



Original + 3  
Copies

July 10, 2014

Commonwealth of Pennsylvania  
Public Utilities Commission  
ATTN: Secretary of the Commission  
Keystone Building, 400 North Street  
2<sup>nd</sup> Floor, Room N201  
Harrisburg, PA 17120

**RECEIVED**  
JUL 11 2014  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RE: **Consumer Energy Solutions, Inc.**  
**Application to become a licensed Natural Gas Broker/Marketer**

**To Whom It May Concern:**

The purpose of this submission is to request that the Pennsylvania Public Utilities Commission ("Commission") view and approve Consumer Energy Solutions, Inc. for a Gas Generation Supplier license. Consumer Energy Solutions, Inc. ("CES") intends to include service, as a broker and marketer, to all customer types including residential customers throughout the State of Pennsylvania.

As a broker/marketer, CES takes a proactive role in ensuring the highest level of professionalism in its activities regarding its service to the supplier and potential customers it works with.

CES agrees that it will comply with all applicable PUC rules and service regulations including all local, state and federal laws.

Thank you for your attention to these matters. If you have any questions, please feel free to contact me directly. I can be reached by phone at (727) 724-5811 ext. 2020; email [sovereignenterprisescorp@gmail.com](mailto:sovereignenterprisescorp@gmail.com) or cell phone 302-841-8689.

Sincerely,

Eve Witter,  
Regulatory Director

**1255 Cleveland Street, Suite 400, Clearwater, FL 33755**

# BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of **Consumer Energy Solutions, Inc.**, d/b/a, **CES, Inc.** for approval to offer, render, furnish as a **Broker/Marketer** to the public in the Commonwealth of Pennsylvania.

To the Pennsylvania Public Utility Commission:

1. **IDENTITY OF THE APPLICANT:** The name, address, telephone number, and FAX number of the Applicant are:

**Consumer Energy Solutions, Inc.**  
**1255 Cleveland Street, Suite 400**  
**Clearwater, Florida 33755**  
**Telephone #: (727) 724-5811**  
**FAX #: (727) 233-0837**

Please identify any predecessor(s) of the Applicant and provide other names under which the Applicant has operated within the preceding five (5) years, including name, address, and telephone number.

**N/A**

2. a. **CONTACT PERSON:** The name, title, address, telephone number, and FAX number of the person to whom questions about this Application should be addressed are:

**Eve Witter, Regulatory Director**  
**1255 Cleveland Street, Suite 400**  
**Clearwater, Florida 33755**  
**Telephone #: (727) 724-5811, ext. 2020**  
**FAX #: (727) 233-0837**

- b. **CONTACT PERSON-PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:** The name, title, address telephone number and FAX number of the person with whom contact should be made by PEMA:

**Eve Witter, Regulatory Director**  
**1255 Cleveland Street, Suite 400**  
**Clearwater, Florida 33755**  
**Telephone #: (727) 724-5811, ext. 2020**  
**FAX #: (727) 233-0837**

- 3.a. **ATTORNEY:** If applicable, the name, address, telephone number, and FAX number of the Applicant's attorney are:

**N/A**

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SECRETARY'S BUREAU

b. **REGISTERED AGENT:** If the Applicant does not maintain a principal office in the Commonwealth, the required name, address, telephone number and FAX number of the Applicant's Registered Agent in the Commonwealth are:

*PennCorp Service Group 717-234-2308  
600 N 2nd St #401 Harrisburg PA 17108*

4. **FICTITIOUS NAME:** (select and complete appropriate statement)

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

**N/A**

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

**OR**

XX  The Applicant will not be using a fictitious name.

5. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:** (select and complete appropriate statement)

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. See Attached**

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.

***Patrick Clouden, 111 Manatee Road, Belleaire, Florida, 33756***

***Jim Mathers, 8 Evonaire Circle, Belleaire, Florida 33756***

- \* 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**

XX  The Applicant is a:

- domestic corporation (none)
- 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)
- xx Other ***S Corporation***

Provide proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation. **SEE ATTACHED**

Give name and address of officers.

**Patrick Clouden, CEO, 111 Manatee Road, Belleaire, FL 33756**  
**Patrick Clouden, Officer/Director**  
**Patrick Clouden, Secretary**  
**Patrick Clouden, Treasurer**

**Jim Mathers, Vice President,**

The Applicant is incorporated in the state of **Florida**.

6. **AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:** (select and complete appropriate statement)

Affiliate(s) of the Applicant doing business in Pennsylvania are:

*N/A*

Give name and address of the affiliate(s) and state whether the affiliate(s) are jurisdictional public utilities.

Does the Applicant have any affiliation with or ownership interest in:

*NO*

- (a) any other Pennsylvania retail natural gas supplier licensee or licensee applicant,
- (b) any other Pennsylvania retail licensed electric generation supplier or license applicant,
- (c) any Pennsylvania natural gas producer and/or marketer,
- (d) any natural gas wells or
- (e) any local distribution companies (LDCs) in the Commonwealth

If the response to parts a, b, c, or d above is affirmative, provide a detailed description and explanation of the affiliation and/or ownership interest.

Provide specific details concerning the affiliation and/or ownership interests involving:

- (a) any natural gas producer and/or marketers,
- (b) any wholesale or retail supplier or marketer of natural gas, electricity, oil, propane or other energy sources.

Provide the Pa PUC Docket Number if the applicant has ever applied:

- (a) for a Pennsylvania Natural Gas Supplier license, or

(b) for a Pennsylvania Electric Generation Supplier license.

- If the Applicant or an affiliate has a predecessor who has done business within Pennsylvania, give name and address of the predecessor(s) and state whether the predecessor(s) were jurisdictional public utilities.

**or**

XX  The Applicant has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania.

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

XX  The Applicant is presently doing business in Pennsylvania as a

- natural gas interstate pipeline.
- municipal providing service outside its municipal limits. local gas
- distribution company
- retail supplier of natural gas services in the Commonwealth a natural
- gas producer
- XXX Other. (Identify the nature of service being rendered.)

***Licensed in Pennsylvania, Broker/Marketer License No. A-2009-2132021***

**or**

The Applicant is not presently doing business in Pennsylvania.

8. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

- supplier of natural gas services. Municipal
- supplier of natural gas services.
- Cooperative supplier of natural gas services.
- XXX Broker/Marketer engaged in the business of supplying natural gas services.
- Aggregator engaged in the business of supplying natural gas services.
- Other (Describe):

9. **PROPOSED SERVICES:** Generally describe the natural gas services which the Applicant proposes to offer.

***Broker Market all service types Commercial, Residential, Industrial in the State of Pennsylvania for Suppliers***

10. **SERVICE AREA:** Provide each Natural Gas Distribution Company (NGDC) in which Applicant proposes to offer services.

***All service areas in Pennsylvania***

11. **CUSTOMERS:** Applicant proposes to initially provide services to:

- Residential Customers
- Commercial Customers - (Less than 6,000 Mcf annually)
- Commercial Customers - (6,000 Mcf or more annually)
- Industrial Customers
- Governmental Customers
- X X X X All of above
- Other (Describe):

12. **START DATE:** The Applicant proposes to begin delivering services on ***IMMEDIATELY.***

**NOTICE:** Pursuant to Section 5.14 of the Commission's Regulations, 52 Pa. Code §5.14, serve a copy of the signed and verified Application with attachments on the following:

Irwin A. Popowsky  
Office of Consumer Advocate  
5th Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17120-1921

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

William R. Lloyd, Jr.  
Commerce Building, Suite 1102  
Small Business Advocate  
300 North Second Street  
Harrisburg, PA 17101

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

Any of the following Natural Gas Distribution Companies through whose transmission and distribution facilities the applicant intends to supply customers:

<p><b>Valley Energy Inc.</b>          Robert Crocker          523 South Keystone Avenue          Sayre, PA 18840-0340          PH: 570.888-9664          FAX: 570.888.6199          email: <a href="mailto:rcrocker@ctenterprises.org">rcrocker@ctenterprises.org</a></p>	<p><b>National Fuel Gas Distribution Corp.</b>          David D. Wolford          6363 Main Street          Williamsville, NY 14221          PH: 716.857.7483          FAX: 716.857.7479          email: <a href="mailto:wolfordd@natfuel.com">wolfordd@natfuel.com</a></p>
<p><b>UGI Central Penn</b>          David Beasten          2525 N. 12<sup>th</sup> Street, Suite 360          Reading, PA 19612-2677          PH: 610.796.3425          FAX: 610.796.3559</p>	<p><b>Peoples Natural Gas Company LLC          Peoples Division</b>          Lynda Petrichevich          375 North Shore Drive, Suite 600          Pittsburgh, PA 15212          PH: 412.208.6528          FAX: 412.208.6577          email: <a href="mailto:Lynda.W.Petrichevich@peoples-gas.com">Lynda.W.Petrichevich@peoples-gas.com</a></p>
<p><b>Peoples TWP LLC (Formerly T. W. Phillips)</b>          Lynda Petrichevich          375 North Shore Drive, Suite 600          Pittsburgh, PA 15212          PH: 412.208.6528          FAX: 412.208.6577          email: <a href="mailto:Lynda.W.Petrichevich@peoples-gas.com">Lynda.W.Petrichevich@peoples-gas.com</a></p>	<p><b>UGI</b>          David Beasten          2525 N. 12<sup>th</sup> Street, Suite 360          Reading, PA 19612-2677          PH: 610.796.3425          FAX: 610.796.3559</p>
<p><b>UGI Penn Natural</b>          David Beasten          2525 N. 12<sup>th</sup> Street, Suite 360          Reading, PA 19612-2677          PH: 610.796.3425          FAX: 610.796.3559</p>	<p><b>Peoples Natural Gas Company LLC          Equitable Division</b>          Lynda Petrichevich          375 North Shore Drive, Suite 600          Pittsburgh, PA 15212          PH: 412.208.6528          FAX: 412.208.6577          email: <a href="mailto:Lynda.W.Petrichevich@peoples-gas.com">Lynda.W.Petrichevich@peoples-gas.com</a></p>
<p><b>PECO</b>          Carlos Thillet, Manager, Gas Supply and Transportation          2301 Market Street, S9-2          Philadelphia, PA 19103          PH: 215.841.6452          email: <a href="mailto:carlos.thillet@exeloncorp.com">carlos.thillet@exeloncorp.com</a></p>	<p><b>Columbia Gas of Pennsylvania Inc.</b>          Thomas C. Heckathorn          200 Civic Center Drive          Columbus, OH 43215          PH: 614.460.4996          FAX: 614.460.6442          email: <a href="mailto:theckathorn@nisource.com">theckathorn@nisource.com</a></p>
<p><b>Philadelphia Gas Works</b>          Douglas Moser          800 West Montgomery Avenue          Philadelphia, PA 19122          PH: 215.684.6899          email: <a href="mailto:douglas.moser@pgworks.com">douglas.moser@pgworks.com</a></p>	

Pursuant to Sections 1.57 and 1.58 of the Commission's Regulations, 52 Pa. Code §§1.57 and 1.58, attach Proof of Service of the Application and attachments upon the above named parties. 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.

13. **TAXATION:** Complete the TAX CERTIFICATION STATEMENT attached as Appendix B to this application.

**See Attached**

14. **COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, by name, subject and citation, dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

***The Applicant, an affiliate, a predecessor of either, or a person identified in this Application has not been convicted of a crime involving fraud or similar activity, dealing with business operations, in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent.***

15. **STANDARDS, BILLING PRACTICES, TERMS AND CONDITIONS OF PROVIDING SERVICE AND CONSUMER EDUCATION:** All services 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.

**See Attachments**

- a. Contacts for Consumer Service and Complaints: Provide the name, title, address, telephone number and FAX number 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 Applicant, the Distribution Company, the Pennsylvania Public Utility Commission or other agencies.*
- b. Provide a copy of all standard forms or contracts that you use, or propose to use, for service provided to residential customers.
- c. If proposing to serve Residential and/or Small Commercial customers, provide a disclosure statement. A sample disclosure statement is provided as Appendix B to this Application.

16. **FINANCIAL FITNESS:**

- A. Applicant shall 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:

**See Attachments**

- Actual (or proposed) organizational structure including parent, affiliated or subsidiary companies.
- Published parent company financial and credit information.
- Applicant's balance sheet and income statement for the most recent fiscal year. Published financial information such as 10K's and 10Q's may be provided, if available.
- Evidence of Applicant's credit rating. Applicant may provide a copy of its Dun and Bradstreet Credit



Report and Robert Morris and Associates financial form or other independent financial service reports.

- A description of the types and amounts of insurance carried by Applicant which are specifically intended to provide for or support its financial fitness to perform its obligations as a licensee.
- Audited financial statements
- Such other information that demonstrates Applicant's financial fitness.

Applicant must provide the following information: **See Attachments** *NO Bond Required,*

- Provide proof of compliance with bonding/credit requirements for each NGDC the applicant is proposing to provide service in. This requirement is designated by each NGDC and can commonly be found in the NGDC supplier tariff.
- Identify Applicant's chief officers including names and their professional resumes.

**See Attachments**

- Provide the name, title, address, telephone number and FAX number of Applicant's custodian for its accounting records. *BEV HEPNER, CFO PH: 727-724-5811  
1255 CLEVELAND ST., SUITE 400 FAX: 727-748-1546  
CLEARWATER, FL 33755*

**TECHNICAL FITNESS:** To ensure that the present quality and availability of service provided by natural gas utilities does not deteriorate, the Applicant shall provide sufficient information to demonstrate technical fitness commensurate with the service proposed to be provided. Examples of such information which may be submitted include the following: **See Attachments**

- The identity of the Applicant's officers directly responsible for operations, including names and their professional resumes.
- A copy of any Federal energy license currently held by the Applicant.
- Proposed staffing and employee training commitments.
- Business plans.

17. **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 2208(D). Transferee will be required to file the appropriate licensing application.

**Applicant agrees.**

18. **UNIFORM 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.

**Applicant agrees.**

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

**Applicant agrees.**

- a. Reports of Gross Receipts: Applicant shall report its Pennsylvania intrastate gross receipts to the Commission on an annual basis no later than 30 days following the end of the calendar year.

***Applicant will be required to meet periodic reporting requirements as may be issued by the Commission to fulfill the Commission's duty under Chapter 22 pertaining to reliability and to inform the Governor and Legislature of the progress of the transition to a fully competitive natural gas market.***

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

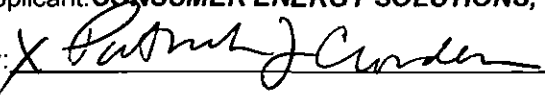
***Applicant agrees.***

19. **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.

***Applicant agrees.***

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

Applicant: **CONSUMER ENERGY SOLUTIONS, INC.**

By: 

Title: Patrick J. Clouden, CEO

**AFFIDAVIT**

**RECEIVED**

State of Florida

JUL 11 2014

ss.

County of Pinellas

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Patrick J. Clouden, Affiant, being duly [sworn/affirmed] according to law, deposes and says that: He is the CEO of CONSUMER ENERGY SOLUTIONS, INC. That he is authorized to and does make this affidavit for said Applicant;

That CONSUMER ENERGY SOLUTIONS, INC., the Applicant herein, acknowledges that [Applicant] 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 CONSUMER ENERGY SOLUTIONS, INC., the Applicant herein, asserts that [he/she/it] possesses the requisite technical, managerial, and financial fitness to render natural gas supply 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 CONSUMER ENERGY SOLUTIONS, INC., 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 22 of Title 66. The Applicant acknowledges that failure to pay such taxes or otherwise comply with the taxation requirements of, 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 natural gas 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).

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.

That CONSUMER ENERGY SOLUTIONS, INC., the Applicant herein, acknowledges that it has a statutory obligation to conform with 66 Pa. C.S. §506, 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 Commission's Office of Communications or other Commission bureaus. Materials and information requested may be analyzed by the Commission to meet obligations under applicable sections of the law.

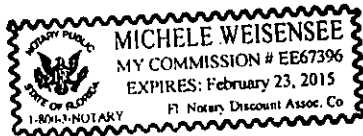
That the facts above set forth are true and correct/true and correct to the best of his/her knowledge, information, and belief.

X *Patricia J. Clenden*  
Signature of Affiant

Sworn and subscribed before me this 10<sup>th</sup> day of July, ~~19~~2014

*Michele Weisensee*  
Signature of official administering oath

My commission expires 2-23-15.



AFFIDAVIT

RECEIVED

JUL 11 2014  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of FLORIDA :

County of PINELLAS :

ss.

PATRICK CLOUDEN, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:  
CONSUMER ENERGY SOLUTIONS, INC.  
[He/she is the \_\_\_\_\_ (Office of Affiant) of A (Name of Applicant);]

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

CONSUMER ENERGY SOLUTIONS, INC.

That A, the Applicant herein certifies that it has caused the notice of the filing of its license application published in the following newspapers on \_\_\_\_\_:  
(date)

A copy of the notice as it appeared in each of the above newspapers is attached. Noted on each copy is the newspaper section (name, number or letter), if applicable, and the page number on which the notice appeared.

CONSUMER ENERGY SOLUTIONS, INC.

That A, the Applicant will submit to the Commission the proof of publication from each newspaper in which notice of the application filing was published as soon as it is available.

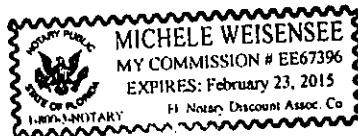
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

Patrick J. Clouden  
Signature of Affiant

Sworn and subscribed before me this 10<sup>th</sup> day of July, 2014

Michele Weisensee  
Signature of official administering oath

My commission expires 2-23-15



AFFIDAVIT

RECEIVED

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

[Commonwealth/State] of FLORIDA :

County of PINELLAS :

ss.

PATRICK CLOUDEN, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:  
CONSUMER ENERGY SOLUTIONS, INC.  
[He/she is the \_\_\_\_\_ (Office of Affiant) of 1 (Name of Applicant);]  
CES, INC.  
[That he/she is authorized to and does make this affidavit for said Applicant;]

That the Applicant herein CES, INC. has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be licensed as a natural gas supplier pursuant to 66 Pa. C.S. §2208(c)(1).

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

That the Applicant herein CES, INC. 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 CES, INC. 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.

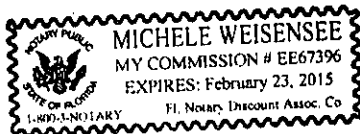
That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief, and that he/she expects said Applicant to be able to prove the same at hearing.

Patrick J Clouden  
Signature of Affiant

Sworn and subscribed before me this 10<sup>th</sup> day of July, ~~19~~ 2014

Michele Weisensee  
Signature of official administering oath

My commission expires 2-23-15



**APPENDIX C**  
**EXAMPLE FORM OF NOTICE**

*See Attached.*

**PENNSYLVANIA**  
**PUBLIC UTILITY COMMISSION**

**NOTICE**

*Application of **Company Name** (d/b/a "**Trade Name**") For Approval To Offer, Render, Furnish Natural Gas Supply Services as a Marketer/Broker or Aggregator Engaged In The Business Of Supplying Natural Gas Supply Services, To The Public In The Commonwealth Of Pennsylvania, Docket No. **A-125XXX**.*

On **Month Date, Year, Company Name** filed an application with the Pennsylvania Public Utility Commission ("PUC") for a license to provide natural gas supply services as (1) a supplier of natural gas, (2) a broker/marketer engaged in the business of supplying natural gas, and (3) an aggregator engaged in the business of providing natural gas supply services. **Company Name** proposes to sell natural gas and related services throughout all of Pennsylvania under the provisions of the new Natural Gas Choice and Competition Act.

The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of **Company Name** 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 **Company's Name** attorney at the address listed below. Please include the PUC's "docket number" on any correspondence, which is

**A-125XXX**.

By and through Counsel: Attorney's Name

**Company Name**

**Address**

**Address**

**Phone**

**FAX**

CS

**Ads Run**

1. Scranton Times
2. Erie Times
3. Pittsburg Times
4. Scranton Gazete

**RECEIVED**

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Affidavits En Route**



# Pittsburgh Post-Gazette

## NOTICE OF PAYMENT OR REFUND

Date: 7/9/2014

Acct #: 95463677

**ATTENTION:**

Account Name: Consumer Energy Solutions

Phone Number: 727 - 724 - 5811

Email: EveW@consumerenergysolutions.com

**CHARGE OR REFUND FOR ADVERTISING:**

Transaction ID	Time	Type	Account#	Amount	Ad ID	Comment
1 VSJEBEFD83C	07/09/14 03:39PM	Sale	M/C 8233	\$517.50	17851253 07/10	Pennsylvania public U

A formal invoice can be mailed or faxed, per your request.

Any questions regarding the above subject matter, please give us a call at 412-263-5050.

Thank you for your continued support of the Pittsburgh Post-Gazette.

Very truly yours,

PITTSBURGH POST-GAZETTE  
 Customer Service Department  
 412-263-5050

# atex

## Payment Receipt

Philly News  
CES

Wednesday, July 09, 2014

Transaction Type: **Payment**

Ad Number: **0003159680**

Apply to Current Order: **Yes**

Payment Method: **Credit Card**

Bad Debt: **-**

Credit Card Number: **XXXXXXXXXXXX8233 - MC Beverly Hepner**

Credit Card Expire Date: **May 2016**

Payment Amount: **\$935.76**

Amount Due: **\$0.00**

Reference Number:

Charge to Company: **Philadelphia Newspapers Inc**

Category: **Classified**

Credit to Transaction Number:

Invoice Text:

Invoice Notes:

Customer Type: **Transient**

Customer Category:

Customer Status: **Active**

Customer Group: **No Customer Group**

Customer Trade:

Account Number: **600258146**

Phone Number: **7277245811**

Company / Individual: **Company**

Customer Name: **CONSUMER ENERGY SOLUTIONS**

Customer Address: **1255 CLEVELAND ST, STE 400**

**CLEARWATER, FL 33755 USA**

Check Number:

Routing Number:

Philly News CES

Erie Times-News  
205 West 12th Street  
Erie, PA 16534

07/10/14

Phone:(814) 456-7021 Fax:(814) 870-1632 Email:classify@timesnews.com

Account:	81251
Company:	Consumer Energy Solutions
Address:	1255 Cleveland St Suite 400 Clearwater, FL 33755
Telephone:	(727) 724-5811

Ad Start Date:	07/12/14
Class:	225
Ad ID:	80341
Ad Taker:	LISHK
Lines:	0
Agate Lines:	60
Blind Box:	

Charge Date	Payment Method	Card Type	Name	Card No	CCExp	Check No	Amount
07/10/14	CC	MC		8233			\$409.00

Ad Cost: \$409.00

Paid Amount: \$409.00

Amount Due: \$0.00

Insertion Dates: 07/12/14
---------------------------

*We Appreciate Your Business!  
Thank You !*

**Erie Times-News GOERIE<sup>TM</sup>**

## Eve Witter

---

**From:** legals@timesnews.com  
**Sent:** Thursday, July 10, 2014 12:15 PM  
**To:** EveW@consumerenergysolutions.com  
**Subject:** RECEIPT  
**Attachments:** ConsumerEn-56-80341-1.pdf

Eve,

Here is the receipt for Consumer Energy Solutions, thanks!

Katie Lish, Account Executive  
Times Publishing Company - Erie Times-News and [www.GoErie.com](http://www.GoErie.com)  
205 West 12th Street  
Erie, PA 16534-0001  
814-870-1796  
Fax: 814-870-1632  
Pennsylvania's 2013 Newspaper of the Year.  
Connect with us on Facebook and Twitter.

THE SCRANTON TIMES  
Payment Receipt

-----  
Printed 07/10/14 14:03  
-----

Account number: 598606  
Account name: CONSUMER ENERGY SOLUTIONS INC  
Phone number: 5811  
Payment number: 2376760  
Payment date: 07/10/14  
Payment description: CREDIT CARD PAYMENT CONSUMER ENERGY SOLUTIONS  
Credit Card Number: \*\*\*\*\*8233  
Credit Holder Name: BEVERLY HEPNER, CUSTOMER  
Approval Code: 09727JY  
Amount: 242.60  
Ad Number: 81556576  
-----

CONSUMER ENERGY SOLUTIONS INC  
EVE WITTER  
601 CLEVELAND STREET, SUITE 320  
CLEARWATER FL 33755

THE SCRANTON TIMES  
ORDER CONFIRMATION  
(CONTINUED)

Salesperson: VENTURI SHARON X5270 Printed at 07/10/14 13:20 by svent

-----  
Acct#: 598429 Ad#: 81556468 Status: N

**LEGAL NOTICE**

**PENNSYLVANIA PUBLIC UTILITY  
COMMISSION NOTICE**

*Application of Consumer Energy Solutions, Inc. For Approval To Offer, Render, Furnish Or Supply Gas Or Gas Generation Services As A Generator And Supplier Of Gas, As A Marketer/Broker Engaged In The Business Of Supplying Gas, And An Aggregator Engaged In The Business Of Supplying Gas, To The Public In The Commonwealth Of Pennsylvania.*

*Consumer Energy Solutions, Inc. will be filing an application with the Pennsylvania Public Utility Commission ("PUC") for a license to supply gas or gas services as (1) a broker/marketer engaged in the business of supplying gas pricing, and (2) an aggregator engaged in the business of supplying gas pricing to all markets in Pennsylvania.*

*Consumer Energy Solutions, Inc. proposes to sell Gas and related services throughout all of Pennsylvania under the provisions of the new Gas Customer Choice and Competition Act.*

*The PUC may consider this application without a hearing. Protests directed to the technical or financial fitness of Consumer Energy Solutions, Inc. may be filed within 16 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 Customer Acquisition Specialists of America, Inc. attorney at the address listed below.*

*By and through Counsel:*

*John Londt*

*Shareholder*

*Greenberg Traurig, P.A.*

*101 East College Avenue*

*Tallahassee, FL 323*

*Telephone 850.425.8539*

*Fax 850.521.1359*

*LondtJ@gtlaw.com www.gtlaw.com*

Sec 2 State PA

Microfilm Number 2001 17-343

Filed with the Department of State on FEB 22 2008

Entity Number 2927269

*Kim D'Amico*  
Secretary of the Commonwealth

APPLICATION FOR CERTIFICATE OF AUTHORITY  
DSCB:13-41246124 (Rev 90)

RECEIVED

Indicate type of corporation (check one):

- Foreign Business Corporation (15 Pa.C.S. § 4124)
- Foreign Nonprofit Corporation (15 Pa.C.S. § 6124)

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned association hereby states that:

1. The name of the corporation is: CONSUMER ENERGY SOLUTIONS, INC.

2. The name which the corporation adopts for use in this Commonwealth is (complete only when the corporation must adopt a corporate designator for use in Pennsylvania):

3. If the name set forth in paragraph 1 or 2 is not available for use in this Commonwealth, complete the following):

The fictitious name which the corporation adopts for use in transacting business in this Commonwealth is:

The corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution of the board of directors under the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) and the attached form DSCB:54-311 (Application for Registration of Fictitious Name).

4. The name of the jurisdiction under the laws of which the corporation is incorporated is:

FLORIDA STATE

5. The address of its principal office under the laws of the jurisdiction in which it is incorporated is:

20505 US HWY 19 N SUITE 254 CLEARWATER, FL 33764  
Number and Street City State Zip

6. The (a) address of the corporation's proposed registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) N/A  
Number and Street City State Zip County

(b) c/o PENACORP SERVICE GROUP, INC DAUPHIN  
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for notice and official publication purposes.

ATTACHMENT A

Does Not require  
annual report  
or renewal.  
Eve.

700.17-344

7. (Check one of the following):

(Business corporation): The corporation is a corporation incorporated for a purpose or purposes involving pecuniary profit, incidental or otherwise.

(Nonprofit corporation): The corporation is a corporation incorporated for a purpose or purposes not involving pecuniary profit, incidental or otherwise.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this Application for a Certificate of Authority to be signed by a duly authorized officer thereof this 11 day of FEBRUARY, 2000.

Consumer Everyday Solutions  
(Name of Corporation) INC

BY: [Signature]  
(Signature)

TITLE: VP MKTG + SALES



Attachment

RECEIVED

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**State of Incorporation**  
**Secretary of State Letter of Good Standing**

# State of Florida Department of State

RECEIVED  
JUL 11 2014  
PA. PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I certify from the records of this office that CONSUMER ENERGY SOLUTIONS, INC. is a corporation organized under the laws of the State of Florida, filed on August 20, 1999.

The document number of this corporation is P99000075979.

I further certify that said corporation has paid all fees due this office through December 31, 2014, that its most recent annual report/uniform business report was filed on March 31, 2014, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Thirty-first day of March, 2014*



*Ken Detjmer*  
**Secretary of State**

Authentication ID: CC6853432203

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
CORPORATION BUREAU  
206 NORTH OFFICE BUILDING  
P. O. BOX 8722  
HARRISBURG, PA 17105-8722  
WWW.DOS.STATE.PA.US/CORPS

**CONSUMER ENERGY SOLUTIONS, INC**

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. PLEASE NOTE THE FILE DATE AND THE SIGNATURE OF THE SECRETARY OF THE COMMONWEALTH. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA.

IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU, PLEASE VISIT OUR WEB SITE LOCATED AT [WWW.DOS.STATE.PA.US/CORPS](http://WWW.DOS.STATE.PA.US/CORPS) 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 : 2927269

MICROFILM NUMBER : 2004040

MICROFILM START - END : 1340 - 1340

PENNCORP  
COUNTER  
PA

Microfilm Number 2004040-1340

Entity Number 2927269

APR 27 2004  
Filed with the Department of State on \_\_\_\_\_

Perth C. Cortes  
Secretary of the Commonwealth Deed

**STATEMENT OF CHANGE OF REGISTERED OFFICE BY AGENT**  
DSCB:15-108 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 108 (relating to change in location or status of registered office provided by agent), the undersigned person who maintains the registered office of an association and who desires to change the following with respect to such agency hereby states that:

1. The name of the association represented by the undersigned person is: \_\_\_\_\_  
Consumer Energy Solutions, Inc.

2. The address of the present registered office in this Commonwealth of the above-named association is:  
PENNCORP SERVICEGROUP, INC. DAUPHIN  
Number and Street City State Zip County

3. (If the registered office address is to be changed, complete the following):  
The address in the same county to which the registered office in this Commonwealth of the above-named association is to be changed is:  
\_\_\_\_\_  
Number and Street City State Zip County

4. The name of the person in care of the foregoing office is: Linda D. Walas  
The person named immediately above in this paragraph has been designated in fact as the agent in care of the registered office in the Commonwealth of Pennsylvania of the association named in paragraph 1 of this statement.

5. (Check one or more of the following, as appropriate):  
 This statement reflects a change in name of the agent.  
 The change in registered office set forth in this statement reflects the removal of the place of business of the agent to a new location within the county.  
 The status of the agent as the provider of the registered office of the above-named association has been terminated.

IN TESTIMONY WHEREOF, the undersigned person has caused this Statement of Change of Registered Office by Agent to be signed this 27th day of April, 2004

PENNCORP SERVICEGROUP, INC.  
(Name)  
BY: Linda D. Walas  
(Signature)  
TITLE: Office Manager

PA. DEPT. OF STATE  
2004 APR 27 AM 8:49

APR 27 2004

Microfilm Number \_\_\_\_\_

Filed with the Department of State on \_\_\_\_\_

Entity Number 2927269

Pedro C. Cortes

Secretary of the Commonwealth Cortez

**STATEMENT OF CHANGE OF REGISTERED OFFICE BY AGENT**

DSCB:15-108 (Rev 90)

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PENNCORP SERVICEGROUP, INC. DAUPHIN  
Number and Street City State Zip County

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Number and Street City State Zip County

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 The status of the agent as the provider of the registered office of the above-named association has been terminated.

IN TESTIMONY WHEREOF, the undersigned person has caused this Statement of Change of Registered Office by Agent to be signed this 27th day of April, 2004

PENNCORP SERVICEGROUP, INC.  
(Name)  
BY: Linda D. Walas  
(Signature)

TITLE: Office Manager

Attachment

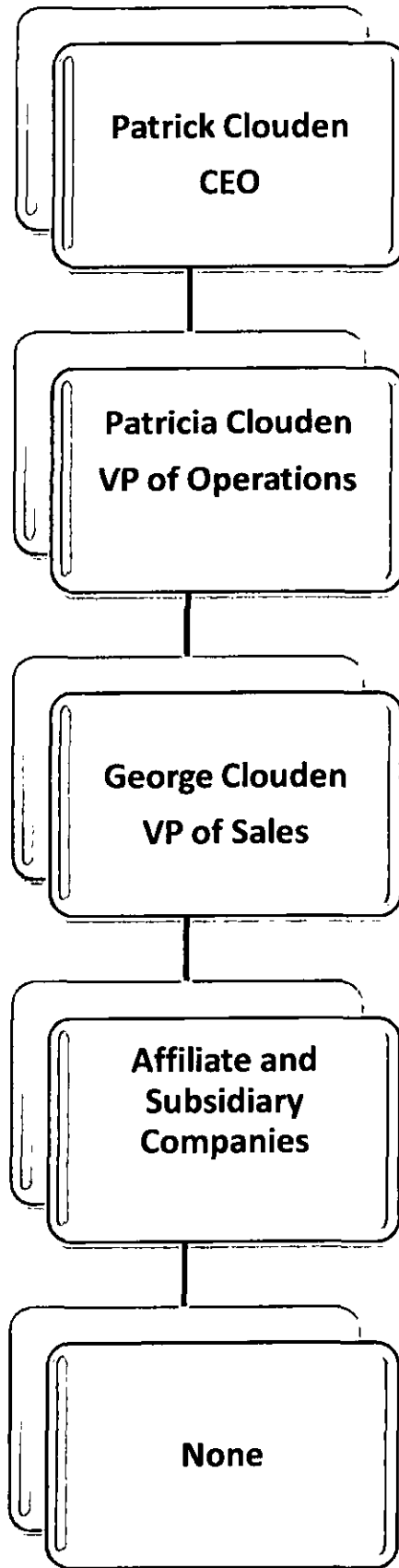
RECEIVED

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Organizational Chart**

# CONSUMER ENERGY SOLUTIONS ORGANIZATIONAL CHART OF KEY PERSONNEL





CONSUMER ENERGY SOLUTIONS, INC.

Please visit us at: <http://www.consumerenergysolutions.com/>

## Our Mission

*Our mission is to be the most effective Brokering agent available to the energy marketing industry and to help the consumer manage their energy costs through effective energy purchasing strategies in small retail, commercial into, and including industrial, large commercial and renewable energy resources as they come available.*

To support that mission, the owners bring over 30 years of sales experience to our clients and customers, with 11 years directly related to the Energy Markets in both Gas and Electric. By employing well-trained representatives, stringent policies related to the industry rules, effective management, and sales techniques, CES guarantees a degree of excellence in the field which supports our efforts in successfully attaining our mission goals.

## Overview

Consumer Energy Solutions was founded in 1999 and has enrolled over 2 million residential and 200,000 commercial customers across the United States and Canada.

We represent some of the largest energy suppliers in North America and have serviced many Fortune 500 companies.

We accomplish our goals by continuous research into the energy markets around the country. CES has built over the last 11 years a successful team of Sales Managers and Sales Consultants who are well educated in the Energy Supplier services industry. CES is proud to serve the industry and its customers in maintaining and ensuring a degree of excellence and competence by training all those who work within CES on the important issues in the Energy Supplier Industry to provide the best services possible.





CONSUMER ENERGY SOLUTIONS, INC.

## Our Executives



**Patrick Clouden**

**CEO**

Patrick founded CES nearly ten years ago along with Jim Mathers, and uses his extensive sales and business experience to guide the company. Pat was hands on in the development of the procedures and policies for CES as a Marketing Broker services company at the time of the emerging deregulation in the Energy Markets and brings 11 years of experience to the firm in the Gas and Electric fields. Before CES, he was partner and co-founder of Least Cost Routing, Inc., which was sold to Primus Telecommunications, a publicly traded company. Along with Jim Mathers, co-founder, Patrick works daily within the company to ensure its expansion with the key note of professionalism, to guarantee exemplary service to its customers and clients.

## OUR MANAGERS



**Patty Harkonen-Clouden** is currently the VP Operations of Consumer Energy Solutions, Inc. She first joined the team in January of 2005 as a residential sales person. Within 6 months she was selected to implement improvements and supervise the existing Customer Service Department. In 2009 she was promoted to Organization Officer to the previous General Manager and later to the same position working for the CEO, until July of 2010, when she began holding her current title.



**George Clouden**, President started at CES in outside sales, more than 6 years ago. He moved from Dallas, Texas for an opportunity in management at CES and has since become the Director of Sales.

Prior to CES, George worked in the equipment leasing business for 9 years with GE Capital in addition to being an Independent Broker.

George as the Sales Manager, and Patty Harkonen, General Manager work together as an effective team ensuring the sales teams are active, ethical and succeeding as employees' of CES, and as Managers , coordinating with Mr. Clouden and Mr. Mathers daily to ensure the companies ultimate success in the Gas and Electric markets it serves.



CONSUMER ENERGY SOLUTIONS, INC.

## QUALIFYING FACTORS CREATING CES AS A LEADER IN ITS INDUSTRY

Consumer Energy Solutions Inc has a proven 11 year track record in the industry as broker/marketers licensed in and serving the Energy Supplier Markets in Pennsylvania, Maryland, Maine, New Hampshire, Rhode Island, New Jersey, Massachusetts, and Connecticut.

Neither CES nor any of its affiliated interests have been denied approval by a State Commission to sell electricity to Retail Electric Consumers or has had its authority revoked in the Gas and Electric markets it serves.

Consumer Energy Solutions follows certain protocols and sets company policy to both monitor and control the quality of its outreach and to fulfill its duty as a Broker. First, any and all employees who will have contact with the public are trained in the Energy Industry basics and then, are trained specific to each program it offers to the consumer with the program patterns and guidelines. There is a specific 5 tier training program for all new employees and those wishing to advance to managerial positions in the sales areas must accomplish all the Mandatory Training and show proven skill in the sales area before attaining final Manager Status. Company disciplinary procedures and implementation of those procedures are also keyed to the industry and designed from the view of complete professionalism on the part of every company employee.

Consumer Energy Solutions records all calls, and through routine and daily call monitoring from its Quality Control Department, takes a proactive approach in maintaining an assurance of industry standards in its marketing activities.

Consumer Energy Solutions, Inc. maintains a Customer Service department dedicated to quickly resolve any customer questions or complaints that may occur with its own dedicated call lines.

In addition to the above, Consumer Energy Solutions uses a third party verification company to verify all its offers and acceptances of offers from the consumers who wish to take advantage of the energy programs they are informed of. The verification service employs recorded verification procedures which are then provided to CES for its obligations in record keeping management of all marketing calls.

CES maintains an advanced IT Department to enable it to effectively reach, monitor and maintain its internal record keeping obligations, as well as custom designed programs to monitor and track all aspects of the business life cycle involved.

CES retains a dedicated Corporate Assistant, who in liaison with the company attorneys, monitors, tracks, and keeps its licensing and other obligations as an industry supplier current in each of the states it operates in, as well as assists in the internal procedures to track and ensure correct handling of marketing related regulations and rules as applicable to such items as , Do Not Call lists, Slamming prohibitions, and any other items related to regulations and offers ,as the various individual program offers from suppliers are implemented and presented to the consumer.

CES has taken the time and the interest to create a company that effectively serves the Energy Industry in the current retail and commercial markets and has created a model for future markets in industrial, large commercial, and the markets for the existing and emerging resources in renewable energy and biotechnologies.

Attachment

RECEIVED

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Profit and Loss Statement**

**Consumer Energy Solutions, Inc.**  
**Profit & Loss**  
 November 2012 through October 2013

	Nov '12 - Oct 13
Ordinary Income/Expense	
Income	
Income Other	
Jade	7,617.45
Income Other - Other	4,094.00
<b>Total Income Other</b>	<b>11,711.45</b>
Sales	
AEP	29,862.27
AEP Upfront	1,912.58
Ameren	3,458.55
APG&E	24,625.02
BluCo	1,096.47
Blue Star	4,478.23
CASA	4,756,815.00
Champion	7,290.32
Constellation	99,563.34
DE Residentail	1,222.10
Direct Energy	
Hourly	32,000.00
<b>Total Direct Energy</b>	<b>32,000.00</b>
DTE	7,675.35
Energy Mark	1,786.37
First Energy	278,465.75
Global	7,081.68
Green Mountain	3,787.62
Hess	287,395.21
Hess-Hourly	1,069,960.27
Hudson Energy	209,248.83
Hudson Energy Canada	23,204.31
Hudson Hourly	43,000.00
Infinite Energy	13,079.80
Integrlys	62.93
Interstate Gas Supply	31,766.57
Interstate Gas Supply Hourly	46,166.25
Marathon Hourly	2,134.50
MC Squared	29.61
My Choice Energy	8,794.10
Nextera	138,684.56
Nordic	22,711.35
Pepco	7,845.37
Source Power	2,076.54
South Jersey	2,547.08
Suez Energy	8,449.82
Vending	571.25
Volunteer Energy	18,851.58
Washington Gas	3,266.75
<b>Total Sales</b>	<b>7,200,967.33</b>
<b>Total Income</b>	<b>7,212,678.78</b>
Expense	
Advertising	10,298.35
Automobile Expense	2,511.96
Bank Service Charges	1,960.00
Consultant	
ATS	442,000.00
<b>Total Consultant</b>	<b>442,000.00</b>
Contributions	32,200.00
Depreciation Expense	24,922.00
DNC Payroll Mgt Expense	5,242,450.00
Dues and Subscriptions	910.27

2:20 PM  
05/19/14  
Cash Basis

Consumer Energy Solutions, Inc.  
Profit & Loss  
November 2012 through October 2013

	Nov '12 - Oct 13
Education	
Seminars	4,803.68
Education - Other	7,644.00
Total Education	12,447.68
Equipment Lease	37,840.62
Gifts	1,221.49
Insurance	
Liability Insurance	5,179.40
Property	31,532.31
Total Insurance	36,711.71
Interest Expense	
Loan Interest	20,483.03
Total Interest Expense	20,483.03
Leads	43,585.24
Licenses and Permits	7,427.42
Membership Fees	8,604.00
Moving & Relocation	1,119.06
Office Supplies & Expenses	
Computer Supplies	18,020.26
Equipment	764.89
Telephone Supplies	7,296.75
Office Supplies & Expenses - Other	35,810.13
Total Office Supplies & Expenses	61,892.03
Postage and Delivery	2,877.25
Professional Fees	
Accounting	17,867.10
Consultants	199,002.64
Legal Fees	56,280.30
Other	6,310.00
Sales Commissions	7,504.14
Total Professional Fees	286,964.18
Rent	443,297.08
Repairs	
Maintenance	29,524.87
Repairs - Other	10,417.60
Total Repairs	39,942.47
Security	577.30
Staff Benefits	30,301.04
Storage	4,016.46
Taxes	
Property	867.47
State	2,997.43
Total Taxes	3,864.90
Telephone	89,865.50
Travel & Ent	
Meals	1,294.95
Parking	100.00
Travel	8,280.49
Total Travel & Ent	9,675.44

2:20 PM  
05/19/14  
Cash Basis

**Consumer Energy Solutions, Inc.**  
**Profit & Loss**  
November 2012 through October 2013

	<u>Nov '12 - Oct 13</u>
Utilities	
Gas and Electric	1,887.52
Internet	6,367.62
Water	627.15
<b>Total Utilities</b>	<u>8,882.29</u>
Verification Cost	404,950.00
<b>Total Expense</b>	<u>7,313,798.77</u>
<b>Net Ordinary Income</b>	<u>-101,119.99</u>
<b>Net Income</b>	<u><u>-101,119.99</u></u>



RECEIVED

Attachment

JUL 11 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Letter of Credit From Banking Institution**

ATB

Regions Bank  
Business Banking, 2<sup>nd</sup> Floor  
1042 Main Street  
Dunedin Fl 34698  
(727) 466-2333

---



May 19, 2014

RE: Consumer Energy Solutions Inc  
1255 Cleveland St  
Clearwater FL 33755

To whom it may concern:

This is confirm that Consumer Energy Solutions Inc has commercial deposit accounts with Regions Bank.

Routing number: 063104668  
Account number: xxxx3808  
Account Balance: low 6 figure (maintained)

Furthermore, they are handling the accounts in accordance to policies and guidelines set forth by Regions bank, and are in good standing

If you have any further questions or concerns regarding this matter, please feel free to contact their Business Banker, Kim Veres, at 727-348-5473, and we will help you to the best of our ability.

Sincerely,

A handwritten signature in cursive script that reads "JoAnne H Morin".

JoAnne H Morin  
Regions Business Banking Sales Assistant  
727-466-2333

# D&B Business Information Report

Report Printed: JUL 02 2014  
In Date

## BUSINESS SUMMARY

**CONSUMER ENERGY SOLUTIONS, INC.**  
1704 Clearwater Largo Rd  
Clearwater, FL 33756

This is a **single** location.

**D-U-N-S Number:** 09-032-2038

**Telephone:** 727 724-5811

**D&B Rating:** --

**Fax:** 727 712-0225

**D&B Viability Rating:** 41DQ

**Chief executive:** PATRICK CLOUDEN, CEO

**Year started:** 1999

**Employs:** UNDETERMINED

**History:** CLEAR

**SIC:** 8748

**Line of business:** Business consulting services

## SUMMARY ANALYSIS

### D&B Rating:--

The blank rating symbol should not be interpreted as indicating that credit should be denied. It simply means that the information available to D&B does not permit us to classify the company within our rating key and that further enquiry should be made before reaching a decision. Some reasons for using a "--" symbol include: deficit net worth, bankruptcy proceedings, insufficient payment information, or incomplete history information. For more information, see the D&B Rating Key.

Below is an overview of the company's rating history since 04/06/02:

D&B Rating	Date Applied
--	10/28/11
ERN	04/06/02

The Summary Analysis section reflects information in D&B's file as of June 30, 2014.

## VIABILITY RATING ANALYSIS

The D&B Viability Rating uses D&B's proprietary analytics to compare the most predictive business risk indicators and deliver a highly reliable assessment of the probability that a company will no longer be in business within the next 12 months.

**D&B VIABILITY RATING:41DQ**

**D&B VIABILITY RATING COMPONENTS:**

**VIABILITY SCORE:**

Viability Score is the first of four components within the D&B Viability Rating. It is a high-level risk indicator that

assesses the probability that a company will no longer be in business within the next 12 months, compared to all US businesses within the D&B database. A business is no longer viable when it goes out of business, becomes dormant/ inactive or files for bankruptcy. The ranking ranges from 1 to 9 where 9 reflects the highest probability of becoming no longer viable and 1 reflects the lowest probability.

**NOTE:** The Viability Score is best used when ranking all businesses within your portfolio based on the probability of becoming no longer viable.

**Viability Score: 4**

**Compared to ALL US Business within D&B Database:**

- **Level of risk:** Low Risk
- **Business ranked 4 have a probability of becoming no longer viable:** 5%
- **Percentage of business ranked 4:** 14%
- **Across all US business, the average probability of becoming no longer viable:** 14%

**PORTFOLIO COMPARISON:**

Portfolio Comparison is the second of four components within the D&B Viability Rating. Portfolio Comparison is a more detailed risk indicator that assesses the viability of a company compared to similar businesses within the same model segment which are determined by the amount and type of data available. A business is no longer viable when it goes out of business, becomes dormant/ inactive or files for bankruptcy. Every business within the D&B database falls into 1 of the following 4 profile segments:

1. Available Financial Data.
2. Established Trade Payments.
3. Limited trade Payments.
4. Firmographics and Business Activity.

The Portfolio Comparison ranking ranges from 1 to 9 where 9 reflects the highest probability of becoming no longer viable and 1 reflects the lowest probability.

**NOTE:** The Portfolio Comparison is best used when analyzing the individual risk level of a company compared to businesses within the same profile segment.

**Portfolio Comparison: 1**

**Compared to all Business within the same MODEL SEGMENT:**

- **Model Segment:** Limited Trade Payments
- **Level of risk:** Low Risk
- **Business ranked 1 within this model segment have a probability of becoming no longer viable:** 4%
- **Percentage of business ranked 1 within this model segment:** 7%
- **Within this model segment, the average probability of becoming no longer viable:** 11%

**DATA DEPTH INDICATOR:**

Data Depth Indicator is the third of four components within the D&B Viability Rating. The Depth of Data Indicator presents the level of data available for a company. Data depth assists in the assessment of whether a company will no longer be viable and includes the following:

1. Financial Attributes.
2. Commercial Trading Activity.
3. Firmographics.

The level of data is represented by a letter on a scale of A - G where A reflects the greatest level of predictive data to make a highly reliable assessment of company viability, and G reflects a minimal level of data which can be considered descriptive. The more comprehensive the data, the more precise the overall D&B Viability Rating becomes. If a company has been placed in the Special Category, a letter ranging from H-M will be assigned to identify the specific reason.

**Data Depth: D**

**Data Depth Indicator Details:**

- Rich Firmographics

- Partial Commercial Trading Activity
- No Financial Attributes

Greater data depth can increase the precision of the D&B Viability Rating assessment.

You have the ability to influence the confidence of the viability assessment by asking the business to report more information to D&B at <https://iupdate.dnb.com>

#### **COMPANY PROFILE:**

Company Profile is the fourth of four components within the D&B Viability Rating. The Company Profile describes a company based on a combination of 4 categories:

1. Financial Data.
2. Trade Payments.
3. Company Size.
4. Years in Business.


A company is characterized by a letter which ranges from A - X; with each letter representing a combination of the 4 categories that make up the company's profile. For example, A describes a company with a comprehensive level data, which has been in business 5+ years, with 50+ employees or \$500K+ in Sales, while X reflects a company with a minimal data, in business < 5 years, with < 10 employees or < \$10K in Sales. Y and Z reflect a Branch and Subsidiary, respectively.

#### **Company Profile: Q**

#### **Company Profile Details:**

- **Financial Data:**Not Available
- **Trade Payments :** Available: 1-2 Trade
- **Business Size:** Small: Employees: <10 or Sales: <\$10K or Missing
- **Years in Business:**Established (Established: 5+ )

#### **CUSTOMER SERVICE**

 Need help? Call Customer Service at (800) 932-0025, Monday through Friday, 8:00 AM to 6:00 PM Local Time.

#### **HISTORY**

The following information was reported **05/03/2014**:

**Officer(s):** PATRICK CLOUDEN, CEO  
JIM MATHER, PRES

**DIRECTOR(S):** THE OFFICER(S)

The Florida Secretary of State's business registrations file showed that Consumer Energy Solutions, Inc. was registered as a Corporation on August 20, 1999.

Business started 1999. 100% of capital stock is owned by officers.

PATRICK CLOUDEN. 1999- present active here.

JIM MATHER. 1999- present active here, 1983- graduated US Naval Academy and is a licensed professional engineer in the state of Maryland.

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Business address has changed from 11596 94th Street North, Largo, FL, 33773 to 1704 Clearwater Largo Rd, Clearwater, FL, 33756.

#### **BUSINESS REGISTRATION**

CORPORATE AND BUSINESS REGISTRATIONS REPORTED BY THE SECRETARY OF STATE OR OTHER OFFICIAL SOURCE AS OF JUN 25 2014:

**Registered Name:** CONSUMER ENERGY SOLUTIONS, INC.

**Business type:** DOMESTIC CORPORATION  
**Corporation type:** PROFIT  
**Date incorporated:** AUG 20 1999  
**State of incorporation:** FLORIDA  
**Filing date:** AUG 20 1999  
**Registration ID:** P99000075979  
**Federal ID:** 593600276  
**Status:** ACTIVE

**Where filed:** STATE DEPARTMENT/CORPORATION DIVISION, TALLAHASSEE, FL

**Registered agent:** R. CARLTON WARD, 1253 PARK ST., CLEARWATER, FL, 337560000

**Principals:** PATRICK CLOUDEN, PRES, 111 MANATEE ROAD, BELLAIRE, FL, 337560000  
 JIM MATHERS, VP, 8 EVONAIRE CIRCLE, CLEARWATER, FL, 337560000

**OPERATIONS**

05/03/2014

**Description:** Provides business consulting services, specializing in energy conservation (100%).  
 Territory : United States & Canada.

**Employees:** UNDETERMINED which includes officer(s).

**Facilities:** Occupies premises in building.

**SIC & NAICS**

**SIC:**  
 Based on information in our file, D&B has assigned this company an extended 8-digit SIC. D&B's use of 8-digit SICs enables us to be more specific to a company's operations than if we use the standard 4-digit code.

**NAICS:**  
 541690 Other Scientific and Technical Consulting Services

The 4-digit SIC numbers link to the description on the Occupational Safety & Health Administration (OSHA) Web site. Links open in a new browser window.

87489904 Energy conservation consultant

**PAYMENT SUMMARY**

D&B has not received a sufficient sample of payment experiences to establish a PAYDEX score.

The Payment Summary section reflects payment information in D&B's file as of the date of this report.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

	Total Rcv'd (#)	Total Dollar Amt (\$)	Largest High Credit (\$)	Within Terms (%)	Days Slow <31 31-60 61-90 90> (%)

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**Top industries:**

Newspaper-print/publ	1	2,500	2,500	100	-	-	-	-
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**Other payment categories:**

Cash experiences	1	100	100	
Payment record unknown	0	0	0	
Unfavorable comments	0	0	0	

**Placed for collections:**

With D&B	0	0	
Other	0	N/A	
<b>Total in D&amp;B's file</b>	<b>2</b>	<b>2,600</b>	<b>2,500</b>

The highest **Now Owes** on file is \$0

The highest **Past Due** on file is \$0

D&B receives over 600 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received.

**PAYMENT DETAILS**

**Detailed Payment History**

Date Reported (mm/yy)	Paying Record	High Credit (\$)	Now Owes (\$)	Past Due (\$)	Selling Terms	Last Sale Within (months)
05/14	Ppt	2,500	0	0	N30	1 mo
06/13	(002)	100			Cash account	1 mo

**Payments Detail Key:** red = 30 or more days beyond terms

Each experience shown is from a separate supplier. Updated trade experiences replace those previously reported.

**FINANCE**

**05/03/2014**

The name and address of this business have been confirmed by D&B using available sources.

**PUBLIC FILINGS**

A check of D&B's public records database indicates that no filings were found for CONSUMER ENERGY SOLUTIONS, INC. at 1704 Clearwater Largo Rd, Clearwater FL.

D&B's extensive database of public record information is updated daily to ensure timely reporting of changes and additions. It includes business-related suits, liens, judgments, bankruptcies, UCC financing statements and business registrations from every state and the District of Columbia, as well as select filing types from Puerto Rico and the U.S. Virgin Islands.

D&B collects public records through a combination of court reporters, third parties and direct electronic links with federal and local authorities. Its database of U.S. business-related filings is now the largest of its kind.

**GOVERNMENT ACTIVITY**

**Activity summary**

Borrower (Dir/Guar):	NO
Administrative debt:	NO
Contractor:	NO
Grantee:	NO
Party excluded from federal program(s):	NO

**Possible candidate for socio-economic program consideration**

Labor surplus area:	N/A
Small Business:	YES (2014)
8(A) firm:	N/A

The details provided in the Government Activity section are as reported to Dun & Bradstreet by the federal government and other sources.

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## Appendix B

### Sample Disclosure Statement Format for Natural Gas Suppliers

This is an agreement for natural gas services, between NGS name and customer's name and full address.

#### Background

We at NGS Company Name are licensed by the Pennsylvania Public Utility Commission to offer and supply natural gas services in Pennsylvania. Our PUC license number is A-110XXX.

- We set the prices and charges that you pay. The Public Utility Commission regulates distribution or delivery prices and services. The Federal Energy Regulatory Commission regulates interstate pipeline prices and services.
- If you ask us, we can bill you directly for our service.
- Right of Recision - You may cancel this agreement at any time before midnight of the third business day after receiving this disclosure.

#### Definitions

- Interstate Pipeline Charges - Charges for moving natural gas to the distribution lines of a distribution company.
- Nonbasic Charges - *Define each nonbasic service being offered.*

#### Terms of Service

1. (a) **Basic Service Prices** - *Itemize Basic Services you are billing for and their prices.*

You will pay rate per (Mcf/Dth/ccf) for the commodity of natural gas.  
*Suppliers are to include any variable pricing conditions and limits, if charging a variable rate.*

You will pay rate per (Mcf/Dth/ccf) for other natural gas service.  
*Suppliers are to include transmission service prices if billed.*

- (b) **Nonbasic Service Prices** - *Itemize Nonbasic Services you are offering and their prices.*

2. **Length of Agreement**

You will buy your natural gas services for the above street address from company's name beginning date through date of expiration, if any.

3. **Special Terms and Conditions** - *List and explain all that apply.*

Sign-up bonuses  
Add-ons  
Limited time offers  
Other Sales Promotions  
Exclusions

4. **Special Services** - *Provide explanation of price, terms and conditions, including advanced metering deployment, if applicable.*

**5. Penalties, Fees and Exceptions** - List any that apply including a late payment charge. The print size for this section must be larger than the print in the rest of the agreement.

**6. Cancellation Provisions** - This category may consist of both customer initiated cancellation provisions and supplier initiated cancellation provisions.

**7. Renewal Provision** - If this is a fixed term agreement with automatic renewal, explain the procedure here.

**8. Agreement Expiration/Change in Terms**

If you have a fixed term agreement with us and it is approaching the expiration date or if we propose to change our terms of service, we will send you written notice in each of our last three bills or in separate mailings before either the expiration date or the effective date of the changes. We will explain your options in these three advance notices.

**9. Dispute Procedures**

Contact us with any questions concerning our terms of service. You may call the PUC if you are not satisfied after discussing your terms with us.

**10. Contact Information**

Supplier Name: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_

Internet Address: \_\_\_\_\_

Distribution Company Name: \_\_\_\_\_

Provider of Last Resort Name: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_

Public Utility Commission (PUC) Address: P.O. Box 3265 Harrisburg, PA 17105-3265

Natural Gas Competition Hotline Number: 1-888-xxx-xxxx

Universal Service Program Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

## APPENDIX D

### Standards of Conduct

- (1) The [natural gas distribution company] should apply its tariffs in a nondiscriminatory manner to its affiliate, its own marketing division and any nonaffiliate.
- (2) The [natural gas distribution company] should likewise not apply a tariff provision in any manner that would give its affiliate or division an unreasonable preference over other marketers with regard to matters such as scheduling, balancing, transportation, storage, curtailment, capacity release and assignment, or nondelivery, and all other services provided to its affiliated suppliers.
- (3) If a tariff provision is mandatory, the [natural gas distribution company] should not waive the provision for its affiliate or division absent prior approval of the Commission.
- (4) If a tariff provision is not mandatory or provides for waivers, the [natural gas distribution company] should grant the waivers without preference to affiliates and divisions or non-affiliates.
- (5) The [natural gas distribution company] should maintain a chronological log of tariff provisions for which it has granted waivers. Entries should include the name of the party receiving the waiver, the date and time of the request, the specific tariff provision waived and the reason for the waiver. Any chronological log should be open for public inspection during normal business hours.
- (6) The [natural gas distribution company] should process requests for transportation promptly and in a nondiscriminatory fashion with respect to other requests received in the same or a similar period. The [natural gas distribution company] should maintain a chronological log showing the processing of requests for transportation services. Any chronological log should be open for public inspection during normal business hours.
- (7) Transportation discounts and fee waivers and rebates provided to the [natural gas distribution company's] or its marketing affiliate's favored customers should be offered to other similarly situated customers and should not be tied to any unrelated service, incentive or offer on behalf of either the parent or affiliate. A chronological

log should be maintained showing the date, party, time and rationale for the action. Any chronological log should be open for public inspection during normal business hours.

- (8) The [natural gas distribution company] should not disclose any customer proprietary information to its marketing affiliate or division, and to the extent that it does disclose customer information, it should contemporaneously provide this same information to other similarly situated marketers in a similar fashion so as not to selectively disclose, delay disclosure, or give itself or its affiliate any undue advantage related to the disclosure. A chronological log should be maintained showing the date, time and rationale for the disclosure. Any chronological log should be open for public inspection during normal business hours. A natural gas distribution company should not provide information received from non-affiliated customers or suppliers to its affiliated natural gas suppliers.
- (9) The [natural gas distribution company] should justly and reasonably allocate to its marketing affiliate or division the costs or expenses for general administration or support services.
- (10) The [natural gas distribution company] selling surplus gas supplies and/or upstream capacity on a short-term basis (as defined by the Federal Energy Regulatory Commission) to its affiliate should make supplies available to similarly situated marketers on a nondiscriminatory basis. The [natural gas distribution company] should not make any gas supplies and/or upstream capacity available through private disclosure to the [natural gas distribution company's] affiliate unless the availability is made simultaneously with public dissemination in a manner that fairly apprises interested parties of the availability of the gas supplies and/or upstream capacity. The [natural gas distribution company] should maintain a chronological log of these public disseminations. Any chronological log should be open for public inspection during normal business hours.
- (11) The [natural gas distribution company] should not condition or tie agreements to release interstate pipeline capacity to any service in which the [natural gas distribution company] or affiliate is involved.
- (12) The [natural gas distribution company] should not directly or by implication . . . represent to any customer, supplier or third party that an advantage may accrue to any party through use of the [natural gas distribution company's] affiliate or subsidiary.

- (13) The [natural gas distribution company] should establish and file with the Commission a complaint procedure for dealing with any alleged violations of any of the standards listed in paragraphs (1) through (12), this paragraph or paragraphs (14) and (15), excepting for paragraph (9), which should be exclusively under the purview of the Commission. These procedures should be developed in consultation with interested parties during consideration of any tariff guided by this section and §69.191 (relating to general). The Commission may expect establishment of a complaint procedure or other recordkeeping requirements if warranted by subsequent facts or circumstances.
- (14) The [natural gas distribution company] should keep a chronological log of any complaints, excepting paragraph (9), regarding discriminatory treatment of natural gas suppliers. This chronological log should include the date and nature of the complaint and the [natural gas distribution company's] resolution of it. Any chronological log should be open for inspection during normal business hours.
- (15) Parties alleging violations of these standards may pursue their allegations through the Commission's established complaint procedures. A complainant bears the burden of proof consistent with 66 Pa. C.S. (relating to Public Utility Code) in regard to the allegations.
- (16) Licensees shall provide accurate information about their natural gas supplier services using plain language and common terms. Where new terms are used, such terms must be defined again using plain language: Information should be provided in a format which will allow for comparison of the various natural gas supply services offered and the prices charged for each type of service.
- (17) Licensees shall provide notification of the change in conditions of service, intent to cease operation as a natural gas supplier, explanation of denial of service, proper handling of deposits and proper handling of complaints in accordance with Commission regulations where applicable.
- (18) Licensees shall maintain the confidentiality of customers' historic payment information and right of access to their own load and billing information.

- (19) Licensees shall not discriminate in the provision of natural gas supply services as to availability and terms of service based on race, color, religion, national origin, sex, marital status, age receipt of public assistance income, and exercise of rights under the Consumer Credit Protection Act, 15 U. S. C. §§1691-1691f; Regulation B, 12 C.F.R. §§202-202.14.
- (20) Licensees will be responsible for any fraudulent deceptive or other unlawful marketing or billing acts performed by their agents or representatives. Licensee shall inform consumers of state consumer protection laws that govern the cancellation or rescission of natural gas supply service contracts. 73 P. S. §201-7.
- (21) The natural gas distribution company shall not give any affiliate or marketing division preference over a non-traditional affiliate in the provision of goods and services such as processing requests for information, complaints and responses to service interruptions. The natural gas distribution company shall provide comparable treatment without regard to a customer's chosen natural gas supplier.
- (22) No transaction between the natural gas distribution company and an affiliated natural gas supplier shall involve an anti-competitive cross-subsidy and all such transactions shall comply with applicable law.
- (23) Natural gas distribution company employees who have responsibility for operating the distribution system, including natural gas delivery or billing and metering, shall not be shared with an affiliated or divisional Supplier, and their offices shall be physically separated from the office(s) used by those working for the Supplier. Such natural gas distribution company employees may transfer to a Supplier provided such transfer is not used as a means to circumvent these interim standards of conduct. Any supplier shall have its own direct line management. Any shared facilities shall be fully and transparently allocated between the natural gas distribution company function and the Supplier function. The natural gas distribution company accounts and records shall be maintained such that the costs a Supplier incurs may be clearly identified.
- (24) (a) Neither the natural gas distribution company nor an affiliated or divisional Supplier may directly or by implication falsely and unfairly represent:

that the Pa PUC jurisdictionally regulated services provided by the natural gas distribution company are of a superior quality when power is purchased from an affiliated or divisional Supplier; or

that the merchant services (for natural gas) are being provided by the natural gas distribution company rather than an affiliated or divisional Supplier;

that the natural gas purchased from a Supplier that is not an affiliate or division of the natural gas distribution company may not be reliably delivered;

- that natural gas must be purchased from an affiliate or divisional Supplier to receive Pa PUC jurisdictional regulated services.

(b) The natural gas distribution company shall not jointly market or jointly purchase its Pa PUC jurisdictional regulated services with the services of an affiliated or divisional Supplier. This prohibition includes prohibiting the natural gas distribution company from including bill inserts in its natural gas distribution company bills promoting an affiliated or divisional Supplier's services, and further precludes a reference or link from the natural gas distribution company's web-site to any affiliated or divisional supplier.

(c) When an affiliated or divisional Supplier markets or communicates to the public using the natural gas distribution company name or logo, it shall include a disclaimer that states:

(i) That the Supplier is not the same company as the natural gas distribution company; (2) that the prices of the Supplier are not regulated by the Pa PUC; and (3) that a customer does not have to buy natural gas or other products from the Supplier in order to receive the same quality service from the natural gas distribution company. When a Supplier advertises or communicates verbally through radio or television to the public using the natural gas distribution company name or logo, the Supplier shall include at the conclusion of any such communication a disclaimer that includes all of the disclaimers listed in this paragraph.

(25) The natural gas distribution company must: (a) make interstate capacity available for release, assignment, or transfer to its affiliated or divisional Supplier only through the interstate pipeline electronic bulletin boards and the competitive bidding procedures in place on those interstate systems; (b)

not give its affiliated or divisional Supplier any preference over non-affiliated or non-divisional Suppliers, or potential non-affiliated or non-divisional Suppliers, in matters relating to the assignment, release, or other transfer of the natural gas distribution company's capacity rights on interstate pipeline systems; and (c) not condition or tie its agreement to release, assign, or otherwise transfer interstate pipeline capacity to any agreement by a gas Supplier, customer or other third party relating to any service in which its marketing affiliate is involved.