

**NRG Curtailment Solutions, Inc.**  
4433 Genesee Street, Suite 401  
Buffalo, NY 14225  
877.711.5453

**RECEIVED**

October 18, 2017

OCT 18 2017

Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
400 North Street  
2<sup>nd</sup> Floor, Room 01  
Harrisburg, PA 17120

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

NRG Curtailment Solutions, Inc.  
4433 Genesee Street, Suite 401  
Buffalo, New York 14225

Re: Notice of Cancellation of Conservation Service Provider Registration (A-2009-2124484)

To Whom It May Concern:

Attached please find an application to reinstate Conservation Service Provider registration for NRG Curtailment Solutions, Inc. We have sent the \$125 application fee under separate cover via UPS (tracking # 1Z45E0F21397417364), Check No. 1028487.

**CONSERVATION SERVICE PROVIDER ("CSP") APPLICATION  
FOR REGISTRATION IN THE COMMONWEALTH OF PENNSYLVANIA**

Conservation Service Providers ("CSPs") have a specific role under Act 129, which requires a covered Electric Distribution Company's Energy Efficiency and Conservation (EE&C) plan to include one or more CSPs to implement at least a portion of the EE&C Plan. 66 Pa.C.S. § 2806.1(b)(1)(i)(E). CSPs provide information and technical assistance to EDCs on *measures* that enable a person to increase energy efficiency or reduce energy consumption. CSPs must have no direct or indirect ownership, partnership or other affiliated interest with an EDC. 66 Pa.C.S. § 2806.1 (m). Only registered CSPs may advise an EDC and/or provide consultation, design, or administration or management services to an EDC related to the implementation of the EDC's EE&C Plan. As such, registration of business entities as approved CSPs is required before entering into a contractual agreement with an EDC exclusively for the provision of consultation, design, administration, management or advisory services regarding that EDC's EE&C plan. This registry is not intended as a resource for business, whose sole purpose is the installation of measures, supplying of equipment or other contracting work for use by the general public and EDC customers. If providing such services, registration as a CSP is not required for entering into an agreement with an EDC.

Any CSP subcontractor with an annual contract cost that equals or exceeds 10% of the CSP annual contract cost and is directly performing services pursuant to a contract with a CSP which has contracted with an EDC after Commission approval should also register as a CSP. This does not include third party contractors which participate in or support an EE&C Plan but are not directly contracted with a CSP which has a direct contractual relationship with the EDC subject to Act 129.

To qualify an applicant must have at least two years of experience in providing program consultation, design, administration, management or advisory services related to energy efficiency and conservation services. CSP registration is not required of entities that limit their services to the installation of energy efficiency measures or the provision of equipment or materials to EDC customers or the public in general.

**1. IDENTITY OF THE APPLICANT**

a. Legal Name of Applicant: **NRG Curtailment Solutions, Inc. (NRGCS)**

Attach proof of compliance with appropriate Pennsylvania Department of State filing requirements.<sup>1</sup>

**Please see attachment A.**

<sup>1</sup> A copy of any document from the Pennsylvania Department of State (Pa. Dept. of State) documenting the Applicant's Pa. Dept. of State entity number is adequate. However, the document must indicate that the Applicant's Pa. Dept. of State registration is "active." Certified copies of Pa. Dept. of State documents are not required.

b. Trade or Commercial or Fictitious Names Used by Applicant (d/b/a)—List all that apply.

- The Applicant will be using a fictitious name or doing business as (“d/b/a”). Identify names below. If more space is needed, list names on the back of this page or append list to completed application.
- X The Applicant will not be using a fictitious name.

c. Applicant Address: **4433 Genesee Street, Suite 401  
Buffalo, New York 14225**

d. Applicant Telephone No: **(716) 906-5100**

e. Applicant Email Address: **steven.moffitt@nrg.com**

f. Contact Information for Applicant. PLEASE NOTE: Upon approval of this application, this Contact Information will be listed on the Commission’s CSP Registry.

- Name : **Monica M. Berry**
- Mailing Address : **4433 Genesee Street, Suite 401  
Buffalo, New York 14225**
- Telephone : **(716) 906-5100**
- Email Address: **monica.berry@nrg.com**

g. Predecessor(s) & Other Names used by Applicant for past five (5) years of date of this application. Provide Name(s), Address(es) and Telephone No.(s).

- X Check Box if any Predecessor(s) is currently or was previously registered in Pennsylvania as a CSP. If affirmative, please provide Docket No(s). (A-[Year]-[Seven (7) Digits]) and names for all registered CSPs.

---

**NRG Curtailment Solutions, Inc. (NRGCS) has held a CSP registration in the name Energy Curtailment Solutions, Inc., (ECS) which was NRGCS’s predecessor in name only (i.e., the parent company and ownership structure remained the same, only ECS’s name was changed to NRGCS). The initial license was issued pursuant to the Commission’s order in Docket No. M-2008-2074154.**

---

h. Parent & Subsidiary Companies & Affiliates:

- X Parent Name and Contact Information.** Provide name and contact information for parent company. Check Box if any parent company is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC). If "None," do not check the box and answer "None" below.

**NRG Energy**  
**211 Carnegie Center**  
**Princeton, New Jersey 08540-6213**  
**Phone: 609-524-4500**  
**Fax: 609-524-4501**

- Subsidiaries and Contact Information.** Provide name and contact information for all subsidiary companies. Check Box if any subsidiary is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC). If "None," do not check the box and answer "None" below.

**None**

- Affiliate(s) and Contact Information.** Provide name and contact information for all affiliate companies. Check Box if any affiliate is currently doing business in Pennsylvania as a CSP or Electric Distribution Company (EDC). If "None," do not check the box and answer "None" below.

**BidURenergy**  
**4433 Genesee Street, Suite 401**  
**Buffalo, New York 14225**  
**(716) 906-5100**

**ACE Energy, Inc.**  
**c/o NRG Energy Inc.**  
**211 Carnegie Center Dr. Princeton, NY 08540**  
**(609) 524-4500**

**NRG Curtailment Solutions, Inc. has a host of additional affiliates that are part of the NRG Energy Inc. corporate family and are not listed here. For further information, please see NRG Energy Inc's SEC Form 10-K available at: <http://investors.nrg.com/phoenix.zhtml?c=121544&p=IROL-secToc&TOC=aHR0cDovL2FwaS50ZW5rd2l6YXJkLmNvbS9vdXRsaW5lLnhtbD9yZXBvPXRlbmsmaXBhZ2U9MTE0MzAwMzUmc3Vic2lkPTU3&ListAll=1&sXBRL=1>**

i. Contracts & Business Partnerships:

- Check Box if Applicant intends to or has operated under contract with or has partnered with an EDC within the past five (5) years.** If "None," do not check the box and answer "None" below.

**None**

- X Check Box if Applicant intends to or has operated under contract (subcontractor) with or has partnered with a CSP within the past five (5) years. If "None," do not check the box and answer "None" below.**

**If any box above is checked, please provide name(s) of EDC(s) and CSP(s) and contact information for each and briefly describe the nature of business services associated with each contract and/or partnership.**

**CPower  
Dailey Tipton  
Vice President & General Manager  
415 McFarlan Road, Suite 218  
Kennett Square, PA 19348**

- j. Identify principal officers (owners, executives, partners and/or directors), as appropriate for Applicant's organizational structure. Provide an organizational chart and the names, titles, business addresses and telephone numbers for each office.

**Business Address: 4433 Genesee Street, Suite 401 Buffalo, New York 14225  
Business Address: 1201 Fannin Street Houston, Texas 77002**

**Phone Number – 716-906-5100**

**Steven Moffitt – President  
Gaetan Frotte – Treasurer  
David Callen - Vice President  
Krisshna Koomar – Vice President  
Glen Edwin Mackey – Vice President  
Richard Mason – Vice President  
Averill Conn – Secretary  
Deborah R. Fry – Assistant Secretary  
Judith Tompkins – Assistant Secretary  
Robert J. Gaudette – Senior Vice President & Director**

- k. Attach to this Application a brief biography or single page professional resume for all principal officers and management directly responsible for Applicant's operations.

**Please see attachment B**

- l. Provide Applicant's Employer Identification No. (EIN): **20 046 2805**

2. **REGISTERED AGENT**

- a. If the Applicant does not maintain a principal office in the Commonwealth, the

Applicant is required by the Pennsylvania Department of State to designate an approved Registered Agent as its representative in the Commonwealth. Check one of the Boxes below, as applicable:

- X YES**, the Applicant has registered its business with the Pennsylvania Department of State. Following is the Name and Contact information for the Applicant's Department-Approved Registered Agent.
  - Registered Agent's Name: **CT Corporation**
  - Registered Agent's Mailing Address :**116 Pine Street, Ste 320  
Harrisburg, PA 17101**
  - Registered Agent's Telephone: **(717) 234-6004**
  - Registered Agent's Email Address: **N/A**
- NO**, the Applicant has not registered its business with the Pennsylvania Department of State. **STOP**—To avoid denial of your application and forfeiture of your application fee, you should contact the Pennsylvania Department of State Bureau of Corporations to register as a business entity within the Commonwealth **PRIOR TO** completion and filing of this application with the Pennsylvania Public Utility Commission.

b. Applicant has registered its business with the Pennsylvania Department of State. Please check appropriate registration type for Applicant as designated with the Department.

- Sole proprietor (15 Pa. C.S. §4124)
- Domestic corporation (none)
- Domestic general partnership (15 Pa. C.S. §4124)
- Domestic limited liability company (15 Pa. C.S. §8913)
- Domestic limited liability partnership (15 Pa. C.S. §8201)
- X Foreign corporation (15 Pa. C.S. §4124)**
- Foreign general or limited partnership (15 Pa. C.S. §4124)
- Foreign limited liability company (15 Pa. C.S. §8981)
- Foreign limited liability general partnership (15 Pa. C.S. §8211)
- Foreign limited liability limited partnership (15 Pa. C.S. §8211)

c. If Applicant is not domiciled in the Commonwealth of Pennsylvania and is registered as a "foreign" entity as identified in Question 2.b., please identify all other states where applicant is registered and name the appropriate state department(s):

**California, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maryland, New Jersey, Ohio, Ontario, Pennsylvania, Texas, Virginia and West Virginia**

**APPLICANT'S OPERATIONS**

Respond to each of the following four questions relating to Applicant's operations and its technical and financial fitness. Respond to each item and attach any additional information and/or statements to this Application as appropriate.

a. Describe nature of business:

**NRGCS is a third party demand response provider or Curtailment Service Provider (CSP) providing Demand Response Services to end use customers in the state of Pennsylvania. NRGCS participates in PJM's wholesale market as a CSP.**

b. Current status of business (check one):

- X Applicant is presently doing business in Pennsylvania
- Applicant is presently not doing business in Pennsylvania

c. The Applicant proposes to provide the following information and technical services to an EDC. Check all services that apply and identify all EDCs with whom Applicant intends to conduct business.

- Consultation EDCs: \_\_\_\_\_
- Design \_\_\_\_\_
- Administration \_\_\_\_\_
- Management \_\_\_\_\_
- Advisory \_\_\_\_\_

d. Attach to this Application a copy of any certification(s) or similar documentation that would demonstrate the technical fitness of Applicant, such as membership in trade associations, professional licenses, technical certifications, and/or names of current or past clients with a description of dates and types of services provided by Applicant.

e. Attach to this Application proof of current liability insurance coverage.  
**Please see attachment C**

**COMPLIANCE**

Respond to each of the following Questions. Provide a statement as to the resolution or present status of any such proceedings, if applicable.

- a. In the past three years has the Applicant, the parent company, an affiliate or predecessor or partner (contractor/subcontractor business relationship) of the Applicant, or any person identified by the Applicant in this Application, been investigated or convicted of a crime involving fraud, theft, larceny, deceit, violation of consumer protection law, violation of deceptive trade law or similar activity, 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?

- X No**
- Yes. Provide explanation:**

---

---

---

---

---

- b. Is the Applicant, the parent company, an affiliate, or a predecessor of either, currently delinquent with any state or federal taxing authority?

- X No**
- Yes. Provide explanation:**

---

---

---

---

---

- c. Identify all bankruptcy or liquidation proceedings for the prior three years. If none, state "None" below.

**None**

---

---

---

---

---

- d. Identify all customer complaints filed with a regulatory or prosecutor agency for the prior three years of the date of this application. In none, state "None" below.

**None**

---

---

---

---

---

**4. 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.

Signature of Principal Official: Steven K. Moffitt

Official's Name & Title : Steven Moffitt, President NRG Curtailment Solutions, Inc.  
(Please Print)

Date : October 18, 2017

RECEIVED

OCT 18 2017

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

*[Faint handwritten signature]*

APPROVED FOR THE STATE OF NEW YORK  
BY THE PUBLIC UTILITY COMMISSION  
OFFICE OF THE SECRETARY  
190 SOUTH STREET ALBANY, NY 12242  
PHONE: 518-474-2400 FAX: 518-474-2401

APPENDIX A - AFFIDAVIT

[Commonwealth/State] of New York:

SS.

County of Erie:

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

[He/she is the President (Office of Affiant) of NRG Curtailment Solutions, Inc. (Name of Applicant);]

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

That the Applicant herein NRG Curtailment Solutions, Inc. has the burden of producing information and supporting documentation demonstrating its technical and financial fitness to be registered as a conservation service provider pursuant to Act 129 of 2008.

That the Applicant herein NRG Curtailment Solutions, Inc. acknowledges that it has answered the questions on the application correctly, truthfully and completely and has provided supporting documentation as required.

That the Applicant herein NRG Curtailment Solutions, 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 NRG Curtailment Solutions, 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.

*Steven K. Moffitt*  
Signature of Affiant

RECEIVED

Sworn and subscribed before me this 18 day of October 2017.

OCT 18 2017

*M. M. B.* 10/18/17  
Signature of official administering oath

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

MEGAN BOHN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01806322969  
Qualified in Erie County  
My Commission Expires April 13, 2019

My commission expires: 4/13/19



DSCB:15-413 - 2

5. Check, and if appropriate complete, one of the following:

The association desires that its registration be amended to change or correct the following information:

The name of the corporation has been changed to: NRG Curtailment Solutions, Inc.

The amendment adopted by the association is set forth in full in Exhibit A attached hereto and made a part hereof.

If the amendment reflects a change in name for the association which does not comply with 15 Pa.C.S. § 414 and §§ 201-209, the foreign association must adopt an alternate name that complies with 15 Pa.C.S. §§ 201-209 for use in Pennsylvania and a resolution from the association's governors adopting the name must be attached.

IN TESTIMONY WHEREOF, the undersigned association has caused this Amendment of Foreign Registration Statement to be signed by a duly authorized representative thereof this 14th day of September 2015.

NRG Curtailment Solutions, Inc.

Name of Association

Deborah R. Fry

Signature

Deborah R. Fry, Assistant Secretary

Title

## **Attachment B**

Steven Moffitt is the Vice President of NRG Business and the President of NRG Curtailment Solutions. He has been a leader in both the energy and information technology markets for over 30 years. The winning combination of these strengths gives him an experienced and keen strategic eye for business development and structure. In his current role, Steve is bringing Demand Response to the main stage within NRG. He drives NRG Curtailment Solutions' positioning towards a national presence that compliments NRG's aspiration to be the leader in the B2B energy market place. This includes; Energy Supply, Energy Efficiency, Reliability, Sustainability, Grid Independence, and Energy Brokerage.

Prior to NRG, Steve was the Chief Operating Officer at Converge. In this role, he oversaw business operations and introduced a number of advancements that resulted in more efficient operations and lower costs. In addition, he had responsibility for complex commercial market transactions in the PJM marketplace. In the technology services world, he worked several years as the Chief Information Officer and VP of Information Systems at both Dynegy and Kock Industries. Steve also has insight into the global market having been the VP/Chief Information Officer at BG Group; America's, Australia and Global LNG. He holds a Bachelor of Science degree in Information Systems from the University of Texas at Arlington and is an avid outdoorsman and football fan.

Attachment



**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)  
10/17/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> MCGRIFF, SEIBELS & WILLIAMS, INC. P.O. Box 10265 Birmingham, AL 35202	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 800-476-2211      FAX (A/C, No):	
	<b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> NRG Energy, Inc., including NRG Curtailment Solutions, Inc. 804 Carnegie Center Drive Princeton, NJ 08540	<b>INSURER(S) AFFORDING COVERAGE</b>	
	INSURER A :ACE American Insurance Company      NAIC # 22667	
	INSURER B :Associated Electric & Gas Insurance Services Limited	
	INSURER C :	
	INSURER D :	
INSURER E :		
INSURER F :		

**COVERAGES**      **CERTIFICATE NUMBER:PM7T8L37**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			HDOG27866323	04/01/2017	04/01/2018	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input checked="" type="checkbox"/> CLAIMS-MADE DED    RETENTION \$			XL5045006P Aggregates as Applicable	04/01/2017	04/01/2018	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ \$

RECEIVED

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Evidence Only

OCT 18 2017

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**CERTIFICATE HOLDER**      **CANCELLATION**

Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	--

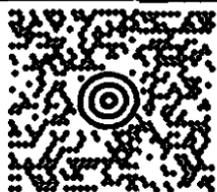
SARA WATSON  
NRG CURTAILMENT SOLUTIONS  
4433 GENESEE ST  
BUFFALO NY 14225

0.5 LBS LTR

1 OF 1

**SHIP TO:**

SECRETARY  
PA PUBLIC UTILITY COMMISSION  
FLOOR 2 ROOM 01  
400 NORTH ST  
COMMONWEALTH KEYSTONE BLDG  
**HARRISBURG PA 17120-0093**



**PA 171 9-20**



**UPS NEXT DAY AIR**

**1**

TRACKING #: 1Z 81R 27F 01 9129 3064



BILLING: P/P

CS 19.5.48. WNTNV50 93.0A 10/2017



10/18/2017

UPS CampusShip