



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

August 30, 2018

Docket No. A-2018-3004134
Utility Code: 1121308

CERTIFIED

ROBINE GUILLAUME ASST ACCT MNGR
LICENSELOGIX LLC
140 GRAND ST STE 300
WHITE PLAINS NY 10601

RE: Electric Generation Supplier License Application

Dear Ms. Guillaume:

On August 21, 2018, Palmer Energy Company Inc's application for an Electric Generation Supplier license was accepted for filing and docketed with the Public Utility Commission. The application was incomplete. In order for us to complete our analysis of your application, the Energy Industry Group requires answers to the attached question(s).

Please be advised that you are directed to forward the requested information to the Commission within **30** days of receipt of this letter. Failure to respond may result in the application being denied. As well, Palmer Energy Company Inc has decided to withdraw its application, please reply notifying the Commission of such a decision.

Please forward the information to the Secretary of the Commission at the address listed below. When submitting documents, all documents requiring notary stamps must have original signatures. Please note that some responses may be e-filed to your case, <http://www.puc.pa.gov/efiling/default.aspx>. A list of document types allowed to be e-filed can be found at <http://www.puc.pa.gov/efiling/DocTypes.aspx>.

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

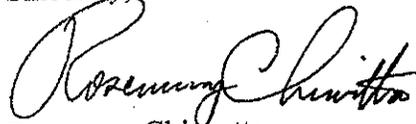
I, _____, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

In addition, to expedite completion of the application, please also e-mail the information to Jeff McCracken at jmccracken@pa.gov. Please direct any questions to Jeff McCracken, Bureau of Technical Utility Services, at jmccracken@pa.gov (preferred) or (717) 783-6163.

Sincerely



Rosemary Chiavetta
Secretary

Enclosure

Cc:

ELAINE CANNING VP
5577 AIRPORT HWY STE 101
TOLEDO OH 43615

Docket No. A-2018-3004134
Palmer Energy Company Inc
Data Requests

1. Reference Application, Section 1.b, Registered Agent – Applicant is required to provide a registered agent located within the Commonwealth of Pennsylvania, with an address listed on the Commercial Registered Office Providers website. Please provide an updated application page with the appropriate corrections.

<http://www.dos.pa.gov/BusinessCharities/Business/Resources/Pages/Commercial-Registered-Office-Providers.aspx#.Vp-Q4GQo6zV>

2. Reference Application, Section 2.b, Chief Officers – Applicant failed to provide its chief officers' names and addresses. Please provide an updated application page with the requested information.
3. Reference Application, Section 3.a, Affiliates – Applicant failed to provide its affiliates' addresses and state whether any of the affiliates are jurisdictional public utilities. Please file an updated application page with the information requested.
4. Reference Application, Section 7.a, Financial Fitness – Applicant's bond listed its name as "Palmer Energy Company, Inc." However, the Pennsylvania Department of State website lists the applicant's name as "Palmer Energy Company Inc". Please provide an updated financial security that matches the Pennsylvania Department of State website, exactly.
5. Reference Application, Section 7.b, Financial Fitness – Applicant failed to provide documentation to demonstrate financial fitness. Please provide financial fitness documentation that may include two consecutive years of income tax filings, three consecutive months of bank statements, etc.
6. Reference Application, Section 7.f, Taxation – Applicant must submit an updated Tax Certification Statement to correct the below deficiencies:
 - a. Applicant provided an incorrect Corporate Box Number instead of a Revenue ID Number on its Tax Certification Statement. Any company registered in the Commonwealth of Pennsylvania after March 2013 must contact the Pennsylvania Department of Revenue for its 10-digit Revenue ID Number. Please submit a corrected Tax Certification Statement; and
 - b. Applicant should remove the Social Security Numbers from its Tax Certification Statement. Social Security Numbers should only be included for Sole Proprietors operating without a Federal Employer Identification Number.

7. Reference Application, Section 8.a, Technical Fitness – Applicant failed to provide licenses for each state or commonwealth in which it currently operates within the electric or natural gas industries. Please provide the missing documentation.
8. Reference Application, Section 8.e, Technical Fitness – Applicant failed to provide detailed professional resumes of its chief officers, to include detailed descriptions on all experience and activities including date ranges. Please provide the missing documentation.
9. Reference Application, Section 11.a, Application Affidavit – The Application Affidavit submitted lists the applicant’s name as “Palmer Energy Company” rather than “Palmer Energy Company Inc”, per the Pennsylvania Department of State website. Please resubmit the Application Affidavit.
10. Reference Application, Section 11.b, Operations Affidavit – The Operations Affidavit submitted lists the applicant’s name as “Palmer Energy Company” rather than “Palmer Energy Company Inc”, per the Pennsylvania Department of State website. Please resubmit the Operations Affidavit.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of [Palmer Energy Company Inc](#) d/b/a _____, for approval to offer, render, furnish, or supply electricity or electric generation services as a(n) _____ [as specified in item #4b below] to the public in the Commonwealth of Pennsylvania (Pennsylvania).

To the Pennsylvania Public Utility Commission:

1. IDENTIFICATION AND CONTACT INFORMATION

- a. **IDENTITY OF THE APPLICANT:** Provide name (including any fictitious name or d/b/a), primary address, web address, and telephone number of Applicant:
[Palmer Energy Company Inc](#)
5577 Airport Highway, Suite 101
Toledo, OH 43615
www.palmerenergy.com
419-539-9180
- b. **PENNSYLVANIA ADDRESS / REGISTERED AGENT:** If the Applicant maintains a primary address outside of Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's secondary office within Pennsylvania. If the Applicant does not maintain a physical location within Pennsylvania, provide the name, address, telephone number, and fax number of the Applicant's Registered Agent within Pennsylvania.
[Registered Agent Solutions, Inc.](#)
125 Locust Street
Harrisburg, PA 17101
P: 888-705-7274 F: 888-706-7274
- c. **REGULATORY CONTACT:** Provide the name, title, address, telephone number, fax number, and e-mail address of the person to whom questions about this Application should be addressed.
[Robine Guillaume](#)
Assistant Account Manager
140 Grand Street, Ste 300, White Plains, NY 10601
P: 800-292-0909 F: 212-672-1105
RGuillaume@licenseelogix.com
- d. **ATTORNEY:** Provide the name, address, telephone number, fax number, and e-mail address of the Applicant's attorney. If the Applicant is not using an attorney, explicitly state so.

[Not using an attorney](#)

- e. **CONTACTS FOR CONSUMER SERVICE AND COMPLAINTS: (Required of ALL Applicants)** Provide the name, title, address, telephone number, FAX number, and e-mail **OF THE PERSON AND AN ALTERNATE PERSON (2 REQUIRED)** responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints filed with the Applicant, the Electric Distribution Company, the Pennsylvania Public Utility Commission, or other agencies. The main contact's information will be listed on the Commission website list of licensed EGSs.

[Andrea Flowers, Program Manager](#)
5577 Airport Highway, Suite 101
Toledo, OH 43615
T: 419 539 9180 / F: 419 539 9185
aflowers@palmerenergy.com

[Elaine Canning, Vice President](#)
5577 Airport Highway, Suite 101
Toledo, OH 43615
ecanning@palmerenergy.com

2. BUSINESS ENTITY FILINGS AND REGISTRATION

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

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

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

OR

The Applicant will not be using a fictitious name.

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

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

The Applicant is a sole proprietor.

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

OR

The Applicant is a:

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

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

OR

The Applicant is a:

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

- Provide proof of compliance with appropriate Department of State filing requirements as indicated above.
- Provide the state in which the business is incorporated/organized/formed and provide a copy of the Applicant's charter documentation.
- Give name and address of officers.

Mark Frye (President) - 5577 Airport Highway, Suite 101, Toledo, OH 43615
Kirkland Mizerek (Executive Vice President) - 5577 Airport Highway, Suite 101, Toledo, OH 43615
Elaine Canning (Vice President) - 5577 Airport Highway, Suite 101, Toledo, OH 43615
Anne Schenk (Vice President, Consulting) - 5577 Airport Highway, Suite 101, Toledo, OH 43615

3. AFFILIATES AND PREDECESSORS

(both in state and out of state)

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

Chamber Energy Solutions - 5577 Airport Highway, Suite 101, Toledo, OH 43615
Growers Energy Solutions - 5577 Airport Highway, Suite 101, Toledo, OH 43615
CCAO Energy Solutions - 5577 Airport Highway, Suite 101, Toledo, OH 43615
OML Energy Solutions - 5577 Airport Highway, Suite 101, Toledo, OH 43615
Alternative Gas & Electric Energy Solutions - 5577 Airport Highway, Suite 101, Toledo, OH 43615
None of the Affiliates listed above are jurisdictional public utilities.

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

N/a.



Exhibit 8.a. Current Licenses

Palmer Energy Company, Inc. currently holds the licenses listed below:

1. Ohio Competitive Retail Natural Gas Aggregator/Broker Certificate
Certificate Number: 10-194G(4)
2. Ohio Competitive Retail Electric Service Provider
Certificate Number: 10-265E(4)

Copies of the certificates are attached herewith.

The Public Utilities Commission of Ohio
Ohio Competitive Retail Natural Gas Aggregator/Broker Certificate
Renewal

Issued pursuant to Case Number(s):
10-1082-GA-AGG

is
Ohio Competitive Retail Natural Gas Aggregator/Broker Certificate Number:
10-194G(4)

Granted to:
Palmer Energy Company, Inc.

Whose office or principal place of business is located at:
5577 Airport Hwy., Ste 101, Toledo, OH 43615

And is hereby certified to provide:
Retail Natural Gas Aggregator/Broker Services
within the state of Ohio, for a two-year period.

Certification Effective:
September 6, 2016 through September 6, 2018

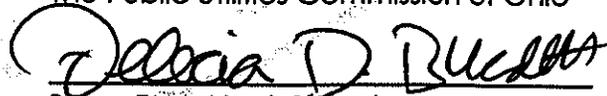
The certification of Ohio competitive retail natural gas aggregators/brokers is governed by Chapter 4901:1-27 of the Ohio Administrative Code and section 4929.20 of the Ohio Revised Code.

This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) as well as those under law, are not met.

Certified entity is subject to all rules and regulations of the commission, now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio
Dated: **September 9, 2016**

By Order of
The Public Utilities Commission of Ohio



Barcy F. McNeal, Secretary
Tanowa M. Troupe, Acting Secretary
Felicia D. Burdett, Acting Secretary



**Public Utilities
Commission**

John Kasich, Governor
Asim Z. Haque, Chairman

Commissioners
Lynn Staby
M. Beth Trombold
Thomas W. Johnson
M. Howard Petricoff

PUBLIC UTILITIES COMMISSION OF OHIO

Certified as a Competitive Retail Electric Service Provider

RENEWAL

Certificate Number:

10-265E (4)

Issued Pursuant to Case Number(s):

10-1081-EL-AGG

A certificate as a Competitive Retail Electric Service Provider is hereby granted to **Palmer Energy Company, Inc.** whose office or principal place of business is located at **5577 Airport Highway, Suite 101, Toledo, Ohio 43615** to provide **aggregation and power broker** services within the State of Ohio effective **September 5, 2016**

The certification of competitive retail electric suppliers is governed by Section 4901:1-24-(01-13) of the Ohio Administrative Code, Section 4901:1-21-(01-15) of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code.

This Certificate is revocable if all of the conditions set forth in the aforementioned case(s) are not met.

Subject to all rules and regulations of the Commission, now existing or hereafter promulgated.

Witness the seal of the Commission affixed at Columbus, Ohio.

Dated: **September 7, 2016**

By Order of

PUBLIC UTILITIES COMMISSION OF OHIO

Barcy F. McNeal, Secretary
Tanowa M. Troupe, Acting Secretary
Felecia D. Burdett, Acting Secretary

Certificate Expires: September 5, 2018

MARK R. FRYE

Address: 5577 Airport Highway, Suite 101, Toledo, OH 43615 Phone: 419-539-9180

Profile

- President and owner of Palmer Energy Company Inc.
 - CEO of Palmer Conservation Consulting LLC
 - Responsible for directing operations since acquiring Palmer Energy in 1994.
 - Certified Energy Manager (CEM) through Association of Energy Engineers (AEE).
 - Previously Director of Marketing for a natural gas marketing company.
 - Previously Manager of Production purchases for large flat glass manufacturing company.
 - Previously Specialist of Energy Purchases for large flat glass manufacturing company.
-

Experience

- Consultant for customers with total energy purchases in excess of \$300 million.
 - Consulting for over 1,000 governmental, commercial, industrial, and institutional locations.
 - Savings for customers has exceeded \$100 million over past five years.
 - Natural gas and electric rate analyses expert.
 - Industrial level procurement of other energy sources.
 - Specialties include natural gas and electric procurement.
-

Expert Witness Testimony at Public Utilities Commission of Ohio

- Case No. 12-1230-EL-SSO (FirstEnergy ESP III Case). Testimony on behalf of Northwest Ohio Aggregation Coalition (NOAC) and Northeast Ohio Public Energy Council (NOPEC).
 - Case No. 11-346-EL-SSO (AEP ESP II Case). Testimony on behalf of OSBA, OASBO & BASA.
 - Case No. 10-2929-EL-UNC (AEP Capacity Case). Testimony on behalf of OSBA, OASBO & BASA.
 - Case No. 09-096-EL-SSO (FirstEnergy ESP II Case). Testimony on behalf of Northwest Ohio Aggregation Coalition (NOAC) and Northeast Ohio Public Energy Council (NOPEC).
 - Case No. 08-935-EL-SSO (FirstEnergy ESP Case). Testimony on behalf of Northwest Ohio Aggregation Coalition (NOAC) and Northeast Ohio Public Energy Council (NOPEC).
 - Case No. 08-917-EL-SSO (AEP ESP Case). Testimony on behalf of OSBA, OASBO & BASA.
 - Case No. 08-1094-EL-SSO (DPL ESP Case). Testimony on behalf of Honda and Cargill.
 - Case No. 05-376-EL-UNC (AEP IGCC Case). Testimony on behalf of Direct Energy.
 - Case No. 03-2144-EL-ATA (FirstEnergy RSP Case). Testimony on behalf of Northwest Ohio Aggregation Coalition (NOAC) and Northeast Ohio Public Energy Council (NOPEC).
-

Other Service

- President, Lucas County Board of Development Disabilities.
 - President of Council, Olivet Lutheran Church.
 - Chairman of alternative energy committee for Honorable Carty Finkbeiner (Toledo) (2005 - 2009).
 - Member, City of Toledo Energy Policy Review Committee (2010 – 2011).
-

Education

- | | |
|--|------|
| BACHELOR OF SCIENCE IN ENERGY TECHNOLOGY | 1985 |
| Pennsylvania State University, Capitol College. Middletown, Pennsylvania. | |
| ASSOCIATES-IN-ENGINEERING, NUCLEAR ENGINEERING TECHNOLOGY | 1983 |
| Pennsylvania State University, Altoona Campus. Altoona, Pennsylvania. | |

Anne C. Schenk

WORK EXPERIENCE

Palmer Energy Company

Toledo, OH

Vice President

1/2018 to Present

- Oversee and direct natural gas & electric operations.
- Manage internal energy analyst team.
- Provide consulting services to Palmer Energy's key electric and natural gas client base. Responsibilities include managing and advising on energy needs for health-care systems, school districts, municipalities, manufacturing, industrial and commercial customers.

Director of Consulting Services

3/2013 to 12/2017

- Provided consulting services to Palmer Energy's key natural gas and electric clients.
- Managed internal natural gas and electric analyst team.

Energy Consultant – Key Account Manager

4/2011 to 2/2013

- Provided consulting service to Palmer Energy's key natural gas and electric clients.

Program & Account Manager

1-2009 to 3/2011

- Managed the Chamber Energy Solution (CES) & Growers Energy Solutions (GES) Natural Gas and Electric Savings Programs for three regional Chambers of Commerce and four greenhouse / floricultural associations in Ohio and Michigan. Programs oversee the energy needs for several hundred clients and over 4000 utility meters.
- Led the sales staff to provide sales and consulting services to the CES & GES clients.
- Account representative for Palmer's natural gas & electric consulting clients.
- Launched the CES Energy Programs in Northwest & Northeast Ohio. Responsible to our Chamber partners for program development, implementation and expansion of energy programs.
- Responsible for growth in the GES Natural Gas & Electric Savings Programs. Expanded the GES Program statewide in Ohio and established Natural Gas Program in Michigan.

Executive Assistant

12/2007 to 12/2008

- Responsible to assist the President & Executive Vice-President in client support services.
- Responsible for growth in the GES Natural Gas Savings Programs.
- Managed office needs for President & Executive Vice-President.

Dental Practice Development, Inc.

Downingtown, PA

Consultant

5/2005 to 12/2007

- Evaluated Dental Practices' business model. Analysis of customer care, billing, scheduling and fee structures for dental office across the US.
- Provided training services for dental administrative staff to expedite and improve practice productivity and patient experience.
- Support role for National Dental Conferences. Assisted owner with preparations for speaking engagements and with conference educational materials.

EDUCATION

West Chester University

West Chester, PA

8115 Hidden Forest
Holland, OH 43528

ELAINE M. CANNING

Cell: (419) 480-9899
emcanning@aol.com

PROFESSIONAL PROFILE

Finance and administration executive with a strong analytical and strategic approach in identifying deficiencies, determining potential opportunities, and developing innovative and cost-effective solutions to improve operations, impact business growth and maximize profits. Equally strong qualifications in leadership, promotes a "can do" management style that encourages highly talented professionals to reach new levels of success.

PROFESSIONAL EXPERIENCE

Palmer Energy Company, Toledo Ohio

A full service energy consulting company

Vice President and Partner

2011-present

PHOENIX TECHNOLOGIES INTERNATIONAL, LLC, Bowling Green, OH

Privately owned company, \$45 million manufacturer of resin and equipment.

2008 - 2011

Chief Financial Officer

THE BOSTWICK-BRAUN COMPANY, Toledo, OH

One of the oldest and largest hardware distribution companies in the Midwest.

1986 - 2008

President and COO

2003 - 2008

Executive Vice President

1995 - 2003

Vice President of Finance and CFO

1987 - 1995

▪ **Ernst and Young Audit manager**

1979-1986

▪ Led audit teams for SEC, small and mid sized organizations

EDUCATION

THE UNIVERSITY OF TOLEDO, Toledo, OH

- Bachelor of Science in Business: Accounting, graduated with honors December 1979

CERTIFICATIONS

- Certified Public Accountant ~ State of Ohio

PROFESSIONAL BOARD AFFILIATIONS

Board member Promedica, Toledo Symphony and National Museum of the Great Lakes

Kirkland E. Mizerek
4529 Promenade Ln, Sylvania, OH 43560
Phone: 419-349-5990
kmizerek@palmerenergy.com

SUMMARY OF QUALIFICATIONS

Sales and marketing executive skilled in managing, growing, and forecasting for multi-million dollar regions and major accounts. Proficient in formulating and implementing strategic business plans, creating proposals, and providing solutions. Excellent closer, negotiator, and highly effective in building strong customer relationships. Significant knowledge of utilities, automotive, construction, healthcare, and computer industries.

EXPERIENCE

Palmer Energy Company - TOLEDO, OH
Executive Vice President, Owner

September 2006 – Present

Creates and manages the energy programs for entities such as the County Commissioners Association of Ohio, Toledo Regional Chamber of Commerce, Ohio Municipal League, National Cable Cooperative, Green Energy Ohio, Maumee Valley Growers. Works with government entities to offer savings through aggregation to their constituents. Contract negotiation. Manages all business development activities for all programs.

ProAct Consulting - TOLEDO, OH
President

June 2004 – Sept 2006

Manage Business Development activities for small and medium size firms. Implemented sales programs. Worked with various levels of management to aide sales growth and operational integrity.

COLUMBIA GAS OF OHIO - TOLEDO, OH
Major Accounts Manager

September 2001 – June 2004

Manage 70 major accounts with annual natural gas purchases of over \$100 million realizing \$5 million in direct revenue for Columbia Gas of Ohio. Accountable for profits/losses and negotiating multiple year contracts valued in excess of \$1 million and up to \$10 million. Established, maintained strong relationships with corporate officers and management of assigned accounts and prospects resulting in new or increased product sales. Initiated and executed working partnerships with regional Economic Development Managers. Created innovative methods that assisted in the resolution of product delivery problems improving customer relationships as a result.

DUNBAR MECHANICAL, INC – TOLEDO, OH
Business Development Executive
THE RUDOLPH/LIBBE COMPANIES – WALBRIDGE, OH
Sales Representative

August 1997 – August 2001

May 1995—August 1997

EDUCATION

MASTER OF BUSINESS ADMINISTRATION, Heidelberg College, Tiffin, OH
BACHELOR OF ARTS, BUSINESS (Marketing/Mgmt), Lourdes College, Sylvania, OH
OTHER TRAINING: Certified Energy Manager (CEM), Certified Industrial Gas Consultant (CIGC)
Energy Training, Dale Carnegie, Facilities Management Sales Training.