Chase Bank, N.A.  
 P O Box 659754  
 San Antonio, TX 78265-9754

April 01, 201

Account Number:

**CUSTOMER SERVICE INFORMATION**

Web site: **Chase.com**  
 Service Center: **1-800-242-7338**  
 Deaf and Hard of Hearing: **1-800-242-7383**  
 Para Espanol: **1-888-622-4273**  
 International Calls: **1-713-262-1679**

00001679 DRE 111 212 12114 NNNNNNNNNN 1 00000000 67 0000  
 NAVIGATE POWER LLC  
 2211 N ELSTON SUITE 309  
 CHICAGO IL 60614-9278



**Manage your Business easier with Account Alerts**

Chase offers Account Alerts<sup>1</sup> to help you manage all your business accounts. Choose the alerts and customize their settings.

Chase Instant Action Alerts<sup>SM</sup> - Receive a text if your balance dips below zero or your preset limit. You can immediately respond with a text to transfer funds. It's fast, easy and helps you avoid potential fees.

Daily Alerts - Monitor the transactions that exceed your thresholds with a daily text or email from us.

Security Alerts - Set dollar limits for different transactions, including ATM withdrawals, debit card activity, money transfers and online bill payments. We'll send a real-time alert when a transaction exceeds your specified amount.

To learn more, visit [www.chase.com/bbalerts](http://www.chase.com/bbalerts)

<sup>1</sup>There is no charge from Chase, but message and data rates may apply. Such charges include those from your communications service provider. Delivery of alerts may be delayed for various reasons, including service outages affecting your phone, wireless or internet provider; technology failures; and system capacity limitations. Any time you review your balance, keep in mind it may not reflect all transactions including recent debit card transactions or checks you have written. A qualifying Chase transfer account is required to transfer funds via text.

**CHECKING SUMMARY**

Chase BusinessSelect Checking

	INSTANCES	AMOUNT
<b>Beginning Balance</b>		<b>\$11,461.69</b>
Deposits and Additions	5	46,098.40
Checks Paid	1	- 150.00
ATM & Debit Card Withdrawals	4	- 694.19
Electronic Withdrawals	5	- 53,892.42
Fees and Other Withdrawals	1	- 15.00
<b>Ending Balance</b>	<b>16</b>	<b>\$2,808.48</b>

**RECEIVED**

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
 SECRETARY'S BUREAU



April 01, 2014  
Account Number:

**DEPOSITS AND ADDITIONS**

DATE	DESCRIPTION	AMOUNT
04/02	Deposit 1236810385	\$104.11
04/04	ATM Check Deposit 04/04 2170 N Clybourn Ave Chicago IL Card 9904	1,334.24
04/15	Amer Elec 4592 EDI Paymnt Ap001688845 ID: 1134922640	10.21
04/29	Dir Energy 6289 EDI Paymnt ID: 1201340064	43,946.53
04/30	Centerpoint Ener Payments ID: 1721309319	703.31
<b>Total Deposits and Additions</b>		<b>\$46,098.40</b>

**CHECKS PAID**

CHECK NO.	DESCRIPTION	DATE PAID	AMOUNT
1124 ^		04/28	\$150.00
<b>Total Checks Paid</b>			<b>\$150.00</b>

If you see a description in the Checks Paid section, it means that we received only electronic information about the check, not the original or an image of the check. As a result, we're not able to return the check to you or show you an image.

^ An image of this check may be available for you to view on Chase.com.

**ATM & DEBIT CARD WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
04/04	ATM Withdrawal 04/04 2170 N Clybourn Ave Chicago IL Card 9904	\$300.00
04/08	Card Purchase 04/07 Dunkin #310138 Q35 Chicago IL Card 9904	56.19
04/28	Card Purchase 04/26 Debonair Social Club Chicago IL Card 9904	38.00
04/28	ATM Withdrawal 04/27 935 W Armitage Ave Chicago IL Card 9904	300.00
<b>Total ATM &amp; Debit Card Withdrawals</b>		<b>\$694.19</b>

**ATM & DEBIT CARD SUMMARY**

Christopher Gersch Card 9904

Total ATM Withdrawals & Debits	\$600.00
Total Card Purchases	\$94.19
Total Card Deposits & Credits	\$1,334.24

ATM & Debit Card Totals

Total ATM Withdrawals & Debits	\$600.00
Total Card Purchases	\$94.19
Total Card Deposits & Credits	\$1,334.24



April 01, 2014 th  
Account Number:

**ELECTRONIC WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
04/04	04/04 Online Transfer To Chk ...6706 Transaction#: 3846493783	\$10,500.00
04/17	Regus Management Invoicepay Regus CCD ID: 3201975241	841.53
04/17	Regus Management Invoicepay Regus CCD ID: 3201975241	16.10
04/29	04/29 Online Transfer To Chk ...6706 Transaction#: 3890603471	42,000.00
04/29	Regus Management Invoicepay Regus CCD ID: 3201975241	534.79
<b>Total Electronic Withdrawals</b>		<b>\$53,892.42</b>

**FEES AND OTHER WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
04/30	Service Fee	\$15.00
<b>Total Fees &amp; Other Withdrawals</b>		<b>\$15.00</b>

**DAILY ENDING BALANCE**

DATE	AMOUNT
04/02	\$11,565.80
04/04	2,100.04
04/08	2,043.85
04/15	2,054.06
04/17	1,196.43
04/28	708.43
04/29	2,120.17
04/30	2,808.48

**SERVICE CHARGE SUMMARY**

You were charged a monthly service fee this month. Your Chase BusinessSelect Checking monthly Service Fee can be waived in five different ways during any statement period:

- Maintain an average daily balance of \$7,500.00. Your average daily balance was \$2,674.00. OR
- Maintain a relationship balance of \$25,000.00 or more during the statement period. Your relationship balance was \$2,961.00. OR
- Link a qualifying personal checking account to your Chase BusinessSelect Checking account. You have no qualifying personal account linked. OR
- Spend at least \$1,000.00 on a linked Chase Business Credit Card. You spent \$0.00. OR
- Pay at least \$50.00 in qualifying checking-related services or fees. You paid \$0.00.

See your Account Rules and Regulations or stop in to see a banker today to find out more.

TRANSACTIONS FOR SERVICE FEE CALCULATION	NUMBER OF TRANSACTIONS
Checks Paid / Debits	8
Deposits / Credits	5
Deposited Items	3
<b>Transaction Total</b>	<b>16</b>

SERVICE FEE CALCULATION	AMOUNT
Service Fee	\$15.00
Service Fee Credit	\$0.00
<b>Net Service Fee</b>	<b>\$15.00</b>
Excessive Transaction Fees (Above 200)	\$0.00
<b>Total Service Fees</b>	<b>\$15.00</b>





JPMorgan Chase Bank, N.A.  
 P O Box 659754  
 San Antonio, TX 78265-9754

March 01, 2014

Account Number:

**CUSTOMER SERVICE INFORMATION**

Web site: **Chase.com**  
 Service Center: **1-800-242-7338**  
 Deaf and Hard of Hearing: **1-800-242-7383**  
 Para Espanol: **1-888-622-4273**  
 International Calls: **1-713-262-1679**

00003732 DRE 111 212 09114 NNNNNNNNNN 1 000000000 67 0000  
 NAVIGATE POWER LLC  
 2211 N ELSTON SUITE 309  
 CHICAGO IL 60614-9278



**CHECKING SUMMARY**

Chase BusinessSelect Checking

	INSTANCES	AMOUNT
<b>Beginning Balance</b>		<b>\$145.09</b>
Deposits and Additions	5	18,006.60
Electronic Withdrawals	3	- 6,675.00
Fees and Other Withdrawals	1	- 15.00
<b>Ending Balance</b>	<b>9</b>	<b>\$11,461.69</b>

**DEPOSITS AND ADDITIONS**

DATE	DESCRIPTION	ID	AMOUNT
03/03	Centerpoint Ener Payments	ID: 1721309319	\$411.21
03/10	Deposit 590344766		1,089.13
03/14	Amer Elec 4592 EDI Paymnt Ap001661302	ID: 1134922640	5,193.89
03/28	Dir Energy 6289 EDI Paymnt	ID: 1201340064	10,703.83
03/31	Centerpoint Ener Payments	ID: 1721309319	608.54
<b>Total Deposits and Additions</b>			<b>\$18,006.60</b>

**ELECTRONIC WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
03/10	03/10 Online Transfer To Chk ...6706 Transaction#: 3798215238	\$700.00
03/12	03/12 Online Transfer To Chk ...6706 Transaction#: 3801443595	875.00
03/14	03/14 Online Transfer To Chk ...6706 Transaction#: 3806120425	5,100.00
<b>Total Electronic Withdrawals</b>		<b>\$6,675.00</b>

**FEES AND OTHER WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
03/31	Service Fee	\$15.00
<b>Total Fees &amp; Other Withdrawals</b>		<b>\$15.00</b>



March 01, 201  
Account Number

**DAILY ENDING BALANCE**

DATE	AMOUNT
03/03	\$556.30
03/10	945.43
03/12	70.43
03/14	164.32
03/28	10,868.15
03/31	11,461.69

**SERVICE CHARGE SUMMARY**

You were charged a monthly service fee this month. Your Chase BusinessSelect Checking monthly Service Fee can be waived in five different ways during any statement period:

- Maintain an average daily balance of \$7,500.00. Your average daily balance was \$1,696.00. OR
- Maintain a relationship balance of \$25,000.00 or more during the statement period. Your relationship balance was \$1,330.00. OR
- Link a qualifying personal checking account to your Chase BusinessSelect Checking account. You have no qualifying personal account linked. OR
- Spend at least \$1,000.00 on a linked Chase Business Credit Card. You spent \$0.00. OR
- Pay at least \$50.00 in qualifying checking-related services or fees. You paid \$0.00.

See your Account Rules and Regulations or stop in to see a banker today to find out more.

TRANSACTIONS FOR SERVICE FEE CALCULATION	NUMBER OF TRANSACTIONS
Checks Paid / Debits	0
Deposits / Credits	5
Deposited Items	2
<b>Transaction Total</b>	<b>7</b>

SERVICE FEE CALCULATION	AMOUNT
Service Fee	\$15.00
Service Fee Credit	\$0.00
<b>Net Service Fee</b>	<b>\$15.00</b>
Excessive Transaction Fees (Above 200)	\$0.00
<b>Total Service Fees</b>	<b>\$15.00</b>





JPMorgan Chase Bank, N.A.  
 P O Box 659754  
 San Antonio, TX 78265 -9754

February 01, 201

Account Number

**CUSTOMER SERVICE INFORMATION**

Web site: **Chase.com**  
 Service Center: **1-800-242-7338**  
 Deaf and Hard of Hearing: **1-800-242-7383**  
 Para Espanol: **1-888-622-4273**  
 International Calls: **1-713-262-1679**

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NAVIGATE POWER LLC  
 2211 N ELSTON SUITE 309  
 CHICAGO IL 60614-9278



**CHECKING SUMMARY**

Chase BusinessSelect Checking

	INSTANCES	AMOUNT
<b>Beginning Balance</b>		<b>\$27,149.03</b>
Deposits and Additions	4	34,111.06
Electronic Withdrawals	3	- 61,100.00
Fees and Other Withdrawals	1	- 15.00
<b>Ending Balance</b>	<b>8</b>	<b>\$145.09</b>

**DEPOSITS AND ADDITIONS**

DATE	DESCRIPTION	AMOUNT
02/03	Deposit 585707692	\$137.63
02/11	Deposit 1287365685	708.60
02/14	Amer Elec 4592 EDI Paymnt Ap001637680 ID: 1134922640	194.32
02/27	Dir Energy 6289 EDI Paymnt ID: 1201340064	33,070.51
<b>Total Deposits and Additions</b>		<b>\$34,111.06</b>

**ELECTRONIC WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
02/06	02/06 Online Transfer To Chk ...6706 Transaction#: 3737031802	\$26,500.00
02/14	02/14 Online Transfer To Chk ...6706 Transaction#: 3752728951	1,300.00
02/27	02/27 Online Transfer To Chk ...6706 Transaction#: 3774754788	33,300.00
<b>Total Electronic Withdrawals</b>		<b>\$61,100.00</b>

**FEES AND OTHER WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
02/28	Service Fee	\$15.00
<b>Total Fees &amp; Other Withdrawals</b>		<b>\$15.00</b>



February 01, 2014 :

Account Number:

**DAILY ENDING BALANCE**

DATE	AMOUNT
02/03	\$27,286.66
02/06	786.66
02/11	1,495.26
02/14	389.58
02/27	160.09
02/28	145.09

**SERVICE CHARGE SUMMARY**

You were charged a monthly service fee this month. Your Chase BusinessSelect Checking monthly Service Fee can be waived in five different ways during any statement period:

- Maintain an average daily balance of \$7,500.00. Your average daily balance was \$5,355.00. OR
- Maintain a relationship balance of \$25,000.00 or more during the statement period. Your relationship balance was \$6,319.00. OR
- Link a qualifying personal checking account to your Chase BusinessSelect Checking account. You have no qualifying personal account linked. OR
- Spend at least \$1,000.00 on a linked Chase Business Credit Card. You spent \$0.00. OR
- Pay at least \$50.00 in qualifying checking-related services or fees. You paid \$0.00.

See your Account Rules and Regulations or stop in to see a banker today to find out more.

**TRANSACTIONS FOR SERVICE FEE CALCULATION**

**NUMBER OF TRANSACTIONS**

Checks Paid / Debits	0
Deposits / Credits	4
Deposited Items	2
<b>Transaction Total</b>	<b>6</b>

**SERVICE FEE CALCULATION**

**AMOUNT**

Service Fee	\$15.00
Service Fee Credit	\$0.00
<b>Net Service Fee</b>	<b>\$15.00</b>
Excessive Transaction Fees (Above 200)	\$0.00
<b>Total Service Fees</b>	<b>\$15.00</b>



JPMorgan Chase Bank, N.A.  
 P O Box 659754  
 San Antonio, TX 78265 -9754

January 01, 2014

Account Number:

**CUSTOMER SERVICE INFORMATION**

Web site: **Chase.com**  
 Service Center: **1-800-242-7338**  
 Deaf and Hard of Hearing: **1-800-242-7383**  
 Para Espanol: **1-888-622-4273**  
 International Calls: **1-713-262-1679**

00001770 DRE 111 212 03214 NNNNYNNNNN 1 000000000 67 0000  
 NAVIGATE POWER LLC  
 2211 N ELSTON SUITE 309  
 CHICAGO IL 60614-9278



**We will update your Deposit Account Agreement**

Effective March 23, 2014, we will be updating your agreement, including:

- How we determine the exchange rate that we use for foreign-currency transactions. See the "Transactions in a Foreign Currency" section.
- How we handle demands for payment by another Chase customer whose item you cashed or deposited with us. See "Our right to charge back deposited or cashed checks."
- That we use the description of Returned Item fee if we decide to pay an item after we initially decide to return it. See "Insufficient funds, Returned Item, and Extended Overdraft fees."
- Why we may block or delay transactions or restrict an account to protect you or us or to comply with legal requirements. See "Restricting your account; blocking or delaying transactions."

All other terms and conditions remain the same. For a copy of your agreement, log on to chase.com or visit a branch. If you have questions, please call us at the telephone number listed on this statement or visit your nearest Chase branch.

**CHECKING SUMMARY**

Chase BusinessSelect Checking

	INSTANCES	AMOUNT
<b>Beginning Balance</b>		<b>\$1,356.78</b>
Deposits and Additions	4	26,992.25
Electronic Withdrawals	1	- 1,200.00
<b>Ending Balance</b>	<b>5</b>	<b>\$27,149.03</b>

**DEPOSITS AND ADDITIONS**

DATE	DESCRIPTION	ID	AMOUNT
01/02	Centerpoint Ener Payments	ID: 1721309319	\$46.84
01/15	Amer Elec 4592 EDI Paymnt Ap001612632	ID: 1134922640	12.66
01/30	Dir Energy 6289 EDI Paymnt	ID: 1201340064	26,435.45
01/31	Centerpoint Ener Payments	ID: 1721309319	497.30
<b>Total Deposits and Additions</b>			<b>\$26,992.25</b>



January 01, 2011  
Account Number

**ELECTRONIC WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
01/07	01/07 Online Transfer To Chk ...6706 Transaction#: 3683155321	\$1,200.00
<b>Total Electronic Withdrawals</b>		<b>\$1,200.00</b>

**DAILY ENDING BALANCE**

DATE	AMOUNT
01/02	\$1,403.62
01/07	203.62
01/15	216.28
01/30	26,651.73
01/31	27,149.03

**SERVICE CHARGE SUMMARY**

You were not charged a monthly service fee this month. Your monthly service fee can continue to be waived in five different ways during any statement period:

- Maintain an average daily balance of \$7,500.00. Your average daily balance was \$2,162.00. OR
- Maintain a relationship balance of \$25,000.00 or more during the statement period. Your relationship balance was \$1,330.00. OR
- Link a qualifying personal checking account to your Chase BusinessSelect Checking account. Your Premier Plus personal checking account is linked. OR
- Spend at least \$1,000.00 on a linked Chase Business Credit Card. You spent \$0.00. OR
- Pay at least \$50.00 in qualifying checking-related services or fees. You paid \$0.00.

See your Account Rules and Regulations or stop in to see a banker today to find out more.

TRANSACTIONS FOR SERVICE FEE CALCULATION	NUMBER OF TRANSACTIONS
Checks Paid / Debits	0
Deposits / Credits	4
Deposited Items	0
<b>Transaction Total</b>	<b>4</b>

SERVICE FEE CALCULATION	AMOUNT
Service Fee	\$15.00
Service Fee Credit	-\$15.00
<b>Net Service Fee</b>	<b>\$0.00</b>
Excessive Transaction Fees (Above 200)	\$0.00
<b>Total Service Fees</b>	<b>\$0.00</b>

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Navigate Power, LLC

:  
:  
:  
:  
:  
:

Application for Licensure of  
Agents, Brokers and Consultants  
under Section 16-115C of the  
Public Utilities Act.

12-0527

**RECEIVED**

ORDER

JUN 26 2014

By the Commission:

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**I. INTRODUCTION**

On September 18, 2012, Navigant Energy, LLC ("Applicant") filed a verified application with the Illinois Commerce Commission ("Commission") requesting a certificate of service authority to operate as an agent, broker, or consultant ("ABC") in Illinois pursuant to Section 16-115C of the Public Utilities Act ("Act"), 220 ILCS 5/1-101 *et seq.*, and 83 Ill. Adm. Code 454, "Licensure of Retail Electric Agents, Brokers and Consultants" ("Part 454"). Applicant requests authority to offer services as an ABC for the procurement or sale of retail electricity supply for third parties in the State of Illinois.

Docket No. 12-0527 does not represent Applicant's first attempt to obtain an ABC certificate. On August 21, 2012, the Commission entered an Order in Docket No. 12-0427 dismissing Applicant's request for an ABC certificate. The Commission dismissed Applicant's first request in light of significant irregularities concerning the individual Applicant named as its attorney in that docket. In light of the facts in Docket No. 12-0427, discrepancies concerning a principal's resume, and other concerns, the Administrative Law Judge ("ALJ") issued a ruling on October 1, 2012 requesting additional information and clarification. Applicant filed a verified response on October 17, 2012. Upon reviewing the response, the ALJ issued a second ruling on October 23, 2012 requesting additional information. Applicant filed a second verified response on November 5, 2012.

**II. APPLICANT'S RESPONSES TO THE RULINGS**

The ALJ's first ruling directed Applicant to explain in detail the circumstances that led to the dismissal in Docket No. 12-0427. As more fully explained in the Order in Docket No. 12-0427, the attorney that Applicant listed as its counsel, Elena Gallo, expressed no knowledge of Applicant when contacted by the ALJ. Given the significance of this discrepancy in the application, the ALJ issued a Proposed Order denying the requested relief. Applicant responded with a brief letter seeking leave to withdraw its application, which the Commission granted on August 21, 2012.

In response to the first ruling in the pending docket, Applicant explains that it had not officially retained Elena Gallo and Gallo Law Group as its attorney at the time it filed its application initiating Docket No. 12-0427, and as a result, Ms. Gallo was not aware of the filing or the pending application. After the initial application was withdrawn, Applicant states that it contacted Ms. Gallo and requested a consultation. Applicant reports that she agreed to represent it and has been officially retained. Applicant describes the discrepancy as "a mere oversight in timing between filing the application and contacting Ms. Gallo." Applicant states further that Ms. Gallo previously worked with one of its members on other matters, and made the assumption that she would also handle the filing in Docket No. 12-0427.

As for how the Commission can be assured that similar "oversight[s] in timing" will not occur in Applicant's dealings with customers, Applicant offers in response to the October 23, 2012 ruling that such oversights are not indicative of its primary focus on ensuring customer satisfaction, on-time quality enrollments, and complete transparency. Applicant states that it will build a technically sound, continuously educated broker-agent base that will not only represent various alternative retail electric suppliers, but more importantly be true energy advocates for the customer. Applicant adds that Mark Nakayama is well versed in the supplier contract language for energy supply agreements. Applicant states that it has taken steps to ensure that agents understand and are trained in explaining the terms and conditions of energy service agreements, as well as the timeline for a proper enrollment.

The October 1, 2012 ruling also asked Applicant if it has any connection with Navigant Consulting, Inc., the global consulting firm. Applicant states that there is no connection between it and Navigant Consulting, Inc. Applicant states further that it has officially changed its name to Navigate Power, LLC as a result of notification by Navigant Consulting, Inc. that Navigant Consulting, Inc. owned the trademark on the name Navigant Energy. As a result of the completion of the name change, the company formerly known as Navigant Energy, LLC is looking to have an ABC certificate approved under its new name, Navigate Power, LLC.

Applicant also clarified in its response to the first ALJ ruling that Mark Nakayama is an owner with a 50% equity position in Applicant, and not simply a consultant as he has been for other ABC applicants. His partner, Chris Gersch, owns the remaining half of Applicant. Applicant's response to the first ALJ ruling also addresses certain discrepancies in Mr. Nakayama's work experience.

### **III. REQUIREMENTS FOR ALL APPLICANTS UNDER SECTION 16-115C OF THE ACT**

Applicant is a business organized under the laws of Illinois and licensed to transact business in Illinois. Applicant has certified that it will comply with all applicable regulations; that it will comply with informational and reporting requirements established by Commission rule; that it will comply with informational and reporting requirements

pursuant to Section 16-115C of the Act; and that it will comply with all other applicable laws, regulations, terms, and conditions required to the extent they have application to the services being offered by an ABC. Applicant has agreed to ensure that any person who acts on its behalf will comply with all applicable sections of Part 454. Applicant agrees that it will remain in compliance with the provisions of the Act and Part 454, and will ensure that authorizations received from customers, and all other applicable records are retained for a period of not less than three calendar years after the calendar year in which they were created. Applicant has agreed to adopt and follow rules and procedures to preserve the confidentiality of its customers' data. Applicant reports that it is not licensed as an ABC in any other state. Applicant states further that no complaints have been filed against it.

#### **IV. FINANCIAL, TECHNICAL, AND MANAGERIAL REQUIREMENTS OF SECTION 16-115C**

Applicant is required by Section 454.60 to demonstrate that it meets the managerial qualifications necessary to provide services as an ABC. Applicant must further provide an organizational chart that indicates the position of persons which satisfy the managerial qualification. Applicant has demonstrated that it meets the managerial qualifications set forth in Section 454.60 through Attachments A and B. Attachment A contains a corporate organizational chart and Attachment B identifies the occupational background information of the person being used to meet the requirements of Section 454.60(a).

Applicant is required by Section 454.70 to demonstrate that it meets the technical qualifications necessary to provide services as an ABC. Applicant has demonstrated that it meets the technical qualifications set forth in Section 454.70 with the information in Attachment B. Attachment B contains occupational background information on the person being used to meet the requirements of Section 454.70(a).

Pursuant to the requirements of Section 454.80 of Part 454, Applicant provided a surety bond in the amount of \$5,000 issued by a qualifying surety authorized to transact business in Illinois. Applicant further agrees to comply with the Code of Conduct for ABCs contained in Section 454.90.

#### **V. COMMISSION CONCLUSION AND CERTIFICATE OF SERVICE AUTHORITY**

The Commission has reviewed the application and attachments along with the supplementary information provided by Applicant regarding the technical, managerial, and financial requirements and all other requirements of the Act and Part 454. While the Commission is still concerned about what transpired in relation to Docket No. 12-0427, the Commission accepts Applicant's explanation. The Commission advises Applicant to ensure that such oversights are not repeated. Having reviewed the entire record, the Commission finds that the Applicant sufficiently demonstrates compliance with the requirements of the Act and Part 454. The Commission concludes, therefore, that Applicant's request for a certificate of service authority to operate as an ABC in

Illinois should be granted. Applicant's name should also be changed as requested. Accordingly, Applicant's certificate of service authority should read as follows:

CERTIFICATE OF SERVICE AUTHORITY

IT IS CERTIFIED that Navigate Power, LLC is granted service authority to operate as an agent, broker, or consultant for the procurement or sale of retail electricity supply for third parties in the State of Illinois.

**VI. FINDINGS AND ORDERING PARAGRAPHS**

The Commission, having reviewed the entire record, is of the opinion and finds that:

- (1) Applicant, a business organized under the laws of Illinois, seeks a certificate of service authority to operate as an ABC under Section 16-115C of the Act;
- (2) the Commission has jurisdiction over the party hereto and the subject matter hereof;
- (3) the recitals of fact and conclusions reached in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (4) Applicant has demonstrated that it possesses sufficient financial, managerial, and technical resources and abilities to provide services as an ABC for the procurement or sale of retail electricity supply to third parties in the State of Illinois;
- (5) Applicant has complied with Section 16-115C of the Act and Part 454; and
- (6) Applicant should be granted a certificate of service authority to operate as an ABC as specified in this Order.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that Navigate Power, LLC is hereby granted a Certificate of Service Authority authorizing it to operate as an agent, broker, or consultant; said Certificate of Service Authority shall read as that set forth in Section V of this Order.

IT IS FURTHER ORDERED that Navigate Power, LLC shall comply with all applicable Commission rules and orders now and as hereafter amended.

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.



By order of the Commission this 28th day of November, 2012.

(SIGNED) DOUGLAS P. SCOTT

Chairman

## Exhibit 6A

Mark R. Nakayama  
7130 Walden Lane, Darien, Illinois 60561  
Phone: (630) 881-0621  
[nakayama.mark@gmail.com](mailto:nakayama.mark@gmail.com)

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

### Objective

To show leadership, managerial and technical experience in energy and natural gas procurement, and sustainable energy product and service offerings

### Professional Summary

I'm a proven leader of sales organizations and cross-functional teams primarily in marketing energy and natural gas products. I have experience in opening new markets, a proven ability to manage key account relationships and large-scale projects. I'm experienced with presenting to C-level executives and representing senior management in discussions with others in the company, as well as in recruiting and training on products, salesmanship, and leadership. I'm experienced with developing sales forecasts, compensation plans, and determining new product requirements.

### Experience

#### ***Navigate Power, LLC, Chicago, IL, May 2012—Present, Principal and Director of Direct Broker Channel***

- Negotiate referral agreements with alternative retail energy suppliers
- Recruit, train and manage independently contracted energy and natural gas brokers
- Setup and payroll and contract verification systems
- Consult on the design and layout of information marketing and sales materials, including websites and seminars.

#### ***Illinois Energy Aggregation, LLC, Oak Lawn, Illinois, July 2011—Present, Energy Procurement Consultant***

- Negotiated referral agreements with alternative retail energy suppliers
- Engaged, presented to, and contracted villages and municipalities throughout Illinois, for aggregation consulting services
- Designed and managed request for proposal processes, leading to millions in dollars of savings for entire communities
- Set up and led informational seminars, educating residents on the benefits and low risk of municipal energy aggregation

#### ***Global Energy Partners, LLC, Arlington Heights, Illinois, September 2009—May 2012, Managing Partner***

- Negotiated referral agreements with alternative retail energy suppliers
- Attained ABC license with the Illinois Commerce Commission, in the State of Illinois
- Recruited and trained dozens of knowledgeable energy and natural gas procurement consultants
- Managed daily operations, including but not limited to, daily pricing and contract submissions, deal and sales support, reporting, cash flows, and accounts receivables and payables

## **Exhibit 6A**

### ***US First Energy/ Superior Power, Dallas, Texas, December 2006—July 2009, Area Leader August 2007—July 2009***

- Opened new markets in Chicago, New York, and Houston
- Nine consecutive quarters of exceeding quarterly goals
- Recruited, trained and managed sales organization of 27 agents
- Determine sales forecasts and proposed new products
- Analyze competitive product offerings in terms of features and benefits as well as price points
- Lead teams in developing sales and operational processes, present processes to senior management for approval, launch and track processes.
- Conduct training on new product lines, salesmanship, and leadership for the sales organization and other ISO's
- Led a team in analyzing and improving compensation plans

### ***ASM Writing Group, Chicago, Illinois, May 2005—February 2007; Partner and Business Development***

- Co-founded marketing and documentation agency
- Led guerilla business development campaign resulting in 12 clients retaining our services
- Generated annual revenue of \$396,000, gross income of \$182,000, and a salary of \$58,000
- Built and managed a stable of 8 marketing consultants, creatives and copywriters
- Managed negotiations and relationships with executives and senior management
- Project managed teams comprised of various backgrounds and expertise

## **Education**

***University of Illinois at Chicago, Graduated December 2006***

B.S. in Finance and Management

## Exhibit 6B

Christopher Gersch  
456 W Armitage Ave. #3  
Chicago IL 60614  
Phone: (847) 962-5327  
cgersch@navigateex.com

# RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

### Objective

To demonstrate leadership, managerial and technical experience in energy and natural gas procurement, and sustainable energy product and service offerings

### Professional Summary

I am an experienced executive with over 10 years in the energy industry. Starting off obtaining my series 7, 24, 55, 63, 66 FINRA licenses I was put in charge of large energy trading desks at the Chicago Board of Trade and Chicago Mercantile Exchange. Working with large institutional energy desks I gained insightful knowledge on how the energy industry works and how to manage large teams. I then founded Save Wave Energy in November of 2008, one of the first multi-disciplined licensed energy consultant firms in Illinois. Electricity and Natural Gas brokerage was a major offering of the firm and prior to leaving the firm in early 2012, I had a built a staff of over 50+ qualified energy professionals. I then left Save Wave Energy, LLC to start a new technology based energy consultant firm called Navigate Power, LLC. I currently act as CEO of Navigate Power at our headquarters in Chicago overseeing our offices in Columbus, Cleveland, Dallas-Fort Worth and Philadelphia.

### Experience

#### ***Navigate Power, LLC, Chicago, IL Columbus, OH, May 2012—Present, CEO***

- Oversee licensing of Navigate Power, LLC in every state/territory in the US that allows competitive pricing (deregulation)
- Training of all operations and executive staff
- Design of all automated technology used for procuring and settling supplier deals
- Aide in recruitment and training of sales associates for our regional teams

#### ***Verde Solutions LLC, Chicago, IL, March 2012—Present, Energy Efficiency Design Consultant***

- Negotiated supply agreements with LED, HVAC distributors/suppliers
- Engaged, presented to, and contracted several commercial, municipal and industrial clients
- Designed and managed request for proposal processes, leading to millions in dollars of savings for entire communities
- Set up and led informational seminars, educating residents on energy efficiency programs

#### ***Altimus Capital, LLC, Chicago, IL, May 2010—May 2012, Director of Portfolio Management***

- Investment firm focused direct investment into energy industry
- Ran energy commodity option pricing desk and statistical risk management team
- Recruited and trained dozens of energy traders
- Worked as representative between CME and national media outlets

## **Exhibit 6B**

### ***Save Wave Energy, LLC, Chicago, IL, November 2008-March 2012***

- *Founded Save Wave Energy, LLC in November 2008*
- *Created Save Wave Energy LLC Name/Brand/Marketing/Operations*
- *Developed and hired executives that helped build SWE's thousand+ client portfolio*
- *Was acting CEO and assigned principal for all legal/professional documentation until leaving to found Verde Solutions, LLC. and selling founders shares*
- *Built municipal and business association partnerships*
- *Spearheaded Save Wave's energy efficiency branch and later left firm to focus on Verde Solutions, LLC a firm ENTIRELY focused on energy efficiency and new building standards for commercial/governmental buildings [www.verdesolutions.com](http://www.verdesolutions.com)*

### ***thinkorswim, Chicago, IL, April 2008—November 2008; Director Algorithmic Trading***

- *Directed institutional portfolio trading execution for thinkorswim associate trading groups*
- *Aided in development of thinkpipes institutional execution system for algorithmic trading*
- *Co-founded marketing and documentation agency*
- *Project managed teams comprised of various backgrounds and expertise*

### ***SPIKE Trading, Chicago, IL, May 2004—April 2008; Head Trader***

- *Managed and trained over 140+ professional traders at Chicago Mercantile Exchange trading floor*
- *Acted as interim CEO when Managing Partner was traveling abroad*
- *Created marketing programs for potential investors*
- *Founded bond, equity option and algorithmic trading divisions of Spike Trading*

## **Education**

### ***University of Illinois at Urban- Champaign, IL Graduated May 2004***

*B.S. in Aeronautical and Industrial Engineering (Human Factors)*

*Minor Atmospheric Science*

### ***Commercial Pilot: Single & Multiengine Land: Instrument Airplane***

*FAA, License 3190284*

## **Exhibit 6B**

### ***Save Wave Energy, LLC, Chicago, IL, November 2008-March 2012***

- Founded Save Wave Energy, LLC in November 2008
- Created Save Wave Energy LLC Name/Brand/Marketing/Operations
- Developed and hired executives that helped build SWE's thousand+ client portfolio
- Was acting CEO and assigned principal for all legal/professional documentation until leaving to found Verde Solutions, LLC. and selling founders shares
- Built municipal and business association partnerships
- Spearheaded Save Wave's energy efficiency branch and later left firm to focus on Verde Solutions, LLC a firm ENTIRELY focused on energy efficiency and new building standards for commercial/governmental buildings [www.verdesolutions.com](http://www.verdesolutions.com)

### ***thinkorswim, Chicago, IL, April 2008—November 2008; Director Algorithmic Trading***

- Directed institutional portfolio trading execution for thinkorswim associate trading groups
- Aided in development of thinkpipes institutional execution system for algorithmic trading
- Co-founded marketing and documentation agency
- Project managed teams comprised of various backgrounds and expertise

### ***SPIKE Trading, Chicago, IL, May 2004—April 2008; Head Trader***

- Managed and trained over 140+ professional traders at Chicago Mercantile Exchange trading floor
- Acted as interim CEO when Managing Partner was traveling abroad
- Created marketing programs for potential investors
- Founded bond, equity option and algorithmic trading divisions of Spike Trading

## **Education**

### ***University of Illinois at Urban- Champaign, IL Graduated May 2004***

B.S. in Aeronautical and Industrial Engineering (Human Factors)

Minor Atmospheric Science

### ***Commercial Pilot: Single & Multiengine Land: Instrument Airplane***

FAA, License 3190284

PROOF OF PUBLICATION OF NOTICE IN THE WILLIAMSPORT SUN-GAZETTE UNDER ACT NO. 587, APPROVED MAY 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF LYCOMING

SS:

Bernard A. Oravec Publisher of the Sun-Gazette Company, publishers of the Williamsport, Sun-Gazette, successor to the Williamsport Sun and the Gazette & Bulletin, both daily newspapers of general circulation, published at 252 West Fourth Street, Williamsport, Pennsylvania, being duly sworn, deposes and says that the Williamsport Sun was established in 1870 and the Gazette & Bulletin was established in 1801, since which dates said successor, the Williamsport Sun-Gazette, has been regularly issued and published in the County of Lycoming aforesaid, and that a copy of the printed notice is attached hereto exactly as the same was printed and published in the regular editions of said Williamsport Sun-Gazette on the following dates, viz:

September 18, 2013

Affiant further deposes that he is an officer daily authorized by the Sun-Gazette Company, publisher of the Williamsport Sun-Gazette, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all the allegations in the foregoing statement as to time, place and character of publication are true.

PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION NOTICE  
Publication of Navigate  
Power, LLC, (d/b/a  
"Navigate Power") For Ap-  
proval To Offer, Render,  
Furnish Or Supply Electri-  
city Or Electric Genera-  
tion Services As A Gen-  
erator And Supplier Of  
Electric Power, A  
Marketer/Broker Engaged  
In The Business Of Sup-  
plying Electricity, And An  
Aggregator Engaged In  
The Business Of Supply-  
ing Electricity, To The  
Public In The Com-  
monwealth Of Pennsylva-  
nia.  
Navigate Power, LLC will  
be filing an application  
with the Pennsylvania  
Public Utility Commission  
("PUC") for a license to  
supply electricity or elec-  
tric generation services  
as (1) a generator and  
supplier of electric power,  
(2) a broker/marketer en-  
gaged in the business of  
supplying electricity, and  
(3) an aggregator engaged  
in the business of supply-  
ing electricity. Navigate  
Power, LLC proposes to  
sell electricity and related  
services throughout all of  
Pennsylvania under the  
provisions of the new  
Electricity Generation  
Customer Choice and  
Competition Act.  
The PUC may consider  
this application without a  
hearing.  
Protests directed to the  
technical or financial fit-  
ness of Navigate Power,  
LLC may be filed within  
15 days of the date of  
this notice with the Secre-  
tary of the PUC, P.O.  
Box 3265, Harrisburg, PA  
17105-3265. You should  
send copies of any pro-  
test to Navigate Power,  
LLC's attorney at the ad-  
dress listed below.  
By and through Counsel:  
Elena Gallo  
elena@gallo-law  
group.com  
Navigate Power, LLC.

Bernard A. Oravec

SUN-GAZETTE COMPANY

Sworn to and subscribed before me  
the 19<sup>th</sup> day of September 2013

Cathy A. Billey  
Notary Public

NOTARIAL SEAL  
CATHY A. BILLEY, Notary Public  
City of Williamsport, Lycoming County  
My Commission Expires May 15, 2015

STATEMENT OF ADVERTISING COSTS

To the Sun-Gazette Company, Dr.:  
For publishing the notice attached  
hereto on the above state dates.....\$ 247.52  
Probated same.....\$  
Total.....\$ 247.52

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

hereby acknowledges receipt of the aforesaid advertising and publication costs  
been fully paid.

SUN-GAZETTE COMPANY

BY Bernard A. Oravec

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

THE SUN-GAZETTE  
and certifies that

COMMONWEALTH OF PENNSYLVANIA }  
 County of Cambria } SS

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
 NOTICE

Application of **Navigate Power, LLC** (d/b/a "**Navigate Power**") For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

**Navigate Power, LLC** will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Navigate Power, LLC** proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Navigate Power, LLC** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Navigate Power, LLC's** attorney at the address listed below.

By and through Counsel: Elena Gallo  
 elena@gallo-lawgroup.com

**Navigate Power, LLC**  
 1 Philadelphia International Plaza, Suite 550  
 Philadelphia, PA 19113  
 Phone: (888) 601-1789

publish that the of The interest charac

On this 17th day of September A.D. 2013, before me, the subscriber, a Notary Public in and for said County and State, personally appeared **Christine Marhefka**, who being duly sworn according to law, deposes and says as Classified Advertising Manager of the **Tribune-Democrat, Johnstown, PA**, a newspaper of general circulation as defined by the "Newspaper Advertising Act", a merger September 8, 1952, of the **Johnstown Tribune**, established December 7, 1853; and of the **Johnstown Democrat**, established March 5, 1863,

of Cambria, and Commonwealth of Pennsylvania and ve matter published in said publication in the regular issues A, on September 12, 2013; and that the Affiant is not ertising and that all of the allegations as to time, place and

*Christine Marhefka*

STATEMENT OF ADVERTISING COSTS

Sworn and Subscribed before me this 17th day of September, 2013.

*Juan Ohs*

0.00 Lines @ \$2.50 per line	0.00
7 Inches @ \$25.00 per inch	175.00
Notary Fee	5.00
Clerical Fee	2.50
<b>Total Cost</b>	<b>182.50</b>

COMMONWEALTH OF PENNSYLVANIA  
 Notarial Seal  
 Vivian Ohs, Notary Public  
 City of Johnstown, Cambria County  
 My Commission Expires Dec. 6, 2016  
 MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

To The **Tribune-Democrat, Johnstown, PA**  
 For publishing the notice or publication attached hereto on the above stated dates.

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

\_\_\_\_\_ for publisher of \_\_\_\_\_  
 a newspaper of general circulation, hereby acknowledges receipt of the aforesaid and publication costs and certifies that the same has been duly paid.

\_\_\_\_\_  
 (Name of Newspaper)

By \_\_\_\_\_

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
 SECRETARY'S BUREAU



PROOF OF PUBLICATION  
In  
THE ERIE TIMES-NEWS  
COMBINATION EDITION

Navigate Power LLC  
2211 N. Elston Ave. Ste. 309  
Chicago IL 60614

REFERENCE: 76656 24958  
PUC NOTICE

STATE OF PENNSYLVANIA)  
COUNTY OF ERIE ) SS:

Debra McGraw, being duly sworn, deposes and says that: (1) he/she is a designated agent of the Times Publishing Company (TPC) to execute Proofs of Publication on behalf of the TPC; (2) the TPC, whose principal place of business is at 205 W. 12th Street, Erie, Pennsylvania, owns and publishes the Erie Times-News, established October 2, 2000, a daily newspaper of general circulation, and published at Erie, Erie County Pennsylvania; (3) the subject notice or advertisement, a true and correct copy of which is attached, was published in the regular edition(s) of said newspaper on the date(s) referred to below. Affiant further deposes that he/she is duly authorized by the TPC, owner and publisher of the Erie Times-News, to verify the foregoing statement under oath, and affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

PUBLISHED ON: 09/15/13

TOTAL COST: \$409.00 AD SPACE: 0 Lines

FILED ON: 09/15/13

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**  
Application of Navigate Power, LLC (d/b/a "Navigate Power") For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Navigate Power, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Navigate Power, LLC proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Navigate Power, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Navigate Power, LLC's attorney at the address listed below.

By and through Counsel: Elena Gallo  
elena@gallo-lawgroup.com

Navigate Power, LLC  
1 Philadelphia International Plaza, Suite 550  
Philadelphia, PA 19113 • Phone: (888) 601-1789

PH-21053

Sworn to and subscribed before me this 16th day of September 2013

Affiant: Debra McGraw

NOTARY: Barbara J. Moore

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Barbara J. Moore, Notary Public  
City of Erie, Erie County  
My Commission Expires March 23, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Proof of Publication in The Philadelphia Daily News  
Under Act. No 587, Approved May 16, 1929

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

Florence Devlin being duly sworn, deposes and says that **The Philadelphia Daily News** is a newspaper published daily, except Sunday, at Philadelphia, Pennsylvania, and was established in said city in 1925, since which date said newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said newspaper on the following dates:

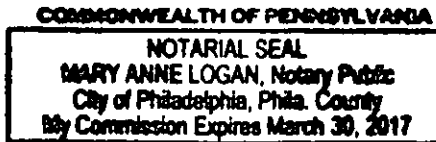
September 16, 2013

Affiant further deposes and says that she is an employee of the publisher of said newspaper and has been authorized to verify the foregoing statement and that she is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Sworn to and subscribed before me this 16<sup>th</sup> day of  
September, 2013.

  
Notary Public

My Commission Expires:



Copy of Notice of Publication

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE

Application of **Navigate Power, LLC** (d/b/a "Navigate Power") For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.  
**Navigate Power, LLC** will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Navigate Power, LLC** proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Navigate Power, LLC** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Navigate Power, LLC's** attorney at the address listed below.  
By and through Counsel: Elena Gallo  
elena@gallo-lawgroup.com  
**Navigate Power, LLC**  
1 Philadelphia International Plaza, Suite 550  
Philadelphia, PA 19113  
Phone: (888) 601-1789

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

The Patriot-News Co.  
2020 Technology Pkwy  
Suite 300  
Mechanicsburg, PA 17050  
Inquiries - 717-255-8213

The Patriot-News  
Now you know

NAVIGATE POWER LLC  
2211 N. ELSTON AVE.  
SUITE 309

CHICAGO IL 60614

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

THE PATRIOT NEWS  
THE SUNDAY PATRIOT NEWS

Proof of Publication

Under Act No. 587, Approved May 16, 1929  
Commonwealth of Pennsylvania, County of Dauphin} ss

Marianne Miller, being duly sworn according to law, deposes and says:

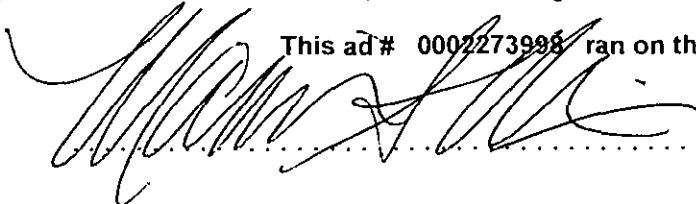
That she is a Staff Accountant of The Patriot News Co., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office and place of business at 2020 Technology Pkwy, Suite 300, in the Township of Hampden, County of Cumberland, State of Pennsylvania, owner and publisher of The Patriot-News and The Sunday Patriot-News newspapers of general circulation, printed and published at 1900 Patriot Drive, in the City, County and State aforesaid; that The Patriot-News and The Sunday Patriot-News were established March 4th, 1854, and September 18th, 1949, respectively, and all have been continuously published ever since;

That the printed notice or publication which is securely attached hereto is exactly as printed and published in their regular daily and/or Sunday/ Community Weekly editions which appeared on the date(s) indicated below. That neither she nor said Company is interested in the subject matter of said printed notice or advertising, and that all of the allegations of this statement as to the time, place and character of publication are true; and

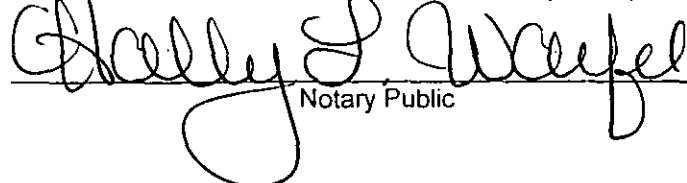
That she has personal knowledge of the facts aforesaid and is duly authorized and empowered to verify this statement on Co. aforesaid by virtue and pursuant to a resolution unanimously passed and adopted severally by the directors of the said Company and subsequently duly recorded in the office for the Recording of Deeds Dauphin in Miscellaneous Book "M", Volume 14, Page 317.

This ad # 0002273998 ran on the dates shown below:

September 12, 2013



Sworn to and subscribed before me this 13 day of September, 2013 A.D.

  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Holly Lynn Warfel, Notary Public  
Washington Twp., Dauphin County  
My Commission Expires Dec. 12, 2016

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
NOTICE  
Application of Navigate Power, LLC (d/b/a "Navigate Power") For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.  
Navigate Power, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Navigate Power, LLC proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Navigate Power, LLC may be

filed within 15 days of the date of this notice with the Secretary of the PUC, P. O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Navigate Power, LLC's attorney at the address listed below.  
By and through Counsel: Elena Gallo  
elena@gallo-lawgroup.com  
Navigate Power, LLC  
1 Philadelphia International Plaza,  
Suite 550  
Philadelphia, PA 19113  
Phone: (888) 601-1789

The Scranton Times (Under act P.L. 877 No 160. July 9, 1976)  
Commonwealth of Pennsylvania, County of Lackawanna

NAVIGATE POWER  
ALEX HERTEL  
STE 309 2211 N ELSTON AVE  
CHICAGO IL 60614

RECEIVED

Account # 574067  
Order # 81129421  
Ad Price: 237.05

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

LEGAL NOTICE PENNSYLVANIA

Gina Krushinski

Being duly sworn according to law deposes and says that she is Billing clerk for The Scranton Times, owner and publisher of The Scranton Times, a newspaper of general circulation, established in 1870, published in the city of Scranton, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

09/13/2013

Affiant further deposes and says that neither the affiant nor The Scranton Times is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Elena Krushinski

Sworn and subscribed to before me  
this 13th day of September A.D., 2013

Sharon Venturi  
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Sharon Venturi, Notary Public  
City of Scranton, Lackawanna County  
My Commission Expires Feb. 12, 2014  
Member, Pennsylvania Association of Notaries

**LEGAL NOTICE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**  
*Application of Navigate Power, LLC (d/b/a Navigate Power) For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.*  
**Navigate Power, LLC** will be filing an application with the Pennsylvania Public Utility Commission (PUC) for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. **Navigate Power, LLC** proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.  
The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Navigate Power, LLC** may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to **Navigate Power, LLC's** attorney at the address listed below.  
By and through Counsel: Elena Gallo  
elena@gallo-lawgroup.com  
**Navigate Power, LLC**  
1 Philadelphia International Plaza,  
Suite 550  
Philadelphia, PA 19113  
Phone: (888) 601-1789

# Pitt faces suit from man questioned about threats

By Rich Lord  
Pittsburgh Post-Gazette

A transgender man who last year appeared before a grand

jury investigating the bomb threats against the University of Pittsburgh sued Pitt on Monday, claiming he was expelled, charged criminally and subjected to FBI scrutiny because of a dispute over use of a locker room.

Seamus Johnston of Johnstown wrote in the lawsuit filed pro se that he began attending Pitt's Johnstown campus in 2009 on a full tuition scholarship for commuter students.

Mr. Johnston, 24, who was born a woman, filed a name change with Pitt in 2011 and enrolled in a for-credit men's weightlifting class, according to the complaint.

During his second semester in that class, a university administrator told him that he should not use the men's locker room unless he got a court order or a birth certificate change. He was told to use a unisex locker room normally reserved for referees.

Following publication of a campus newspaper story about

the dispute, Pitt police cited Mr. Johnston, declared him persona non grata in the men's locker room and eventually from the entire sports center, and finally dismissed him from the university, according to the lawsuit.

Campus police also charged Mr. Johnston criminally with indecent exposure, disorderly conduct and defiant trespass. He pleaded guilty to disorderly conduct and defiant trespass, and was on probation for 90 days.

Last year, while U.S. Attorney David Hickton was leading an effort to find the source of the Pitt bomb threats, the FBI took Mr. Johnston's computer and brought him before a grand jury. In the complaint, Mr. Johnston wrote that Pitt gave his "name to the FBI in a retaliatory furtherance of their discriminatory conduct."

Mr. Johnston said Monday that he based that accusation on "the timing, obviously, and from passing comments from the agents."

"We do intend to vigorously defend any of the claims related to this case," said Pitt spokesman Ken Service, declining to comment further.

Adam Busby of Dublin was eventually charged for making the bomb threats. He has not yet been extradited.

Mr. Johnston said he was inspired to file the lawsuit by Johnstown-area transgender student Kasey Caron's efforts to run for homecoming king despite school officials' ruling that he can only run for queen because he was born female. "I was just incensed to find out that this kind of discrimination is still going on," Mr. Johnston said.

Mr. Johnston claimed that he was a victim of gender discrimination under federal and state law, and that Pitt breached its contract by defying its own ban



John Heller/Post-Gazette

**RED HOT** City firefighter Mike Skruch dishes chili at the third annual firefighters chili cookoff Monday at the farmers market in East Liberty. Hosted by Eight Engine and Truck Company in East Liberty, all proceeds from the event were donated to firefighter Matt Onyshko, who has amyotrophic lateral sclerosis or Lou Gehrig's disease.

## PA Cyber charter board stops paying for former CEO's defense

By Rich Lord  
Pittsburgh Post-Gazette

The board of the Pennsylvania Cyber Charter School voted Monday night to stop footing the bill for founder and former CEO Nick Trombetta's legal defense, in light of his indictment last month.

Board president Dave Jaskiewicz said the school's leaders decided in July 2012 to cover Mr. Trombetta's defense bills, though he had resigned the month before, because he had not then been accused of wrongdoing. The federal indictment, Mr. Jaskiewicz told the board, indicates that Mr. Trombetta "had reasonable cause to believe that his conduct was unlawful."

Neither he nor school chief executive officer Michael Conti knew precisely what the school

\$200,000.

Board member Phillip Tridico voted against the motion to cut off the tab, and would not comment after the meeting. Members Tom Dorsey and Jayne Lingenfelder abstained. Four members voted for the motion.

The vote came after a closed-door executive session lasting almost an hour and a half.

Mr. Jaskiewicz said the school has also paid the legal bills of employees called as witnesses in the probe.

"To our understanding, basically, we're done," he said, adding that if an employee was called as a witness in the future the school would pay their lawyer.

Mr. Trombetta has pleaded not guilty to the 11 count indictment accusing him of using a series of companies to obtain, and avoid taxes on, some \$990,000 in school

on vendors, working with its nonprofit education management organization, the National Network of Digital Schools, to improve background checking.

"Everyone is looking around the corner a second time before we move" on any new contracts, Mr. Jaskiewicz said.

The school has applied to the Internal Revenue Service for nonprofit status, Mr. Conti added.

"It's been a difficult year," he said. "We are preparing to do what we've always done, and that's to continue to make this school better for its students."

The Midland-based online school now has 10,345 students with nearly 1,000 more in the application stage. Students' home districts pay tuition to PA Cyber in amounts governed by a state formula.

**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**

Application of Navigate Power, LLC (d/b/a "Navigate Power") For Approval To Offer, Render, Furnish Or Supply Electricity Or Electric Generation Services As A Generator And Supplier Of Electric Power, A Marketer/ Broker Engaged In The Business Of Supplying Electricity, And An Aggregator Engaged In The Business Of Supplying Electricity, To The Public In The Commonwealth Of Pennsylvania.

Navigate Power, LLC will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply electricity or electric generation services as (1) a generator and supplier of electric power, (2) a broker/marketer engaged in the business of supplying electricity, and (3) an aggregator engaged in the business of supplying electricity. Navigate Power, LLC proposes to sell electricity and related services throughout all of Pennsylvania under the provisions of the new Electricity Generation Customer Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Navigate Power, LLC may be filed within 15 days of the date of this notice with the Secretary of the PUC, P.O. Box 3265, Harrisburg, PA 17105-3265. You should send copies of any protest to Navigate Power, LLC's attorney at the address listed below.

By and through Counsel: Elena Gallo  
elena@gallo-lawgroup.com

**Navigate Power, LLC**  
1 Philadelphia International Plaza, Suite 550  
Philadelphia, PA 19112  
Phone: (888) 601-1789

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724-934-1118  
Route 19 1/4 Mile North of Route 91A

Appendix A

APPLICATION AFFIDAVIT

[Commonwealth/State] of Illinois :

: ss.

County of Cook :

Christopher Gersch, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/she is the CEO (Office of Affiant) of Navigate Power LLC (Name of Applicant);]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein Christopher Gersch has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as an electric generation supplier pursuant to 66 Pa. C.S. § 2809 (B).

That the Applicant herein Christopher Gersch has answered the questions on the application correctly, truthfully, and completely and provided supporting documentation as required.

That the Applicant herein Christopher Gersch acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That the Applicant herein Navigate Power LLC acknowledges that it is under a duty to supplement information provided in answer to questions on this application and contained in supporting documents as requested by the Commission.

That the facts above set forth are true and correct 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 hearing.

[Handwritten Signature]  
Signature of Affiant

Sworn and subscribed before me this 6<sup>th</sup> day of June, 2014.

RECEIVED

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Handwritten Signature]  
Signature of official administering oath

My commission expires 4/14/15



RECEIVED

OPERATIONS AFFIDAVIT

JUN 26 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of Illinois :

: ss.

County of Cook :

Christopher Gersch, Affiant, being duly [sworn/affirmed] according to law,  
deposes and says that:

[He/she is the CEO (Office of Affiant) of Navigate Power LLC ;]

[That he/she is authorized to and does make this affidavit for said Applicant;]

That Christopher Gersch, the Applicant herein, acknowledges that Save Wave Energy LLC may have obligations pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; or with other applicable statutes or regulations including Emergency Orders which may be issued verbally or in writing during any emergency situations that may unexpectedly develop from time to time in the course of doing business in Pennsylvania.

That Christopher Gersch, the Applicant herein, asserts that he possesses the requisite technical, managerial, and financial fitness to render electric service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

That Christopher Gersch the Applicant herein, certifies to the Commission that it is subject to , will pay, and in the past has paid, the full amount of taxes imposed by Articles II and XI of the Act of March 4, 1971 (P.L. 6, No. 2 ), known as the Tax Reform Act of 1971 and any tax imposed by Chapter 28 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of Chapter 28, shall be cause for the Commission to revoke the license of the Applicant. The Applicant acknowledges that it shall report to the Commission its jurisdictional Gross Receipts and power sales for ultimate consumption, for the previous year or as otherwise required by the Commission. The Applicant also acknowledges that it is subject to 66 Pa. C.S. §506 (relating to the inspection of facilities and records).

As provided by 66 Pa. C.S. §2810 (C)(6)(iv), Applicant, by filing of this application waives confidentiality with respect to its state tax information in the possession of the Department of Revenue, regardless of the source of the information, and shall consent to the Department of Revenue providing that information to the Pennsylvania Public Utility Commission.

**Appendix B (Continued)**

That Christopher Gersch, the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, §2807 (C), §2807(D)(2), §2809(B) and the standards and billing practices of 52 PA. Code Chapter 56.

That the Applicant agrees to provide all consumer education materials and information in a timely manner as requested by the Bureau of Public Liaison or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

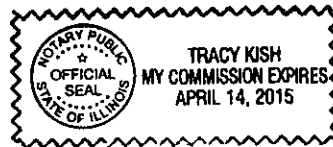
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

  
\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this 6<sup>th</sup> day of June ~~May~~, 2014.

  
\_\_\_\_\_  
Signature of official administering oath

My commission expires 4/14/15



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**Appendix C**

PA PUBLIC UTILITY COMMISSION  
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**CERTIFICATE OF SERVICE**

On this the 18<sup>th</sup> day of June 2014, I certify that a true and correct copy of the foregoing application form for licensing within the Commonwealth of Pennsylvania as an Electric Generation Supplier and all attachments have been served upon the following:

Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120

Office of the Attorney General  
Bureau of Consumer Protection  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120

Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

Commonwealth of Pennsylvania  
Department of Revenue  
Bureau of Compliance  
Harrisburg, PA 17128-0946

Legal Department  
West Penn Power d/b/a Allegheny Power  
800 Cabin Hill Drive  
Greensburg, PA 15601-1689

Manager Energy Acquisition  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19101-8699

Regulatory Affairs  
Duquesne Light Company  
411 Seventh Street, MD 16-4  
Pittsburgh, PA 15219

Legal Department  
Attn: Paul Russell  
PPL  
Two North Ninth Street  
Allentown, PA 18108-1179

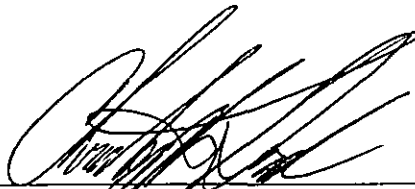
Legal Department  
First Energy  
2800 Pottsville Pike  
Reading PA, 19612

UGI Utilities Inc.  
Attn: Rates Dept. – Choice Coordinator  
2525 N. 12<sup>th</sup> Street, Suite 360  
Post Office Box 12677  
Reading, PA 19612-2677

Citizens' Electric Company  
Attn: EGS Coordination  
1775 Industrial Boulevard  
Lewisburg, PA 17837

Director of Customer Energy Services  
Orange and Rockland Company  
390 West Route 59  
Spring Valley, NY 10977-5300

Wellsboro Electric Company  
Attn: EGS Coordination  
33 Austin Street  
P.O. Box 138  
Wellsboro, PA 16901



Christopher Gersch, CEO of Navigate Power LLC

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Commission, Secretary  
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Harrisburg, PA 17120

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